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2021 Alexander L. Paskay Memorial Virtual Bankruptcy Seminar

Hollywood Squares: Bankruptcy History & Trivia

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Paul J. Battista, Host

Genovese Joblove & Battista, PA | Miami

Mark D. Bloom

Baker & McKenzie LLP | Miami

Stephen D. Busey

Smith Hulsey & Busey | Jacksonville

Francis L. Carter

Francis L. Carter, P.A. | Miami

Jules S. Cohen

Akerman LLP | Orlando

Betsy C. Cox

Rogers Towers PA | Jacksonville

Allison R. Day

Genovese Joblove & Battista, P.A. | Miami

Leonard H. Gilbert

Holland & Knight LLP | Tampa

Jerry M. Markowitz

Markowitz Ringel Trusty & Hartog, P.A. | Miami

Patricia A. Redmond

*Stearns Weaver Miller Weissler Alhadeff
& Sitterson, P.A. | Miami*

Harley E. Riedel

Stichter, Riedel, Blain & Postler, P.A. | Tampa

Jeffrey W. Warren

Bush Ross, P.A. | Tampa

Contestants

Elizabeth A. Green

BakerHostetler | Orlando

R. Scott Shuker

Shuker & Dorris, P.A. | Orlando

Materials for this panel
may be distributed on the
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materials.abi.org.

Faculty

Paul J. Battista is a founding shareholder with Genovese Joblove & Battista, P.A. in Miami, where he specializes in complex commercial bankruptcy, financial restructuring and insolvency matters both in and out of court, including related bankruptcy litigation and transactional work. He routinely represents chapter 11 debtors in possession (DIPs), creditors' committees, DIP lenders, purchasers of assets and trustees in large and complex restructurings, workouts, and bankruptcy and insolvency proceedings. He also has substantial experience in the representation of franchisors in numerous franchisee bankruptcies around the country. Mr. Battista has experience in litigating a wide variety of bankruptcy-related claims and issues at both the trial and appellate levels, including fraud claims, Ponzi schemes, professional negligence, bankruptcy avoidance actions and collection of judgments. He also has represented lenders and borrowers in all aspects of secured lending, and his background includes the representation of one of the nation's largest investment banking houses in the secondary mortgage market. Mr. Battista is a Fellow in the American College of Bankruptcy. He is AV-rated by Martindale-Hubbell and continues each year to be included in *The Best Lawyers in America* in the area of bankruptcy, business reorganizations and creditors' rights. He was named "Lawyer of the Year" for 2012 in Bankruptcy/Creditors' Rights and again in 2020 for Bankruptcy-Litigation. He also was recently ranked as one of only three "Star Individuals" in the State of Florida in the bankruptcy field by *Chambers & Partners USA*, having been previously ranked for several years as a "Band 1" Florida bankruptcy attorney. He was named a "Hall of Fame" member by *Legal Elite* and ranked as one of Florida's top lawyers by *Florida Trend*, *South Florida Legal Guide* and *Who's Who Legal*. Mr. Battista is a member of the Florida, Rhode Island and Massachusetts Bars, the U.S. District Courts for the Southern and Middle District of Florida, the Eleventh Circuit Court of Appeals, and the U.S. Supreme Court. He received his B.S. *magna cum laude* in accounting in 1983 from the University of Rhode Island and his J.D. *magna cum laude* in 1986 from Boston University School of Law.

Mark D. Bloom is a partner with the Restructuring and Insolvency Practice of Baker & McKenzie LLP in its Miami office. He has more than 35 year of experience representing clients in a wide array of U.S. and cross-border financial restructuring, reorganization and bankruptcy matters. Mr. Bloom regularly represents debtors, trustees, secured and unsecured creditors, official committees, and purchasers of troubled companies and their assets, both in and out of bankruptcy court. He chairs the American College of Bankruptcy, having been inducted as a Fellow in 1998. For over 15 years, he has served the College in a variety of leadership roles, as president, director, vice president and regent. Mr. Bloom has been listed in *The Best Lawyers in America* since 1993, and he is listed in both the Florida and national listings of the *Chambers USA Guide* and in the *K&A Restructuring Register of America's Top 100 Restructuring Professionals*. He was inducted into the International Insolvency Institute in 2014, and also has been an active member of INSOL International for 20 years, co-chairing its Annual Conference on International Insolvency in 2012. Mr. Bloom has written and published extensively and lectured on five continents for INSOL, ALI-ABA, the International Section of the New York State Bar Association and other organizations, and at the Harvard Business School, on areas of interest to insolvency professionals, particularly cross-border recognition and international comity and cooperation. He has served on the editorial boards of both *INSOL World* and the *International Insolvency Law Review*. Mr. Bloom received his B.A. from Yale University in 1975 and his J.D. with honors from the University of Maryland in 1979.

