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Judges' Roundtable: Selected Current Topics

Hon. Michael E. Wiles, Moderator

U.S. Bankruptcy Court (S.D.N.Y.)

Hon. Lisa G. Beckerman

U.S. Bankruptcy Court (S.D.N.Y.)

Hon. Rosemary Gambardella

U.S. Bankruptcy Court (D. N.J.)

Hon. David S. Jones

U.S. Bankruptcy Court (S.D.N.Y.)

Hon. Jil Mazer-Marino

U.S. Bankruptcy Court (E.D.N.Y.)

Hon. Cecelia G. Morris

U.S. Bankruptcy Court (S.D.N.Y.)

Hon. Christopher S. Sontchi

U.S. Bankruptcy Court (D. Del.)

Hon. Elizabeth S. Stong

U.S. Bankruptcy Court (E.D.N.Y.)

Materials for this panel
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day of the event and/or
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Faculty

Hon. Lisa G. Beckerman is a U.S. Bankruptcy Judge, sworn in on Feb. 26, 2021. From May 1999 until she was appointed to the bench, she was a partner in the financial restructuring group at Akin Gump Strauss Hauer & Feld LLP. From September 1989 until May 1999, she was an associate and then a partner in the bankruptcy group at Stroock & Stroock & Lavan LLP. Prior to her appointment, Judge Beckerman served as a co-chair of the Executive Committee of UJA-Federation of New York's Bankruptcy and Reorganization Group, as co-chair and as a member of the Advisory Board of ABI's New York City Bankruptcy Conference, and as a member of ABI's Board of Directors of from 2013 through 2019. She is a Fellow of the American College of Bankruptcy and a member of the National Conference of Bankruptcy Judges (NCBJ) and the 2021 NCBJ Education Committee. She also is a member of the Dean's Advisory Board for Boston University School of Law. Judge Beckerman received her A.B. from University of Chicago in 1984, her M.B.A. from the University of Texas in 1986 and her J.D. from Boston University in 1989.

Hon. Rosemary Gambardella was sworn in as a U.S. Bankruptcy Judge on May 3, 1985, in the District of New Jersey in Newark, becoming the first woman to serve on its bankruptcy court. From 1980-85, she was senior staff counsel to Hugh M. Leonard, then U.S. Trustee for the Districts of New Jersey and Delaware. Judge Gambardella served as Chief Judge of the U.S. Bankruptcy Court for the District of New Jersey from Aug. 12, 1998, to Aug. 11, 2005. She is a member of the Lawyers Advisory Committee of the U.S. Bankruptcy Court for the District of New Jersey, a member and former president of the New Jersey Bankruptcy Inn of Court, and a member of the Bankruptcy Committee of the Third Circuit Task Force on Equal Treatment in the Courts - Gender Commission. In addition, she is a member of the National Association of Women Judges, the National Conference of Bankruptcy Judges, ABI and the Turnaround Management Association, and is a former member of the Bankruptcy Judges Advisory Group for the Administrative Office of the U.S. Courts. Judge Gambardella was the bankruptcy judge representative to the Judicial Conference of the United States (2009-11) and is a Fellow of the American College of Bankruptcy. She received the Rutgers School of Law – Newark Distinguished Alumni Award in 2012, the New York Institute of Credit Women's Division Judge Cecelia H. Goetz Award, the William J. Brennan, Jr. Award in 2013 and the Conrad B. Duberstein Memorial Award in 2015. Judge Gambardella earned her B.A. in history in 1976 from Rutgers University, where she was elected to Phi Beta Kappa. After receiving her J.D. from Rutgers Law School-Newark in 1979, Judge Gambardella served as law clerk to the late Chief Bankruptcy Judge Vincent J. Commisa from 1979-80.

Hon. David S. Jones is a U.S. Bankruptcy Judge for the Southern District of New York in New York. He previously served in the U.S. Attorney's Office's Civil Division for nearly 25 years and as chief of the Tax and Bankruptcy Unit from 2002-07, and he served as Chief Civil Division Appellate Attorney from 2007-09. Judge Jones is a recipient of the Henry L. Stimson Medal for outstanding contributions to the U.S. Attorney's Office. Prior to joining the U.S. Attorney's Office in 1996, he was in private practice for four years and clerked for U.S. District Judge Morris E. Lasker. Judge Jones received his undergraduate degree from Brown University and his J.D. from Harvard Law School.

