

I. Welcome and Approval of Minutes By Chair, Dan Stermer moves to approve, Roy Kobert seconds, minutes approved.

Jay Brown commences meeting and welcome.

II. Pro Bono Reminder made by the Chair.

III. Business Law Section Update & Welcome from Section Chair Brian Gart and Chair-Elect Steph Nagin

Made by Brian Gart, Steph Nagin and Hon. William Van Nortwick, Sect./Treasurer. Chair says that if Exec. Council to consider seed money for BLESS that needs to be made by someone other than Chair at Exec. Council meeting. Possible match for S.D.Fla. Chair announces call on 1/24 on rewrite of 608, requests input now, before call. Benefits Corporation proposal also up before EC. Announces social media expert from Indiana State Bar as lunch time speaker. Steph Nagin announces presentation on a Section App at EC meeting. Chair emphasizes diversity push by Section.

Roy Kobert and Tom Messana move to request \$1k for M.D. and S.D. from Section, seconded by Leyza Blanco. J. Williamson seeks friendly amendment for \$1k or whatever amounts Section deems appropriate. Unanimous passage.

J. Williamson reports on VFB, record attendance. Thanks to Stephanie Lieb and Lisa Schiller. Come June we will need volunteers to summarize cases.

Stephanie Lieb reports on Article 9 refresher 4/26 seminar in Tampa.

ABI Paskay seminar. Ray Mullins, current NCBJ President part of faculty. Dinner at museum on water. March 7-9 2013.

#### IV. Legislation

LLC Statute report by Bates.

Non-judicial foreclosure report by Robert Charbonneau.

Mindy Mora no report on covenants not to compete

Jodi Cooke starts discussion on ABC legislation, possible amendments to 727. Issues addressed were bond amount on unencumbered assets, raise minimum amount; proof of claim; clarify that if objection on negative notice then hearing held; Assignee's deed for title purposes; executory contracts; state court judges expressed desire to see changes in rule that if there's litigation ancillary to ABC all consolidated under one case.

Mark Wolfson suggests regular service or certified service since ABC statute increasingly impacts substantive rights.

Dan Stermer moves to present amendments posted on website as a glitch bill for the EC to approve. Jodi Cooke modifies motion re: \$25k bond, notice and Assignee's deed. Take out provision regarding termination of executory contracts by negative notice. Motion to approve statute as amended, and passed non-unanimously.

Charitable contribution exceptions to UFTA. Pat Scott summarizes BK Code in '98 and says charities protected on constructively fraudulent transfer if transfer cash and transferor individual, and transfer did not exceed 15% of transferor's income.

Last year Minn. Enacted statute to broadly protect charities from fraudulent transfer attack.

Presentation by Jeff Davis

1. Should be no protection for charities not taking in good faith.
2. At least, protection given by Code be adopted in UFTA, except 4 v. 2 year SOL.

Motion by J. Davis to modify UFTA consistent with 1 and 2 above. Triple motion on this approved.

Further presentations by Jeff Davis on his position on risk of loss better borne by Ponzi victims v. charities and persons they support.

Presentation by Wiand King against legislation.

Motion to oppose any further protections approved by 33, 7 opposed and 2 abstained.

William Wiley reports on pending legislation. A few bills filed so far. Urges prompt review of bills. Looks like a very busy session.

## V. Judicial Liaison Committee Report

65 people turned out and reports from Districts and local bar assn's. (PGH)

## VI. Continuing Legal Education

Messana gives report for himself and Cori Lopez-Castro. IP and BK seminar being given in either Miami or Ft. Laud. 2<sup>nd</sup> seminar undecided, seeks subjects and aspire to have it in M.D.Fla. These are call in seminars if you cannot attend. J. Williamson reports on BLESS, advises of establishment of this foundation to fund pro bono projects. Chair urges local bars of M.D.Fla to promote BLESS to their constituents.

## VII. Liaison Reports

Pro Bono report from Jennifer Morando. Reported on non-profit clinics in Tampa and Miami. J. Isicoff chairing subcommittee to form model pro bono policy. Objective for '13 to coordinate pro bono efforts statewide.

Diversity – Good turnout from Section at Kozyak minority mentoring picnic, now have 50 students signed up. Each One Reach One strategic initiative – reach out to a colleague in your firm who may be from a diverse background and encourage attendance at Section meetings.

Membership Committee by Jodi Cooke. Reports on Law School receptions on how Section works, benefits of membership. Peter Valori heading up mentoring program, using this year to gather materials on this. Exploring additional membership benefits.

Webpage by Lynn Sherman. Reported on work by Tracey Eller to improve cite, like clicking on link and calendaring event right from website.

YLD – no reps at meeting, Jay Brown gives report from Christian George and Paige Greenlee

#### VIII. Reports from Study Groups/Subcommittees

Receivership study group. Jay and Tom gave report to RPTL group and they turned it around with different vision contemplated by our study group. Committee has report back and Messana will work with RPTL to work on final product by June.

Reaffirmation flow chart not yet ready, probably coming out in June.

#### IX. Old Business

Each One Reach One already reported on by Leyza Blanco during her Liaison report.

Don Workman encourages articles on Out of State Practitioners newsletter.

#### X. Future Meeting Dates

XI. Adjourn