Stephen D. Busey is chairman of Smith Hulsey & Busey in Jacksonville, Fla., and heads its Litigation Department. He is a trial lawyer and focuses his practice on complex commercial litigation and insolvency matters. Mr. Busey has a successful record in extended jury trials in major business disputes. He represents plaintiffs and defendants in contract, business torts and corporate-governance disputes. His insolvency experience includes lead representation of debtors and creditors in the chapter 11 reorganizations of publicly held companies. He is also experienced in sports litigation and league governance disputes. Mr. Busey was instrumental in drafting uniform anti-corruption rules, procedures, penalties and investigative process for each of the governing bodies of professional tennis. He is a former chair of the Special Study Commission of The Florida Bar. During his tenure, the commission proposed to the Florida Supreme Court the Rules of Professional Conduct that govern all members of The Florida Bar. Mr. Busey has been listed in *The Best Lawyers in America*, which named him “Jacksonville Lawyer of the Year” on four occasions, and he has been named as one of the top 100 lawyers in the state of Florida by *Florida Super Lawyers*. He is also a Fellow of the American College of Bankruptcy. Mr. Busey received both his B.S. and J.D. from Stetson University.

Francis L. Carter is a mediator and settlement counselor with Francis L. Carter, P.A. in Miami, and has mediated more than 1,000 civil business and bankruptcy cases, including matters arising from contract disputes, breach of contract, directors and officers liability, business dissolutions, business divorces, partner and shareholder disputes, consumer class actions, construction defects, aviation, landlord/tenant disputes, debt-collection, debtor/creditor disputes, lender liability, evictions, tax, brokers’ commissions, legal malpractice, foreclosures, deficiency claims, loan guaranties, international (cross-border) business disputes, insurance coverage, and other commercial and financial issues, as well as bankruptcy cases involving avoidance claims (voidable preferences, fraudulent transfers and Ponzi clawbacks), claims objections, debt-restructurings, objections to plan confirmation, cramdown issues, objections to discharge, cross-border bankruptcy issues and professional fee disputes. He is also a settlement counselor, serving as an advocate or consultant to assist other counsel in formulating settlement strategy and conducting settlement negotiations, as well as assisting in preparing for and conducting mediation negotiations before other mediators. Mr. Carter is a Fellow of the American College of Bankruptcy and has been listed in *The Best Lawyers in America* for Bankruptcy and Debtor/Creditor Rights Law since 1991. He is also listed as a Top Lawyer in the *South Florida Legal Guide* and in *Florida Trend’s* Legal Elite, and is one of a handful of south Florida lawyers recognized by the Florida edition of *Super Lawyers* as a mediator in its Alternative Dispute Resolution category. Mr. Carter is a member of the American Bar Association, The Florida Bar (for which he is a former chair of the Business Law Section of its Bankruptcy/UCC Committee), and The Bankruptcy Bar Association of the Southern District of Florida. He also served as a Captain in the U.S. Army. Mr. Carter is rated AV-Preeminent by Martindale-Hubbell and has been a frequent speaker to real estate, financial, business and legal groups. He received his B.A. from the University of Pennsylvania in 1967 and his J.D. from the University of Virginia Law School in 1970.

Jules S. Cohen is a partner in the Bankruptcy and Reorganization group of Akerman LLP in Orlando, where he represents banks and other lenders as secured creditors in bankruptcy proceedings in all types of businesses. He has represented clients in notable bankruptcy proceedings, including the billion-dollar chapter 11 *Braniff Airlines* case, serving as the court-appointed examiner of the *Sheraton Twin Towers* case, and representing a lender group with a \$114 million secured claim in the *Gencor Industries* case. In addition, Mr. Cohen represents buyers of assets from bankruptcy cases and defendants in preference suits. In addition to his recognition in *Chambers USA*, he has been listed in *The*

Best Lawyers in America annually since its inception and is Board Certified in Business Bankruptcy Law by the American Board of Certification. Mr. Cohen is admitted to practice before the U.S. Court of Appeals for the Eleventh Circuit, the U.S. District Courts for the Middle, Northern and Southern Districts of Florida, and the U.S. Supreme Court. He received his B.A. cum laude and Phi Beta Kappa from the University of Florida in 1959 and his J.D. in 1962 from Harvard Law School.

