

**Minutes for Meeting of the Bankruptcy/Uniform Commercial Code Committee of
the Business Law Section of The Florida Bar
Mid-year Meeting Held on June 25, 2015 at 9:30 a.m.
Location: Boca Raton Resort, Boca Raton, Florida**

Cori Lopez-Castro, Chair
Lynn Welter Sherman, Vice-Chair
Hon. Catherine Peek McEwen, Judicial Chair

I. Welcome and Approval of Minutes.

The meeting was called to order at 9:30 by the Chair. On motion by Leyza Blanco and seconded by Jodi Cooke, the minutes from the January 21, 2015 meeting were approved. New members were introduced and welcomed. Special guests were also recognized by the Chair.

II. Pro Bono Reminder. Judicial Chair, Hon. Catherine Peek McEwen reminded members of the importance of pro bono service.

III. Update and Welcome from the Section Chair Hon. William Van Nortwick, Chair-Elect Alan Howard, and Treasurer Jon Polenber. The Chair gave a special welcome to students and new members who attended the meeting, and reminded all committees of the importance of providing material so that the new website will be current.

IV. Legislative Update. Aimee Diaz Lyons and Melanie Damian, Chair, provided a report.

Financial Literacy- While a limited financial literacy pilot program was passed by the legislature, it was vetoed. Financial literacy will be the topic proposed legislation again next year.

Amendments to Article 4A- The Section previously approved the amendment proposed by NCCUSL to 4A-108. This will be the subject of proposed legislation for the 2015-2016 session.

UVTA-A bill sponsor will be needed for UVTA.

V. Judicial Liaison Committee Report. J. Hyman, Judicial Chair, reported that more than 60 members attended the meeting and dinner.

VI. Reports from Study Groups

- a. Proceedings supplementary joint subcommittee/study group with Business Litigation. Mark Mitchell provided a report on some of the issues to be addressed

- and a proposed time table for completing draft legislation. The target is to have a draft to present at the Labor Day Retreat meeting of the Executive Council.
- b. Florida Insolvency/HMO Statutes Study Group. No report.
 - c. Surcharge of Exempt Assets. No report.
 - d. UVTA. Mark Hildreth reported that the UVTA study group has been meeting regularly, and that the proposed legislation is “comment heavy.” Certain of the comments require in depth analysis.

VII. Continuing Legal Education

- a. Report on View from the Bench Seminar – Hon. Michael Williamson reported that the 2015 seminar will take place on Nov. 5th in Tampa and November 6th in Miami. Steve Busey will be the moderator. Stephanie Lieb and Lisa Schiller will be coordinating in Tampa and Miami, respectively.
- b. Case summaries. Hon. Michael Williamson reported for Brad Saxton that monthly case law summaries continue to be prepared and posted on the website. A signup sheet was circulated for volunteers to digest cases in future months.
- c. Bankruptcy Law Education Series (BLES) update - Hon. Michael Williamson reported that more than \$70,000.00 has been raised. A 501(c)(3) is being set up to implement the district-wide pro bono clinic.
- d. ABI/Paskay Seminar. Judge Delano that the 2014 seminar was a big success and was well attended. The 2015 seminar will be held on February 12-14, 2015 at the Sheraton, Sand Key.
- e. Upcoming Seminars. Cori Lopez-Castro recognized Stephanie Lieb, Dave Jennis, and Judge Williamson for the successful Bankruptcy Evidence Boot Camp Seminar that was held in Tampa on May 15, 2015. The seminar was sold out and well sponsored. Consideration is being given to holding another evidence bootcamp in the Southern District next year. A receivership seminar is being planned for the labor day retreat. A NITA-style deposition seminar was discussed for the next Bankruptcy/UCC sponsored seminar. Brett Lieberman volunteered to discuss with Judge Freeman a similar recent seminar and report at the Labor Day meeting.

VIII. New Business

- a. NCBJ 2015, Miami, FL. Scott Grossman reported that the party will be held on Monday, September 28th at Jungle Island. Funds leftover from the Tampa party will be contributed.
- b. Eldercare-Judge Isicoff reported that there is a new CARE-like program geared for the elderly. The Elderlaw Section has created a power-point. A sign-up sheet was circulated for members interested in sponsoring an Eldercare program in their local community.
- c. Baker Botts v. ASARCO. Cori Lopez-Castro reported on the Supreme Court’s decision.
- d. Wellness v. Sharif. Judge Williamson reported on the Supreme Court’s decision and practical implications in Florida.
- e. Receivership Application Hosting-Cori Lopez-Castro reported that input has been solicited from the Judges to determine what functionality is important.

IX. Liaison Reports. Chair Cori Lopez-Castro reminded Liaisons to provide written reports prior to the meeting for posting to the website.

- a. Pro Bono Committee – Jodi Cooke reported for Jennifer Morando. Volunteers are needed for pro bono business cases and the pro bono clinics. Interested members should contact Jennifer Morando.
- b. Diversity Committee –Leyza Blanco reported that Carlos Sardi is the new Chair, and Jim Moon is the new Vice-Chair. Volunteers are needed for the Kozyak Minority Mentoring Picnic on October 31 (date subject to change) to staff the BLS table. Another diversity trial skills seminar is being planned in Orlando for October, 2015. Chris Broussard reported that the Hillsborough County minority mentoring picnic in Tampa was well attended, and the BLS signed up 7 new members.
- c. Membership Committee. Dave Jennis reported that the committee is implementing a 7-point plan to attract new members to the Section. Zachary Hyman has planned happy hours for July in Miami and September in Tampa.
- d. YLD Committee. No report
- e. Communications Committee. Lynn Welter Sherman reported that the new web site is up and running. Input was solicited from members for the Bankruptcy/UCC page.

X. Old Business.

- a. Each One, Reach One Campaign. Judge McEwen reminded members of the importance of the campaign. NCBJ has a fellowship for new minority lawyers; application deadline is July 1, 2015.
- b. Out of State Division/Newsletter submissions. Judge McEwen solicited articles for publication and reminded members of the publicity.

XI. Future Meeting Dates

- a. The next meeting of the Bankruptcy/UCC Committee will be at the annual Labor Day Retreat at the Ritz Carlton, Naples, Florida, on September 4-7, 2015.
- b. The NCBJ will be September 27-30, 2015 at the Fontainebleau, Miami Beach.

XIII. Adjourn

The meeting was adjourned.