



DEBTORS BAR OF WEST MICHIGAN

January 16, 2017, Martin Luther King Jr. Day

Registration 7:45 AM Seminar 8:45 AM to 5:00 PM

GVSU Eberhard Center, 301 W. Fulton, Grand Rapids, Michigan

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AGENDA

7:45-8:45 REGISTRATION / CONTINENTAL BREAKFAST

8:45-9:00 OPENING REMARKS (Kim Young-DBWM President)

9:00-10:00 ISSUES IN CONSUMER BANKRUPTCY APPEALS

Deference to bankruptcy court findings in student loan adversaries; surrender of underwater property; effect of security interests in escrow accounts on non-modifiability under 1322(b)(2)—the BAP issue; and applicable exemption law if the debtor hasn't lived in the forum. (Hon. Eugene Wedoff)

10:00-10:10 BREAK

10:10-12:00 FIND A TREASURE TROVE OF CONSUMER LAW VIOLATIONS IN YOUR BANKRUPTCY TREASURE CHEST: MORTGAGE SERVICER ABUSE, FAIR DEBT COLLECTION PRACTICES ACT, FAIR CREDIT REPORTING ACT

(PART 1) Mortgage servicer abuse, Regulation X, TILIA, & RESPA Debtor remedies; how to spot the issues, proof, how to bring the claim and collect. (Marc Dann & Brian Flick)

(PART 2) FDCPA, FCRA, TCPA, Parallel Michigan Occupational Code and Michigan Regulation of Collection Practices Act; Debtor remedies: How to spot the issues, obtain proof, bring the claim & collect. (Ted Westbrook & Tom Hubbard)

12:00-12:45 LUNCH

12:45-1:45 HELPING DEBTORS WITH STUDENT LOANS IN AND OUT OF BANKRUPTCY & THE WASHINGTON FRONT (Ed Boltz)

1:45-2:30 SERVICE AND NOTICING (Jay Jump)

2:30-2:40 BREAK

2:40-3:40 BANKRUPTCY AND FAMILY LAW ISSUES

(Hon. Margaret Dee McGarity, Hon. Amy McDowell, and Michelle Bass, Esq.)

3:40-3:50 BREAK

3:50-4:50 VIEWS FROM THE BENCH: TOP 10 MISTAKES OF DEBTORS COUNSEL

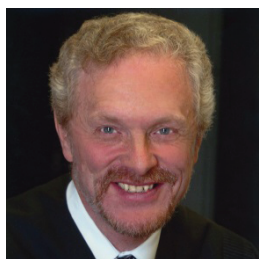
(Hon. James W. Boyd, Hon. John T. Gregg, Hon. Scott W. Dales, Hon. Margaret Dee McGarity)

4:50 CLOSING REMARKS

5:00 NETWORKING SOCIAL

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2017 SEMINAR FACULTY



HON. EUGENE R. WEDOFF

Eugene R. Wedoff is the president-elect of the American Bankruptcy Institute. He served as a bankruptcy judge in the Northern District of Illinois (in Chicago) from 1987 to 2015 and as chief judge from 2002-2007. He presided over the Chapter 11 reorganization of United Air Lines. He was a member of the Advisory Committee on Bankruptcy Rules from 2004-2014 and served as its chair after 2010. Judge Wedoff was the president of the National Conference of Bankruptcy Judges in 2013 and 2014. He also served as a member of the NCBJ's Board of Governors, as its secretary, and as chair of its education committee. He is a fellow of the

American College of Bankruptcy and a member of the National Bankruptcy Conference.



MARC DANN

Former Ohio Attorney General, Marc Dann, has been fighting for homeowners, consumers and small businesses since he began his private practice in 1990. Mr. Dann has represented thousands of consumers and brought dozens of class action cases on behalf of consumers both in private practice and as Ohio's Attorney General. As a member of the Ohio Senate from 2003 through 2006, he co-sponsored comprehensive predatory lending law that was among the best in

the nation. He also introduced bills and amendments to strengthen protection for Ohio consumers extending the reach of the Ohio Consumer Sales Practices Act and the Federal Telephone Solicitation Act.



BRIAN FLICK

Brian Flick is the managing attorney of the Cincinnati Office of The Dann Law Firm. Brian's practice is focused in Consumer Law primarily in the areas of Consumer Bankruptcy, Foreclosure Defense, Bankruptcy Litigation, Mortgage Servicing Litigation under RESPA/TILA, and Consumer Litigation. He practices in the Southern District of Ohio, Northern District of Ohio, Eastern District of Kentucky, Western District of Tennessee, Northern District of Illinois, Eastern District of Tennessee as well as throughout the State of Ohio and the State of Kentucky. He is an active member of the Cincinnati Bar Association, the Kentucky Bar Association, and the National Association of Consumer Bankruptcy Attorneys where he serves as a legislative liaison.