Betsy C. Cox is a shareholder with Rogers Towers, PA in Jacksonville, Fla., where her practice is concentrated on bankruptcy, banking and commercial litigation. She has more than 35 years' experience in these areas, including representing primarily secured and unsecured creditors in all aspects of numerous bankruptcy cases and related adversary proceedings; representing financial institutions in enforcing commercial and real estate loans and leases, foreclosing on collateral, obtaining receivers, defending lender liability claims, and structuring workouts; and handling a wide variety of cases in state and federal courts through trials and appeals involving contract, real estate, shareholder and partnership disputes and business torts. Her practice also focuses on probate, trust and guardianship litigation. Ms. Cox is the past chair of her firm's Business Litigation Practice Group and is in charge of its Womens' Network. She also is a past president and chair of the Jacksonville Bankruptcy Bar Association and a former member of the Local Rules Committee for the U.S. Bankruptcy Court for the Middle District of Florida. Ms. Cox is a member of both the Florida and Georgia Bars and is listed in *The Best Lawyers in America* and rated AV-Preeminent by Martindale-Hubbell. She received her B.A. *summa cum laude* from The University of the South and her J.D. *cum laude* from the University of Georgia School of Law.

Allison R. Day is an equity partner with Genovese Joblove & Battista, P.A. in Miami and a member of the firm's Executive Committee. She specializes in all areas of bankruptcy, business reorganization and creditors' rights and has handled numerous chapter 11 reorganizations, liquidations on behalf of debtors, creditors, creditor committees and trustees, the representation of assignors, assignees and creditors in assignment for the benefit of creditors' proceedings, and receivers in both state and district courts receivership proceedings. Ms. Day is AV-rated by Martindale-Hubbell and is listed in *The Best Lawyers in America*, *Florida Super Lawyers*, *South Florida Legal Guide*, *Florida Trend* and *Lawdragon*. She is a member of the International Women's Insolvency & Restructuring Confederation (IWIRC), the Bankruptcy Bar Association of the Southern District of Florida, ABI and the American Bar Association. Ms. Day currently serves as an adjunct professor at the University of Miami School of Law and has lectured before numerous organizations on bankruptcy-related topics. In addition, she received the 2007 "Put Something Back" *Pro Bono* "Bankruptcy" Award for providing outstanding *pro bono* legal services to the needy population of Miami-Dade County. Ms. Day is a member of The Florida Bar and is admitted to practice before the U.S. Supreme Court, the U.S. Court of Appeals for the Eleventh Circuit and the U.S. District Courts for the Middle and Southern District of Florida. She received her B.A. from the University of Colorado at Boulder and her J.D. from the University of Missouri - Kansas City School of Law.

Leonard H. Gilbert is a partner in Holland & Knight LLP's Tampa, Fla., office. For more than 50 years he has represented numerous state, national and international banks and other financial institutions and public bodies, and secured and unsecured creditors' committees. He has had significant involvement in complex cases receiving national attention, including *Hillsborough Holdings Corp.*, *General Development Corp.*, *Air Florida*, *Uiterwyk Lines*, *The Eli Witt Co.* and *Lykes Brothers*

Steamship Lines. Mr. Gilbert is the former president of The Hillsborough County Bar and The Florida Bar, and a Fellow and past president of the American College of Commercial Finance Lawyers. He also served as fellow, director, regent and chair of the judicial nominating committee of the American College of Bankruptcy and treasurer and director of the American College of Bankruptcy Foundation. He received the College's Distinguished Service Award in 2011 and is also the recipient of the Professionalism Award of the Tampa Bay Bankruptcy Bar Association. In 2017, Mr. Gilbert received the Founders' Award from the International Insolvency Institute. He served as president of the Eleventh Circuit Historical Society and is a member of the American Law Institute. He also has served as a director of ABI, the International Insolvency Institute, the American Bar Foundation and ALI-ABA. Mr. Gilbert frequently speaks on legal topics pertaining to insolvency issues and has lectured extensively at programs throughout the U.S., Europe, South America and Asia. He has written for various law reviews, was an editor of *Collier on Bankruptcy*, has lectured for The Florida Bar, the American Bar Institute, Sections of the American Bar Association, PLI, the International Bar Association and the International Insolvency Institute, and has participated in various projects at the World Bank. He also serves as a mediator in insolvency and non-insolvency matters. Mr. Gilbert is *Chambers USA*-ranked for Bankruptcy/Restructuring and is ranked in *The Best Lawyers in America* in multiple practice areas. He is also recognized and profiled in *America's Leading Business Lawyers Who's Who Legal* and the *World's Leading Insolvency and Restructuring Lawyers*. Mr. Gilbert received his B.A. from Emory University and his J.D. from Harvard Law School.