Hon. Jil Mazer-Marino is a U.S. Bankruptcy Judge for the Eastern District of New York in Brooklyn, sworn in on Oct. 23, 2020. She previously was a partner at Cullen and Dykman LLP, where her practice was nearly entirely bankruptcy-focused. Judge Mazer-Marino has extensive chapter 11 experience, including representing debtors, creditors and creditor committees in chapter 11 business reorganizations. She also served as a chapter 7 panel trustee for the Southern District of New York for more than 20 years, and has extensive experience in chapter 7 cases. Before joining Cullen and Dykman in 2019, Judge Mazer-Marino practiced with Meyer, Suozzi, English & Klein, P.C., from 2008-19, Rosen Slome Marder LLP from 2003-08 and Willkie Farr & Gallagher LLP from 1991-99. She also clerked for former EDNY Chief Bankruptcy Judge Conrad B. Duberstein. She received her undergraduate degree from the State University of New York at Albany and her J.D. from St. John's University School of Law.

Hon. Cecelia G. Morris is Chief U.S. Bankruptcy Judge for the Southern District of New York in Poughkeepsie, initially appointed on July 1, 2000, and named Chief Judge on March 1, 2012. Prior to her appointment to the bench, she served as an assistant district attorney in the Child Support Recovery Unit of the Spalding Judicial District Attorney's Office in Griffin, Ga. She also worked in private practice and served as clerk of court for the U.S. Bankruptcy Court for the Southern District of New York from 1988-2000, one of the first districts to implement the electronic filing of documents. Chief Judge Morris has led efforts by attorneys representing debtors and secured creditors to implement a model chapter 13 plan and order, and a detailed worksheet that requires disclosure of arrearages and other current mortgage information as part of a motion seeking relief from the automatic stay concerning residential real estate and cooperative apartments. She also collaborated with other judges and practitioners to develop loss-mitigation procedures for residential real estate, resulting in the adoption of a court-supervised program that is the first of its kind in the U.S. Chief Judge Morris serves as an editor of treatise on bankruptcy being developed by Bloomberg Law, and published an article describing the history and legal basis of the court's loss-mitigation program in the Spring 2011 edition of the *ABI Law Review*. She has also authored several articles on electronic filing, including a chapter on electronic case filing in *Collier on Bankruptcy*, and has published articles on loss-mitigation, mediation, the consumer credit counseling requirement in bankruptcy and cross-border insolvency cases under chapter 15 of the Bankruptcy Code. Chief Judge Morris has testified before Congress and served on the Bankruptcy Judges Advisory Board to the Administrative Office of the U.S. Courts. She teaches bankruptcy ethics at St. John's University's LL.M. in Bankruptcy program, and currently serves as a member of the Barry Zaretsky Roundtable Steering Committee at Brooklyn Law School, on the advisory board of the *ABI Law Review*, and as a member of the International Insolvency Institute, American College of Bankruptcy, National Conference of Bankruptcy Judges and the Global Restructuring Organization's Scientific Committee, headquartered in Modena, Italy. She is also a board member on Tina's Wish, which is dedicated to funding groundbreaking research for the early detection and prevention of ovarian cancer. Chief Judge Morris received the Annual Conrad B. Duberstein Memorial Award for Excellence and Compassion in the Bankruptcy Judiciary and the *New York Law Journal* Impact Award for pioneering the use of e-filing in federal court. She received her B.S. from West Texas State University and her J.D. from the John Marshall Law School.

