

**SIXTH ANNUAL  
WESTERN DISTRICT OF VIRGINIA BANKRUPTCY CONFERENCE  
ROANOKE, VIRGINIA  
JUNE 7, 2019**

**PROGRAM**

- 8:50 a.m. - 9:00 a.m.      Welcome & Opening Remarks  
*Hon. Rebecca B. Connelly*
- 9:00 a.m. - 9:55 a.m.      Opposites Don't Always Attract: Ethical Dilemmas in Domestic Relations and Bankruptcy  
*Hon. Paul M. Black; Hon. David B. Carson, Roanoke City Circuit Court; Richard D. Scott; Kristin Konrad Johnstone*
- 9:00 a.m. - 10:50 a.m.    Breakout Session: Consumer Mortgage Issues in Bankruptcy  
*Chapter 13 Trustees, Debra L. Miller and Christopher Micale*
- 9:55 a.m. - 10:45 a.m.    Representing Elderly Clients in Bankruptcy  
*Doug Little; Robert Stevens; and Rosello-Ann Leone, Roanoke Dept. of Social Services*
- 10:45 a.m. - 11:00 a.m.    Morning Break
- 11:00 a.m. - 11:50 a.m.    Individual and Small Business Chapter 11 Cases and United States Trustee Oversight  
*Andrew Goldstein; Steven Milo; Margaret Garber, Assistant U.S. Trustee*
- 11:00 a.m. - 11:50 a.m.    Breakout Session: Clerk's Office Session for Staff Members  
*James Reynolds, Clerk, and Clerk's Office Staff*
- 11:55 a.m. - 12:45 p.m.    Plan Perfect: How to Avoid Getting Pitch Slapped  
*Stephen Dunn; Malissa Giles; Nisha Patel; Todd Rich*
- 12:45 p.m. - 2:00 p.m.    Lunch Break (*buffet lunch available in the Holiday Inn dining room*)
- 2:00 p.m. - 3:50 p.m.      Trustees' Panels  
*Deb Miller, Ch. 13 Trustee; Herb Beskin and Chris Micale, Ch. 13 Trustees; Scot Farthing and Hannab Hutman, Ch. 7 Trustees; Margaret Garber, Assistant U.S. Trustee*
- 2:00 p.m. - 3:50 p.m.    Breakout Session for Attorney Staff and Open Forum
- 3:50 p.m. - 4:00 p.m.      Afternoon Break
- 4:00 p.m. - 5:00 p.m.      Bankruptcy Judges' Panel  
*Hon. Rebecca B. Connelly; Hon. Paul M. Black*

## **2019 WESTERN DISTRICT OF VIRGINIA BANKRUPTCY CONFERENCE: SPEAKER BIOS**

**Herbert L. Beskin** practiced consumer bankruptcy law for 25 years in Charlottesville before being appointed a Chapter 13 Bankruptcy Trustee for the Western District of Virginia in 2003. He has been a Virginia CLE lecturer since 1993, has written articles for The Virginia Lawyer and the National Association of Chapter 13 Trustees website, and has taught law related courses at both the University of Virginia and Piedmont Virginia Community College. From 1991 to 1997 he served on the Board of Governors of the Bankruptcy Law Section of the Virginia State Bar. He has co-authored two chapters of the Virginia CLE publication Bankruptcy Practice in Virginia: Chapter 7 practice in the 1<sup>st</sup> edition with Douglas Little, and Chapter 13 practice in the 2<sup>nd</sup> and 3<sup>rd</sup> editions with Judge Rebecca Connelly. He is currently a member of the Board of Directors of the National Association of Chapter 13 Trustees.

