

MINUTES OF THE OREGON STATE BAR DEBTOR-CREDITOR SECTION  
EXECUTIVE COMMITTEE MEETING

SPECIAL MEETING (BY TELEPHONE)

Wednesday, August 19, 2015

The telephonic special meeting, using the OSB's conference line, was called to order at approximately 9:00 am by David Hercher, Chair.

Members attending were Jason Ayres (2015), E. Clarke Balcom (treasurer), M. Caroline Cantrell (past chair), David A. Foraker (2016), David W. Hercher (chair), Justin D. Leonard (secretary), Vanesa Pancic (2015), Richard J. Parker (chair elect), Stephen Raher (2016), Natalie Scott (2015), Timothy A. Solomon (2016), Joseph M. VanLeuven (2016), Britta Warren (2015), and Casey C. White (2016).

Members not attending were Judge Randall L. Dunn (ex officio), Leslie Gordon (2015), and Timothy A. Solomon (2016). OSB liaison Karen Lee did not attend.

1. Special Topics:

The William N. Stiles Award of Merit: Caroline Cantrell requested the telephonic meeting to report on the nomination of the Award of Merit Committee, comprised of all past chairs and past recipients of the award. Ms. Cantrell reported that the Award of Merit Committee was requesting that the Executive Committee approve a joint award, to the Honorable Frank Alley and to Todd Treierweiler.

In response to questions from members of the Executive Committee, Ms. Cantrell explained that the Committee was based on all past chairs of the Section as well as all past recipients of the award – approximately 30-plus members (some retired). She advised that approximately 18 of the members voted. The ballots included options for one or the other or both nominees; most members voted for giving an award to both. Ms. Cantrell also advised that there was precedent for two award winners in one year, including Judge Perris & Judge Hess in 1994; Val Thomas & Judge Sullivan in 1997; and Laura Walker & Richard Edwards in 2007. It was suggested that the awards could be given at different times, to make each special.

After discussion, the Executive Committee unanimously voted to accept the Award of Merit Committee's recommendation for joint recipients, as set forth above.

Sponsorship of the Honorable Steven Rhodes' Presentation on Chapter 9 Issues: David Hercher provided an update regarding the informal committee's efforts to arrange a presentation by Bankruptcy Judge Steven Rhodes in Portland. (Recently retired Judge Rhodes most recently presided over the City of Detroit's chapter 9 bankruptcy.) The informal committee includes Judges Perris and McKittrick, Lewis & Clark Law School's

bankruptcy professor Samir Parikh, Oren Haker, and – as a representative of our Section – David Hercher.

This informal committee is proposing an afternoon talk in Portland, likely at Stoel Rives. The committee intends to market the presentation to members of the Section, as well as non-lawyers, including politicians, government bond dealers, and others who may have a stake in either avoiding, or facilitating, chapter 9 bankruptcies in Oregon. The committee expects to charge \$25 for advance registration and \$30 at the door, and expects that the presentation will be self-supporting. The major costs are the OSB's registration services (\$10/person; \$350 minimum) and light hors d'oeuvres.

The committee anticipates that the Governmental Law Section of the OSB will join as a co-sponsor. However, regardless the committee requests that the Debtor-Creditor Section sponsor its efforts – which could result in a loss, or possibly a profit (which would be shared with a co-sponsor) depending on the attendance.

The Executive Committee unanimously voted to support the presentation as a sponsor, regardless of whether the Governmental Law Section sponsors or not.

Newsletter Editor-in-Chief Appointment: Joe VanLeuven reported that the Newsletter Committee received three applications to replace our retiring Editor-in-Chief Debbie Guyol. He noted that all were perceived as excellent candidates by Ms. Guyol and the Newsletter Committee. Mr. Van Leuven then described the three candidates:

- Rachael Wolfgang, a bankruptcy paralegal at the Scott Law Firm in Eugene who lives in Portland;
- Dagmar Butte, an immigration attorney (with bankruptcy experience) at the law firm of Parker, Butte & Lane PC; and
- Conde Cox, a bankruptcy specialist at the law firm of Landye Bennett Blumstein LLP.

Mr. VanLeuven reported that both Ms. Wolfgang and Ms. Butte had contacted Debbie Guyol to discuss the position and learn more about the responsibilities. While all candidates were highly qualified, Mr. VanLeuven noted that Ms. Wolfgang was Debbie Guyol's first choice. The applications and resumes had been presented by Mr. VanLeuven to the Newsletter Committee. The majority of the Newsletter Committee respondents believed that Ms. Wolfgang would be the best choice to serve in the unique position of EIC.

To allow time for the replacement to shadow Ms. Guyol, Mr. VanLeuven requested that the Executive Committee select a candidate as soon as possible. Therefore, after discussion, a vote was held.

Of those who voted, the Executive Committee unanimously selected Rachael Wolfgang as the Editor-in-Chief for the Section's Newsletter. Rich Parker (Ms. Butte's partner) and Natalie Scott (Ms. Wolfgang's employer) abstained from the vote.

Electronic Voting for Annual Meeting/CLE: Justin Leonard briefly reported that the Judges Panel had requested use of an electronic voting system for audience feedback during the Judge's Panel's presentation at the Annual Meeting in Sunriver. Mr. Leonard volunteered to assist the Judge's Panel with its implementation, and he suggested that the Executive Committee could use the voting system for the Annual Meeting itself, as well as for other aspects of the CLE.

Mr. Leonard reported that the OSB required that the Section approve the expense of the requested voting system (\$79) in advance, even if Mr. Leonard purchased the one-month license himself to avoid the OSB's formal contracting process.

The Committee unanimously approved the \$79 expense of an electronic voting system for use at the Section's Annual Meeting/CLE, including during the Judge's Panel.

Members asked about the status of the plans for the Executive Committee meeting and dinner at Sunriver on the Thursday before the Annual Meeting/CLE. Mr. Leonard agreed to contact Tim Solomon, who was planning the event, so he could send an email to the group.

2. Adjournment: Mr. Hercher had to leave the meeting early. Therefore, as Secretary, Mr. Leonard moved for adjournment, which was seconded. By acclamation, and based on the completion of the special topics for discussion, the special meeting was adjourned at approximately 9:28 a.m.

Submitted by:  
Justin D. Leonard, Secretary