Hon. Christopher S. Sontchi is Chief U.S. Bankruptcy Judge for the District of Delaware in Wilmington, initially appointed in 2006, and is a frequent speaker in the U.S. and abroad on issues relating to corporate reorganizations. He also is a Lecturer in Law at The University of Chicago Law School

and teaches corporate bankruptcy to international judges through the auspices of the World Bank and INSOL International. Judge Sontchi is a member of the International Insolvency Institute, Judicial Insolvency Network, National Conference of Bankruptcy Judges, ABI and INSOL International. He was recently appointed to the International Advisory Council of the Singapore Global Restructuring Initiative and the Founders' Committee of The University of Chicago Law School's Center on Law and Finance. Judge Sontchi has published articles on creditors' committees, valuation, asset sales and safe harbors. Prior to his appointment, he was in private practice, representing a wide variety of nationally based enterprises with diverse interests in most of the larger chapter 11 reorganization proceedings filed in Delaware. Judge Sontchi served on the ABI Commission to Study the Reform of Chapter 11's Financial Contracts, Derivatives and Safe Harbors Committee and testified on safe harbors for financial contracts before the Subcommittee on Regulatory Reform, Commercial and Antitrust Law of the House Committee on the Judiciary. Following law school, Judge Sontchi clerked for Hon. Joseph T. Walsh in the Delaware Supreme Court. He received his B.A. Phi Beta Kappa with distinction in political science from the University of North Carolina at Chapel Hill and his J.D. from the University of Chicago Law School.

Hon. Elizabeth S. Stong has served as a U.S. Bankruptcy Judge for the Eastern District of New York in Brooklyn since 2003. Prior to her appointment to the bench, she was a litigation partner and associate at Willkie Farr & Gallagher in New York, an associate at Cravath, Swaine & Moore, and law clerk to Hon. A. David Mazzone, U.S. District Judge in the District of Massachusetts. Judge Stong is a member of the Council on Foreign Relations, the Council of the American Law Institute and the board of the ABA Center for Innovation, and she holds leadership roles in the Practising Law Institute, PRIME Finance, and the ABA's Business Law Section, International Law Section and Judicial Division. Judge Stong's past positions include president of the Harvard Law School Association, chair of the NCBJ International Judicial Relations Committee, and chair of the New York City Bar's ADR Committee. She also served on the ABA's Standing Committee on *Pro Bono* and Public Service, Standing Committee on the American Judicial System, Standing Committee on Continuing Legal Education, Commission on Women in the Profession, and Commission on Homelessness and Poverty. Judge Stong has trained judges in Central Europe, North, Central and West Africa, the Middle East and the Arabian Peninsula with the U.S. Commerce Department, the World Bank and INSOL. She also has consulted with the Supreme Court of China and People's High Courts in Beijing and Guangzhou, and led judicial workshops in Cambodia, Argentina, Brazil and Chile. She received the ABA Glass Cutter Award, the NYIC Hon. Cecelia Goetz Award, the Brooklyn Bar Association's Freda Nisnewitz Award for Pro Bono Service, and the MFY Legal Services Scales of Justice Award. Judge Stong is an adjunct professor at Brooklyn Law School. She received her A.B. *magna cum laude* from Harvard University and her J.D. from Harvard Law School.

Hon. Michael E. Wiles is a U.S. Bankruptcy Judge for the Southern District of New York in New York, sworn in on March 3, 2015. Previously, he was a partner with Debevoise & Plimpton LLP, where he focused on general commercial litigation and bankruptcy. Judge Wiles co-authored the *Collier Business Workout Guide* (Mathew Bender 2007) and has appeared on panels organized by the Association of the Bar of the City of New York, the American College of Investment Council and others to discuss current issues in bankruptcy litigation. He is also a member of the Committee on Bankruptcy and Reorganization of the Association of the Bar of the City of New York. His publications and written CLE materials include "May Parties Consent to Bankruptcy Court Adjudication of 'Stern Claims'" (September 2014) (presented at a continuing legal education session at the Associa-

tion of the Bar of the City of New York); “Ponzi Schemes and Avoidance Actions: 3 Issues,” *Law360* (March 7, 2011); “The Good Faith Defense to Fraudulent Transfer Claims” (December 2010) (presented at a continuing legal education session at the Association of the Bar of the City of New York); and “At the Crossroads: The Intersection of the Federal Securities Laws and the Bankruptcy Code,” *The Business Lawyer* (November 2007). Judge Wiles received his A.B. from Georgetown University in 1975 and his J.D. from Yale Law School in 1978.