THEODORE J. WESTBROOK

Theodore J. Westbrook is the principal of Westbrook Law PLLC, a Grand Rapids-based consumer advocacy, class action and lender liability practice. Formerly a partner with respected, boutique trial firm Drew, Cooper & Anding, Mr. Westbrook is experienced in complex litigation, including appearing as counsel for the Trustee in the landmark Western District of Michigan case *Meoli v. Huntington National Bank* (In re Teleservices, Inc.), resulting in a judgment against the bank worth over \$80 million. Mr. Westbrook's practice focuses on class actions and individual consumer actions under the Fair Debt Collection

Practices Act, Fair Credit Reporting Act, Real Estate Settlement Procedures Act and Telephone Consumer Protection Act. Mr. Westbrook has also developed unique experience litigating against national and regional banks and other financial institutions in various contexts, and is the co-author of *Banks Bona Fide: A Good-Faith Approach to Lender Liability*, 33 Michigan Bus. L.J. 29 (2013).



THOMAS V. HUBBARD

Thomas Hubbard graduated summa cum laude from Michigan State University College of Law in 1999. After working as a research attorney for the Michigan Court of Appeals, Mr. Hubbard joined Drew, Cooper & Anding in 2001 and was named partner in 2007. Tom specializes in areas of complex commercial litigation and consumer protection. He has practiced in the Federal Courts in the Eastern and Western District of Michigan, has appeared before the Michigan Court of Appeals and the Sixth Circuit Court of Appeals. He has been on brief in the Michigan Supreme Court and Federal Appellate Court.



ED BOLTZ

Ed Boltz is the President of the National Association Of Consumer Bankruptcy Attorneys. He received his B.A. from Washington University in St. Louis in 1993 and his J.D. from George Washington University in 1996. He is a member of the North Carolina State Bar, where he has been certified as a specialist in consumer bankruptcy law. He is admitted to practice before the Districts Courts in both the Eastern and Middle Districts of North Carolina. Edward C. Boltz is a member of the Law Offices of John T. Orcutt, P.C., where he has managed the firm's office in Durham, North Carolina since 1998, representing clients in not only Chapter 13 and Chapter 7 bankruptcies, but also in related consumer rights

litigation, including fighting abusive mortgage practices.



JAY S. JUMP

Jay S. Jump received his undergraduate degrees at the University of Arizona in 1994. He attended Gonzaga School of Law and received his J.D. in 1998. He is a member in good standing of the Washington State Bar and is admitted to both the Eastern and Western Districts of Washington. Mr. Jump has spent nearly 20 years practicing bankruptcy in Washington State and manages the Northwest Bankruptcy Listserv for Consumer Debtor Attorneys. Mr. Jump is a long time member of the National Association of Consumer Bankruptcy Attorneys. The Jump Law Group was formed in 2001 and has focused on representing consumers and small businesses in bankruptcy court. His company

www.certificateofservice.com has a clientele of over 2500 law firms and government agencies.



MARGARET DEE MCGARITY

Margaret Dee McGarity was a United States Bankruptcy Judge for the Eastern District of Wisconsin from her first appointment in 1987, until her retirement in 2016. She served as Chief Judge from 2003 to 2010. She is a Phi Beta Kappa graduate of Emory University, Atlanta, Georgia, and a graduate of the University of Wisconsin Law School. Judge McGarity was in private practice before her appointment, concentrating primarily in the areas of bankruptcy, family law and marital property, and she served on the panel of Chapter 7 trustees. She is a co-author of *Marital Property Law in Wisconsin*, published by the State Bar of Wisconsin, a co-author of *Collier Family Law* and the *Bankruptcy Code*,

published by Matthew Bender/LexisNexis, and a contributing author of *Collier on Bankruptcy*, also published by LexisNexis.



HON. AMY MCDOWELL

Judge McDowell attended Michigan State University, and acquired a Bachelor of Arts in Communications in March of 1990. Following her BA in Communications, Judge McDowell attended Valparaiso University School of Law and earned her law degree in May of 1994. Judge McDowell currently serves as Circuit Judge for Barry County, originally appointed by Michigan Governor Rick Snyder, in June of 2011, following the retirement of Judge James Fisher and was subsequently elected in 2012. Judge McDowell was re-elected to a six year term in 2014. Judge McDowell was an attorney in Barry County, Michigan for over 17 years and held a private practice for 10 years, with her last practice being with McPhillips and McDowell.



MICHELLE H. BASS

Michelle H. Bass is an attorney with the law firm of Gold, Lange & Majoros, P.C., where she focuses her practice on consumer bankruptcy restructuring. She received a B.A. degree from the University of Michigan with an honors concentration in contemporary American history. She earned a J.D. degree from the University of Detroit Mercy School of Law in 2007, where she was an active member in the school's chapter of the American Inns of Court. She served as president of the Women's Law Caucus, and received the Excellence for the Future award in the upper level Entertainment Law Seminar. She is a member of the State Bar of Michigan, and the Federal Bar for the Eastern and Western Districts of Michigan, and the United States Court of Appeals for the Sixth Circuit. Ms. Bass has been recognized as a Michigan Super Lawyer Rising Star for 2014, 2015, and 2016.