**The Honorable Paul M. Black** was appointed as United States Bankruptcy Judge for the Western District of Virginia in 2014. A native of Roanoke, Virginia, Judge Black received his undergraduate degree from Washington and Lee University in 1982, studied at Cambridge University in England, and received his law degree from the University of Richmond in 1985. He then served as law clerk to the Honorable Blackwell N. Shelley, United States Bankruptcy Judge for the Eastern District of Virginia. After practicing law in Richmond for several years, he returned to Roanoke where he was a member of the regional firm of Spilman Thomas & Battle, PLLC. At Spilman, he was co-chair of the Bankruptcy and Creditor's Rights practice group, and his practice focused on commercial litigation, bankruptcy, and banking and finance law. In private practice, he was named to *Best Lawyers* in multiple areas related to finance and insolvency, to Virginia's "Legal Elite" by *Virginia Business* magazine in both Civil Litigation and Bankruptcy Law, and as a Virginia *SuperLawyer* in the field of Bankruptcy Law. For many years, he was an active participant in the Boyd-Graves Conference of the Virginia Bar Association, which studies and makes recommendations to the Virginia legislature on improvements to civil practice in Virginia. Judge Black was past chair of the Litigation Section of the Virginia State Bar, and also chair of the Bankruptcy Section of the Virginia Bar Association. He served as a member of the Virginia State Bar Disciplinary Board from 2007-2013. Judge Black is a frequent speaker to insolvency professionals on matters pertaining to bankruptcy, litigation, and ethics.

**The Honorable David B. Carson** was born and raised in La Jolla, California. He graduated from Dartmouth College in 1985, and earned his law degree, *cum laude*, from Washington & Lee School of Law in 1988. Following his graduation from W&L, he served as a law clerk for the Honorable Jackson L. Kiser, and then went into private practice with Johnson, Ayers & Matthews in Roanoke, Virginia, in 1990. He became a partner with Johnson, Ayers & Matthews in 1995, remaining with the firm until his appointment as a Circuit Court Judge with the Twenty-third Judicial Circuit on July 1, 2013. In private practice, Judge Carson's focus was civil trial work. He also spent eight years with the Roanoke City School Board, the last seven of which was as its Chairman. As a circuit court judge, Judge Carson has served as the Drug Court Judge for the Twenty-third Judicial Circuit Drug Court program (the first in the Commonwealth),

and currently serves on the State Drug Treatment Court Advisory Committee. Judge Carson has served as a Faculty Member of the Virginia State Bar Professionalism Course. Since 2016, Judge Carson has served as a member of the Executive Committee of the Judicial Conference of Virginia. Judge Carson teaches both Trial Advocacy and a Judicial Externship class at W&L School of Law, he is on the faculty of the Trial Advocacy College at UVA, and he teaches an introductory law class at Roanoke College.

**The Honorable Rebecca B. Connelly** is the Chief United States Bankruptcy Judge for the Western District of Virginia. She was appointed as a Bankruptcy Judge in July 2012. She is a former Standing Chapter 13 Trustee and Chapter 12 Trustee for the Western District of Virginia. She has been a frequent speaker and author for Virginia Continuing Legal Education programs and publications. Judge Connelly serves on the Board for CARE.

**Stephen E. Dunn**, Esq., graduated from Washington and Lee University Law School in 1986. He has been licensed to practice law by the Virginia State Bar in 1986, and is admitted to practice before the Virginia Supreme Court, the U.S. Bankruptcy Court for the Western District of Virginia, the U.S. District Court for the Western District of Virginia, and the Fourth Circuit Court of Appeals. Mr. Dunn has focused his practice primarily in the field of Bankruptcy for the past 33 years, and has lectured for Continuing Legal Education Seminars in the field of Bankruptcy.