Elizabeth A. Green is a partner with BakerHostetler in Orlando, Fla., and chairs its National Bankruptcy and Restructuring Group. She has represented debtors, creditors and committees in a wide range of industries. Ms. Green has represented numerous health care related entities, including skilled nursing facilities, hospitals, pharmacies, health care practices, health care CROs and trustees in chapter 11 cases nationally, and creditors and buyers of health care facilities in chapter 11 cases across the country. In addition, she often lectures on health care bankruptcy issues and has served as an expert witness and mediator in health care cases. Ms. Green is a Fellow in the American College of Bankruptcy and has been recognized in *Chambers USA*, *The Best Lawyers in America*, *Florida's Legal Elite* and *Super Lawyers*. *The Best Lawyers in America* named her "Lawyer of the Year in Orlando" for bankruptcy and restructuring in 2012 and for bankruptcy litigation in 2015 and 2016. She was also selected as one of five *Law360* MVPs in Bankruptcy in 2016 and is ranked as a Star Individual in *Florida Chambers*. Ms. Green has served as an adjunct professor at the University of Florida Levin College of Law in advanced bankruptcy and served as Bankruptcy Advisor to the Subcommittee of the Business Law Section of the Florida Bar that amended the Florida LLC Statute. She received her B.A. in 1984 from the New College of Florida and her J.D. with honors in 1986 from the University of Florida Levin College of Law, where she was a member of the Order of the Coif.

Jerry M. Markowitz is a founding shareholder of Markowitz Ringel Trusty + Hartog, P.A. in Miami and a member of the firm's Bankruptcy and Creditors' Rights practice group. He concentrates his practice in the areas of creditors' and debtors' rights, including workouts, bankruptcy, asset recovery, insolvency, receiverships, reorganizations, restructuring and mediation. Mr. Markowitz is listed in *The Best Lawyers in America*, *Chambers USA* in the bankruptcy and restructuring category, the "Top 250 Attorneys in South Florida" by the *South Florida Legal Guide*, *Super Lawyers* "Top 100 Lawyers in Florida," and the "Best of the Bar" by the *South Florida Business Journal*. He was also was also recognized by *Florida Trend's* Hall of Fame for being named in their Florida Legal Elite list for the past 10 years. Mr. Markowitz is a member of the Florida Bar, ABI (for which he has served on its

Board of Directors, the American Bar Association's Business Law, Business Bankruptcy Committee and Commercial Financial Services Committee Sections, and the Continuing Legal Education Committee for the University of Miami Bankruptcy Skills Workshop (for which he has served as chairman and co-chairman), and he is a member of, and a former president of, the Bankruptcy Bar Association for the Southern District of Florida. He is also the past president of the University of Miami School of Law Alumni Association. As an active ABI member, Mr. Markowitz is a regional chair for ABI's Endowment Fund and co-Education Director of ABI's Mediation Committee. He also sits on the advisory board of ABI's Caribbean Insolvency Symposium, and has served as faculty for the ABI/St. John's University School of Law's mediation training program. He is a certified mediator in Florida. Mr. Markowitz received his B.S. in business administration with a concentration in accounting from the University of Florida and his J.D. from the University of Miami School of Law.

Patricia A. Redmond is an Insolvency and Restructuring shareholder in Stearns Weaver Miller Weissler Alhadeff & Sitterson, P.A.'s Miami office. She lectures locally and nationally on various aspects of bankruptcy, particularly on chapter 11 issues, and is frequently quoted in *The Miami Herald* and other business publications. Ms. Redmond's bankruptcy practice concentrates on creditors' rights and corporate restructuring in bankruptcy court and in out-of-court workouts. She also has experience representing creditors' committees, secured creditors and debtors in chapter 11 cases. Ms. Redmond is the recipient of The Florida Bar's 2019 Tobias Simon Pro Bono Service Award and the American Bar Association's 2017 Jean Allard Glass Cutter Award. She also is a Fellow of the American College of Commercial Finance Lawyers. Ms. Redmond has been recognized with the highest ranking in *Chambers USA*, as a "Top 100 Florida Super Lawyer" and "Top 50 Women Florida Super Lawyer" by *Florida Super Lawyers*, and as the "Miami Bankruptcy and Creditor/Debtor Rights/Insolvency and Reorganization Law Lawyer of the Year" by *The Best Lawyers in America*. She served as ABI's president from 2013-14 and chaired the selection committee of ABI's inaugural "40 Under 40" program, and she has been an adjunct professor of law at the University of Miami School of Law since 1999. Ms. Redmond received her B.A. in 1975 from the University of Miami and her J.D. in 1979 from the University of Miami School of Law.