HON. SCOTT W. DALES

Hon. Scott W. Dales is the chief judge for the United States Bankruptcy Court, Western District of Michigan. He was appointed as a bankruptcy judge in October 2007. On October 1, 2013, Judge Dales became Chief Judge of the court, succeeding Judge James D. Gregg. Judge Dales graduated from the University of Michigan with his Bachelors degree. Initially, he served as a legislative analyst for the Federal Home Loan Mortgage Corporation (Freddie Mac) and attended law school. As a member of National City's insolvency practice group, he worked primarily with distressed commercial transactions, including National City's aircraft lease portfolio and troubled automotive supplier loans. Judge Dales is an author of several articles on bankruptcy-related issues. Featured ICLE Contributions: Create a Security

Interest to Secure an Obligation (How-To Kit) & Michigan Security Interests in Personal Property.



HON. JAMES W. BOYD

Hon. James W. Boyd is a bankruptcy judge for the United States Bankruptcy Court, Western District of Michigan. He is a graduate of Michigan State University and Thomas M. Cooley Law School. He has represented debtors and creditors through his Traverse City law firm, Kuhn, Darling, Boyd & Quandt. Judge Boyd was appointed as a trustee for the U.S. Bankruptcy Court In Travers City for chapter 7 and 11 cases and served in that capacity for 25 years, handling thousands of personal and business bankruptcy cases.

HON. JOHN T. GREGG

Hon. John T. Gregg is a judge for the United States Bankruptcy Court, Western District of Michigan. He was sworn into office in July 2014. He earned his undergraduate degree from the University of Michigan and his J.D. from DePaul University Law School in 2002. Prior to his appointment, he was a partner at the Barnes & Thornburgh. Judge Gregg focused his practice on corporate restructuring, bankruptcy, and insolvency law. A frequent writer and speaker on bankruptcy issues, he wrote and co-edited numerous articles and treatises, including "Collier Guide to Chapter 11: Auto Suppliers" (Matthew Bender), "Interrupted! Understanding Bankruptcy's Effects on Manufacturing Supply Chains" (ABI), "Strategies for Secured Creditors" (ALI/CLE), and "Issues for Suppliers and Customers of Financially Troubled Auto Suppliers" (ABI).

Conference & Membership Registration

Please Print Legibly

Name: _____ Firm Name: _____

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Register and pay online at www.debtorsbar.com!

Conference Registration:

_____ Attorneys at Member Rate – \$200, After 12/31/16 \$250	\$ _____
_____ Attorneys at Non-Member Rate – \$225, After 12/31/16 \$275	\$ _____
_____ Paralegal/Non-Attorney, Govt Staff Rate – \$75, After 12/31/16 \$125	\$ _____
_____ Materials only (sent electronically) – \$25 (included in seminar cost)	\$ _____
_____ Attending Onsite Social (Free)	
_____ Can't attend? Membership only – \$50	\$ _____
Total Enclosed:	\$ _____

MAIL YOUR REGISTRATION FORM, RENEWAL OR NEW MEMBERSHIP APPLICATION FORM (if eligible) & CHECK (Made out to Debtors Bar of Western Michigan) TO: Debtors Bar of West Michigan, c/o Michael Hanrahan, 25 Division Ave S Ste 500, Grand Rapids, MI 49503. Questions: Call Michael Hanrahan (616)-608-3061; or Martin Holmes at (231)-744-9439.

Please complete the portion below if you are a renewing member or new member. Others can disregard

2017 Membership/Renewal Application Form

Please note that your membership is personal and is effective commencing January 1st of every year and ends on December 31st of every year.

_____ Membership Renewal _____ New Member

- By signing this form, I am affirming that I am a licensed attorney in good standing with State and/or Federal Bar and in the Western District of Michigan I primarily represent Debtors.
- I further acknowledge and agree with the mission statement as follows: We are an advocacy organization whose purpose is to educate, increase the knowledge and the competence of attorneys who represent debtors, to advance the study of bankruptcy law and debtor law, to promote the administration of justice; to uphold a high standard for the judiciary, the trustees, and attorneys; to encourage cordial and friendly relations among members of the legal profession; and to be involved in advancing the rights of debtors.

_____ **I want to be on the DBWM listserve and website.** New members will be added.

- I agree to consider and maintain all communications made on the listserve and website as privileged, co-counsel communications (which includes not disclosing the content or substance of any communication to anyone other than a member of the group, even a member of my own office or firm, unless s/he is also a member of this listserve)."

Signature: _____ Date: _____