**Scot S. Farthing**, Attorney at Law, PC, Wytheville Virginia, practices throughout southwestern Virginia with offices in Wytheville and Christiansburg. Scot began practicing law in 1999 with the firm of Browning, Lamie & Gifford, and began his own firm in 2004. He has represented mostly debtors since he began practicing law, and has served as a Chapter 7 panel trustee since December 2014. His bankruptcy practice includes representing debtors in Chapter 7, Chapter 13, Chapter 12 and Chapter 11 cases. Scot's practice also includes small business consulting, real estate transactions and litigation, as well as serving as the Wythe County Commissioner of Accounts and the Wythe County Attorney. Scot is from Richlands, Virginia and graduated from Virginia Tech in 1996 with degrees in political science and public administration. He received his J.D. from West Virginia University College of Law in 1999, and while there was a member of the moot court and Order of the Coif. From the summer of 1992 to the summer of 1994 Scot lived in Portugal and the Cape Verde Islands and spoke Portuguese as a missionary for The Church of Jesus Christ of Latter Day Saints. Scot participates in his community with service on and to various community organizations.

**Margaret K. Garber** has been with the Roanoke Office of the United States Trustee Program since 1998 and has served as the Assistant United States Trustee since August of 2014. During those years, she has brought myriad civil enforcement actions including motions to dismiss, objections to discharge, motions to sanction and motion to review attorney's fees and/or bar attorneys from practice. Ms. Garber is also a member of the Bankruptcy Fraud Task Force and has participated and testified in criminal actions referred by the Roanoke office to the United States Attorney's Office for prosecution. Ms. Garber received her undergraduate degree from

the College of William and Mary. She graduated *with distinction* from the Emory University School of Law. While in law school, Ms. Garber's law review article was published in the Bankruptcy Developments Journal on which she served as Associate Editor. After law school, prior to joining the United States Trustee Program, Ms. Garber practiced bankruptcy law and commercial litigation with a firm in Roanoke, Virginia.

**Malissa Lambert Giles** is a member of the firm of Giles & Lambert, PC, in Roanoke, Virginia, with additional offices in Blacksburg and Martinsville. She and the firm, which was formed in 1993, limit their current practice to the areas of bankruptcy, focusing on debtors' rights and consumer law. She has taught at numerous bankruptcy and consumer seminars including the Mid-Atlantic Institute on Bankruptcy and Reorganization, the ABI's Spring Nuts and Bolts Seminar, Annual State wide Legal Aid Conference, the Virginia State Bar's First Day in Practice Seminar, the VBA's Bankruptcy Law Seminar, the VSB's Basic Bankruptcy Seminar and other bankruptcy seminars for VCLE/VSB. She has served as editor of the *Bankruptcy Law News*, and has served as chair of the Board of the Virginia State Bar's Bankruptcy Section.

**Andrew Goldstein** is the Managing Partner of Magee Goldstein Lasky & Sayers, PC. He has been with the firm since March, 1988. During that time, he has practiced primarily bankruptcy law, handling cases for bankruptcy debtors in the Chapter 7, 13 and 11 arenas. Since 2003, he has been a Chapter 7 Panel Trustee for the Western District of Virginia. He graduated with a Bachelor of Science from the University of Virginia in 1983 and a JD from Quinnipiac University in 1986.

**Hannah White Hutman** is a partner at Hoover Penrod, PLC in Harrisonburg, Virginia. Her practice focuses on representing both creditors and debtors in bankruptcy proceedings under Chapters 7, 11, 12, and 13 and insolvency related matters. In addition, Hannah has represented national and regional banks in collection matters, including restructuring obligations, asset liquidations and dispositions, and foreclosures. Hannah is a member of the panel of Chapter 7 Trustees for the Western District of Virginia. She currently serves as a member of the Board of Governors of the Bankruptcy Law Section for the Virginia State Bar. She received her J.D. from the Marshall Wythe School of Law at the College of William and Mary in Williamsburg, Virginia and her B.A. , *summa cum laude*, from Columbia Union College in Takoma Park, Maryland.

