

Cincinnati Bar Association  
Bankruptcy Committee Minutes  
March 21, 2016

Frank DiCesare, called the meeting to order.

1. Business Meeting: No new business – proceeded to reports
  
2. Subcommittee Reports: Case briefs attached
  - A. Judge Buchanan by Mike Debbeler:

***Papa, et al v. Bolera***, Adv. No. 11-1184 (Bankr. S.D. Ohio October 13, 2016) (***In re Bolera***, Case No. 11-14625) – notes attached

***Harker, Trustee v. PNC Mortgage***, Adv. No. 14-3014 (Bankr. S.D. Ohio February 15, 2017) (***In re Oakes***, Case No. 13-33828) – opinion attached – Judge Walter finds that Messer doctrine does not prevent Trustee’s challenge to the mortgage as a judgment lien creditor
  
  - B. Judge Hopkins by Brian Flick:

No Report by Brian Flick, but decision discussed

***Carter v. Carter***, Adv. No. 14-1036 (Bankr. S.D. Ohio March 18, 2017) (***In re Carter***, Case No. 14-12083) – decision attached- determining what constitutes property divisions (as opposed to support) for purposes of discharge
  
  - C. Bankruptcy Appellate Panel by Rick Jones:

***Spradline v. Khouri (In re Bruner)***, 561 B.R. 397 (B.A.P. 6<sup>th</sup> Cir. 2017) – see attached notes

***In re Zenga***, 562 B.R. 341 (B.A.P. 6<sup>th</sup> Cir. 2017) – see attached notes

***In re Stubbs***, 2017 WL 928491, 2017 Bankr. LEXIS 643, \_ B.R. \_ (B.A.P. 6<sup>th</sup> Cir. March 9, 2017) – see attached notes
  
  - D. Sixth Circuit by Paul J. Minnillo:

***In re Brown***, \_ F.3d\_ (6<sup>th</sup> Cir. March 20, 2017)  
***In re Corbin***, \_ F.3d\_ (6<sup>th</sup> Cir. Feb 23, 2017)  
***Meoli, Trustee v. Huntington Nat. Bank***, \_ F.3d\_ (6<sup>th</sup> Cir. February 8, 2017)

Legislative Watch:

No report

Judicial Liaison Committee:

Next meeting in September, 2017. Information on the Committee is on the Bankruptcy Practice Section page of Cincinnati Bar Assoc. website (cincybar.org) .

Attached are Chapter 11 cases proffered by Andrew Simon, J.L.C. member who reported on developments in commercial law.

Clerk's Office :

Lynnetta Suggs Rollinson reminded counsel to amend schedules (and pay the fee) when additions or changes to schedules are necessary. "Substitute PDF" is not an acceptable process.

Office of the U.S. Trustee:

No report

Chapter 13 Trustee:

April 18 meeting of the CBA will feature information on the mortgage modification portal uses, and coming changes to the modification process approved by the Courts. The April 20 meeting will be longer than the usual 1 hour. Judge Hopkins would like Dayton and Columbus to be invited.

CARE

No report

3. New Business  
No new business

Next meeting is April 18, 2017 at 12:00 pm.

Respectfully submitted,  
/s/ Frank DiCesare  
Chair of the Committee