Harley E. Riedel is the co-managing shareholder and a co-founder of Stichter, Riedel, Blain & Prosser, P.A. in Tampa, Fla., and often serves as counsel for debtors in possession or other key constituencies in some of the largest chapter 11 cases ever filed in Florida. He regularly represents debtors, committees, creditors, buyers and other parties in bankruptcy cases and out-of-court workouts. Mr. Riedel has participated in mediations of disputes on behalf of his clients in hundreds of matters. In addition, for the past 15 years a significant part of his practice has been serving as a mediator in disputes involving bankruptcy and commercial matters. He has been involved both as a mediator and as an advocate in a number of Zoom or telephonic mediations over the past year. Mr. Riedel has spoken and written on bankruptcy-related topics for the National Conference of Bankruptcy Judges, the American Bar Association, ABI, the Southeastern Bankruptcy Law Institute, the Florida Bar, and numerous other legal and business groups. He is also the principal author of the section on chapter 11 practice in both editions of the *Norton Handbook for Bankruptcy Trustees, Debtors-in-Possession, and Committees*. Mr. Riedel received his B.A. in 1971 from Baylor University and his J.D. with high honors from the University of Florida in 1974, where he was editor-in-chief of the *University of Florida Law Review* and a member of the Order of the Coif and the Phi Kappa Phi Honor Society.

R. Scott Shuker is a bankruptcy partner with Shuker & Dorris, PA in Orlando, Fla., and practices primarily in the areas of bankruptcy and creditors' rights. He has represented corporate debtors, secured and unsecured creditors, asset-purchasers and trustees in bankruptcy cases of corporate and individual debtors. Mr. Shuker has also represented several chapter 11 trustees in Ponzi scheme cases and has experience in fraudulent-transfer litigation. Prior to entering law school, Mr. Shuker was a corporate banking officer for Southeast Bank, N.A. He is Board Certified in Business Bankruptcy Law by the American Board of Certification, was named the 2010 Bankruptcy Lawyer of the Year (Orlando) by *The Best Lawyers in America* and ranked as a top bankruptcy attorney by *Chambers USA* for over 10 years. His notable representations include as debtor's attorney in the chapter 11 reorganization cases of Planet Hollywood International, Inc., Transit Group, Celebrity Resorts, Appliance Direct, Hudson's Furniture, FoodFirst Global Restaurants, Inc., DM World Transportation, Inc. and 1069 Restaurant Group, LLC. A Fellow in the Litigation Counsel of America, Mr. Shuker received his B.S. in finance in 1986 with high distinction from Pennsylvania State University and his J.D. with high honors in 1993 from the University of Florida College of Law, where he was a member of the Order of the Coif.

Jeffrey W. Warren is a founder and president of Bush Ross, PA in Tampa, Fla. He has nationally recognized legal practice in chapter 11 reorganization cases, both as a courtroom counsel and as an out-of-court negotiator and problem-solver. Mr. Warren is certified by the Supreme Court of Florida as a circuit mediator. He is admitted to practice in Florida, the U.S. District Courts for the Middle, Northern and Southern Districts of Florida, the U.S. Courts of Appeals for the Fourth, Fifth, Tenth and Eleventh Circuits, and the U.S. Supreme Court. Mr. Warren is a Fellow in the American College of Bankruptcy and was a contributing editor for the *ABI Journal*. He also is Board Certified in Business Bankruptcy Law by the American Board of Certification and has authored several chapters for publication with the Florida Bar, as well as numerous articles regarding creditors' rights issues. In 2008, the Tampa Bay Bankruptcy Bar Association presented Mr. Warren with its "Douglas P. McClurg Professionalism Award." He has been recognized in *The Best Lawyers in America* since 1995 and received its "Lawyer of the Year" designation in Bankruptcy Creditor Debtor Rights and Bankruptcy Litigation in 2011 and 2013, respectively. He has also been named to Florida's "Legal Elite" by *Florida Trend Magazine* since 2005, and has been recognized as one of the top 10 *Florida Super Lawyers* for 2008, 2009, 2013, 2014 and 2015. Mr. Warren is rated AV-Preeminent by Martindale-Hubbell. He received both his B.S. in 1969 and his J.D. in 1972 from the University of Florida.