**Kristin K. Johnstone** graduated from the University of Virginia with a B.A. with high distinction in Rhetoric and Communication Studies in 1987, and in 1992 *summa cum laude* from Piedmont Community College with an Associates degree in Administration of Justice. From 1989 until 1995, she served as a police officer and detective with the Charlottesville Police Department and part-time as a communications officer with the Charlottesville-Albemarle-UVA Emergency Operations Center. She received a J.D. from Washington and Lee University School of Law in 1996, and began her law career as an associate at a predecessor firm to what is now

OPN Law PL, becoming a partner with the firm in 2002. She maintains a general litigation practice, both civil and criminal defense, and is licensed to practice in the federal and state courts as well as the US Bankruptcy Court for the Western District of Virginia. For the past ten years her practice has focused primarily in the area of family law litigation, including divorce, custody, support, adoption, domestic abuse, juvenile law, and the representation of children as a guardian ad litem in delinquency, foster care, protective orders or contested custody proceedings. She has served as a member of the Board of Directors for the Children's Trust of the Roanoke Valley from 2000 -2016 and again since 2018.

**Webb King** has been a Trial Attorney for the United States Trustee in Roanoke, Virginia since 2015. He graduated from Roanoke College in 1998 and the University of Richmond School of Law in 2001. From 2001 to 2015 he was in private practice in Roanoke, Virginia. In private practice, he represented debtors and other interest holders in Chapter 11 bankruptcy cases and creditors in Chapter 7 and 13 cases. In addition, he handled a wide variety of civil matters including; creditor's rights, landlord/tenant, tort defense, real estate litigation, and uniform commercial code cases. He joined the United States Trustee's office in 2015. He was the chair of the Young Lawyer's Division of the Virginia Bar Association in 2011 and currently serves on the Bankruptcy Section of the Virginia State Bar.

**Rosella-Ann Leone** received her Bachelors Degree from Mary Baldwin University. She is currently a Senior Family Services Trainer at Roanoke City Department of Social Services in Adult Protective Services. She has worked in Adult Protective Services for about 5 years investigating abuse, neglect, and exploitation of elderly and disabled adults. Adult Protective Services also assists elderly and disabled adults with finding resources in the Roanoke area in regards to service providers for in home help, housing and financial resources, etc.

**Douglas E. Little** has been practicing bankruptcy law since 1976, first as a member of the law firm of Robert M. Musselman & Associates, and later as a sole practitioner. He is a 1968 graduate of Yale University, served in the U. S. Army from 1969 through 1971, and is a 1975 graduate of the University of Virginia Law School. From 2008 to 2014 he was a member of the Board of Governors, Section on Bankruptcy Law of the Virginia State Bar.

**Chris Micale** was appointed Chapter 13 Trustee as of June 2012. Prior to serving as a Chapter 13 Trustee he represented a bankruptcy trustee, worked as a project manager for a software company and as a paralegal for a bankruptcy trustee.

**Debra Miller** was appointed the Standing Chapter 13 Bankruptcy Trustee for the Northern District of Indiana, Fort Wayne and South Bend Divisions on July 1, 2000. She is active in the National Association of Chapter Thirteen Trustees, is a former President of the NACTT and active on the NACTT Mortgage Committee. As the former chair of the Mortgage Committee, she worked with the mortgage servicers, their attorneys and members of NACBA to draft the Best Practices which were approved by the NACTT, NACBA and AFN. Additionally, Debra

worked with the Bankruptcy Rules Committee on changes to the Federal Rules of Bankruptcy Procedure including Rules 3001 and 3002.1, and revising the mortgage attachment (Form B410A) and director's form for the Notice of Final Cure and Response to the Notice of Final Cure (Form 4100R and 4100N). She currently serves on the Judicial Conference Advisory Committee for Bankruptcy Rules. Debra regularly teaches nationally on various consumer bankruptcy issues including mortgage issues, RESPA, calculation of escrow, pre-petition arrearages and calculation of ongoing mortgage payments in a Chapter 13 bankruptcy. Debra testified before the Sub-committee on Administrative Oversight and the Courts of the Committee on the Judiciary, United States Senate on May 6, 2008 for "Policing Lenders and Protecting Home-Owners: Is Misconduct in Bankruptcy Fueling the Foreclosure Crisis?" Debra graduated from Baldwin Wallace College with a B.S. in Political Science and obtained her J.D. from Cleveland Marshall College of Law. Prior to attending law school, Debra served as a Special Agent for the United States Secret Service in the Cleveland Field Office where she specialized in Credit Card and White Collar Fraud.

