

**MINUTES OF  
MARYLAND STATE BAR ASSOCIATION  
CONSUMER BANKRUPTCY SECTION COUNCIL MEETING**

October 19, 2010  
111 Rockville Pike, Suite 975  
Rockville, MD 20850

**Call to Order**

The meeting was called to order at 6:35 p.m. by Jeffrey P. Nesson, Section Chair.

**Members Present**

Antonio Aquia	D. Phillip Anderson
Marc Kivitz	Jeffrey Nesson
Diana Theologou	Stan Levinson
David Cohen	Richard Stolker
David Portney	Tanya Kripetz
Christina Hamilton	Dan Press
Sari Kurland	Douglas Gorius

**Members Not Attending:**

Mary Park McLean	Wilbur W Bolton III
Scott C I Borison	R. Martin Caskey
Kevin D. Judd	Richard London
David Piekarz	Stacey Rogan
Bud Tayman	Candy Thompson

**Other Attending:**

Gerard Vetter  
Leslie A. Pladna

**Presentation:**

A presentation was made to Gerard Vetter for his prior service to the section. After which Gerard Vetter, Assistant United States Trustee spoke to the section about the U.S. Trustee's initiative against creditor abuse. Mr. Vetter indicated that locally the U.S. Trustee's office has become more active in reviewing proof of claims and motions for relief from stay and objecting and/or making inquiries where appropriate. Mr. Vetter stated that the U.S. Trustee's office had a history of a greater focus on debtor abuse and Chapter 11 matters, but is trying to have a more balanced approach and encouraged all attorneys to contact the U.S. Trustee's office if they become aware of any issues.

Mr. Vetter went through the U.S. Trustee's national effort against creditor abuse citing to cases in Louisiana, Pennsylvania, Florida and New York as examples where erroneous and duplicate fees were included in proof of claims; payments were refused by lender during the bankruptcy; personal information was not redacted from pleadings; and where the improper party or improper chain of title was attached to a proof of claim. Mr. Vetter gave examples of the court taking sua sponte action as well as actions taken by the U.S. Trustee's office. See the following cases: Taylor, 07-15385 Bankr. E.Pa., 09-2479 District Court, 10-2154 Third Circuit; Wilson, 07-11862 Bankr. E.D. La.; Nuer, 08-14106, Bankr. S.D.N.Y..

Mr. Vetter mentioned that the Edward Northup Lecture Series is taking place on Thursday October 28, 2010 from 7-9p.m. in Greenbelt. The lecturer will be an author who has written several books about Supreme Court Justices.

Mr. Vetter also mentioned that the Pro Bono Resource Center is holding its 20<sup>th</sup> Anniversary Gala honoring Pro Bono Activities on November 13, 2010 at the Silver Arboretum.

### **Minutes**

The minutes of the Council meeting of September 21, 2010 approved on motion of D. Phillip Anderson seconded by Richard Stolker.

### **Committee Reports**

#### **Brown Bag**

Baltimore – The Brown Bag Luncheon's for Baltimore take place on the last Thursday of the month (if possible) and alternate between Nancy Spencer-Grigsby's Baltimore Office and Mark Scurti's office. The last brown bag was held on September 30, 2010. Susan Scanlon lead a discussion on Communication and the FDCPA. Eight people attended. The next brown bag will take place on October 28, 2010 where Dan Press will discuss the dischargeability of taxes, followed by November 18, 2010 discussion lead by Marc Kivitz on Lien Avoidance and January 27, 2011 discussion by Carolyn Krohn on a topic to be announced.

Greenbelt – Dan Press and Sari Kurland have agreed to head the Greenbelt Brown Bag Luncheon committee. There was a discussion held regarding previous problems with the luncheons. Tanya Kripetz suggested that the Luncheons be held in the evenings. Richard Stolker suggested that the Luncheons be breakfast meetings. Jeff Nesson suggested that a survey be made to inquire as to the interest for both.

David Cohen and Richard Stolker are still investigating video feed of the brown bag luncheons for those who cannot attend. It was discussed that some speakers may not want to be recorded. It was suggested that whether or not the discussion was recorded would be left to the speaker. It was suggested that if the discussion is recorded, after the

initial presentation the recording would cease to allow an open discussion off the record by those present.

Budget – Sari Kurland reported that our budget is currently \$4,394.00. She has a question as to the total number of members and would like a list. A discussion was had on how to increase membership. Leslie Pladna offered to work with Stacey Rogan (who had previously volunteered to work on marketing) on discussing with Pat Yevics how to cross reference with the real property section. Sari Kurland suggested that we cold call individuals whom have entered their appearance in bankruptcy cases but who are not members and solicit them for membership. Diana Theologou offered to provide a list of individuals whom have filed bankruptcy cases and Mary Park McLean has previously offered the same.

Mentor/Mentee – Richard Stolker reported that he is getting calls for mentors, but needs more volunteers. He requested that a co-head of the committee be appointed for the Northern Division and that he would continue to act as the head of the committee for the Southern Division. Richard Stolker will contact Bill Bolton about becoming the co-head of the committee for the Northern Division. Dan Press suggested small groups versus the one on one approach currently used. Leslie Pladna suggested ask the expert sessions. Jeff Nesson suggested that parameters be placed on the mentor to prevent individuals from becoming “time bandits”.

Other – A small discussion was held regarding a Christmas Party. It was suggested that someone approach Candy Thompson regarding a Christmas Party.

Jessica Vollmer is no longer the contact for the pro bono project at the Court. Her position is currently being advertised and currently Diane Heidivitz is working on the Pro Bono Project.

All other matters were tabled to future meetings due to time constraints.

### **Adjournment**

The meeting was adjourned at 8:24 by the motion of Antonio Aquia and seconded by David Cohen.