**Stephen Milo** is a member of Wharton Aldhizer & Weaver PLC and has been practicing corporate restructuring his entire career. He began as a law clerk to the Honorable Tina L. Brozman, United States bankruptcy judge for the Southern District of New York, at a time when the first "billion dollar" cases were being filed in the nation. After his clerkship, he joined the bankruptcy department of Kaye, Scholer, Fieman, Hayes and Handle (now Arnold and Porter) in its Park Avenue office where he worked on a number of the largest Chapter 11 cases then pending. He returned to the Shenandoah Valley in 1997 and joined Wharton Aldhizer & Weaver PLC, being elected partner in 1998 and serving almost continually on the firm's management and executive committees since that time. He continues to concentrate his practice in corporate reorganizations, workouts, and, when necessary, formal Chapter 11 proceedings.

**Nisha R. Patel** is an attorney with Samuel I. White, P.C., where she represents financial institutions, mortgage servicers, and other creditors in all aspects of bankruptcy and state court litigation. Nisha is also a certified Guardian *ad litem* for incapacitated adults in Virginia and regularly serves as guardian and/or conservator for individuals throughout the Richmond metro area. Prior to joining SIWPC, Ms. Patel represented individuals in bankruptcy, domestic relations, and civil litigation. Ms. Patel is an NCBJ NextGen alumnus, a board member of the International Women's Insolvency and Restructuring Confederation (IWIRC) Virginia chapter, and a member of the Richmond Bar Association Bankruptcy Section. Ms. Patel received her undergraduate degrees with Honors from Michigan State University in 2008 and her J.D. from the University of Richmond in 2011.

**James Reynolds** is Clerk of Court for the US Bankruptcy Court for the Western District of Virginia. Prior to becoming Clerk, he was the division manager of the US Bankruptcy Court in the Eastern District of Virginia in Alexandria. From 1992-2014 he was a bankruptcy attorney in private practice representing primarily debtors and chapter 7 trustees. After graduating from William and Mary School of Law he clerked for the Honorable Hal J. Bonney, US Bankruptcy Judge for the Eastern District of Virginia.

**Todd Rich**, BWW Law Group, LLC / Richmond, VA, is the Managing Attorney for Virginia bankruptcy at a regional creditors' rights firm. He has represented mortgage lenders in all Virginia bankruptcy courts since 2008, and he joined BWW Law Group in 2012. A native of Alabama, Mr. Rich worked in various fields (financial publishing, bartending, surveying, house painter) before returning to the University of Virginia to complete his undergraduate degree, and then the University of Richmond for law school. Mr. Rich lives in Richmond, Virginia, with his wife and foster son; he has three grown sons and one granddaughter.

**Richard D. Scott** operates a solo practice in Roanoke. His practice areas include bankruptcy and creditors' rights matters, real estate, civil litigation, corporate, and estate planning and administration. He regularly represents individual and business debtors in restructuring and liquidation matters in the bankruptcy courts, and in out-of-court debt workout negotiations. He is a member of the Virginia State Bar, American Bankruptcy Institute, the Virginia Bar Association, and a past member of the Board of Directors of the Roanoke Bar Association. He graduated from the University of Virginia in 1993, and received his J.D. from the University of Richmond School of Law in 1999.

**Robert Stevens** is a graduate of Wake Forest University and the William and Mary School of Law. He was a Legal Aid attorney in Winchester and Charlottesville from 1991 to 2002, and has been practicing consumer bankruptcy in Charlottesville since 2003. He has been a Chapter 7 Trustee since 2012.