

American College of Bankruptcy-6th Circuit Educational Program (In Honor of Christopher Meyer) Tuesday, November 18, 2025			
Location: Squire Patton Boggs, Cleveland, OH			
TIME	SESSION TITLE	SPEAKERS	SESSION DESCRIPTION
8:00 - 8:30 AM	Breakfast		
8:30 - 8:45 AM	Welcome		
8:45 - 9:45 AM	The Human Edge: How AI Is Revolutionizing Bankruptcy and the Ethical Considerations in Supporting Innovation	M. Natasha Labovitz, Debevoise & Plimpton LLP Isabel Arana de Uriarte, AlixPartners, LLP Chacey Malhoultre, Jackson Kelly PLLC	"The Human Edge: How AI Is Revolutionizing Bankruptcy and the Ethical Considerations in Supporting Innovation" examines how artificial intelligence is transforming bankruptcy and restructuring practices while emphasizing the ongoing importance of human expertise. It highlights real-world legal and financial applications of AI — from legal research and contract review to financial modeling and claims reconciliation — that enhance efficiency, accuracy, and decision-making. The panel also explores ethical and regulatory risks, recent court sanctions involving AI misuse, and the need for responsible adoption guided by professional judgment, data security, and compliance with emerging legal standards.
9:45-10:45 AM	How Are Lenders Offering "Merchant Cash Advances" Faring Under Court Scrutiny?	Anthony J. DeGirolamo, Anthony J. DeGirolamo Esq. Fred Schweg, Subchapter V Trustee, N.D. Ohio Tricia Fugee, Fisher Broyles	The Merchant Cash Advance (MCA) presentation provides an in-depth examination of MCA agreements and their treatment in bankruptcy. It explains how MCAs—often structured as sales of future receipts rather than loans—are scrutinized by courts for potential recharacterization as usurious lending, affecting lien rights, eligibility for Subchapter V, and avoidance actions such as preferences and fraudulent transfers. The panel will review key case law, regulatory responses, and recent enforcement actions by state and federal authorities targeting predatory MCA practices, emphasizing the importance of distinguishing legitimate financing from disguised high-interest loans.
10:45 - 11:00 AM 11:00 AM - 12:00 PM	Break Independent Directors & Corporate Governance	Glenn Pollack, Candlewood Partners Andrew Medvedev, Dean, Weatherhead School of Business Evan R. Fleck, Milbank Adrienne Walker, Foley & Lardner	This panel will explore the evolving role of independent directors in corporate restructurings and bankruptcies. The discussion will address governance challenges that arise when boards confront financial distress, including conflicts of interest and fiduciary duties. Panelists will also examine recent case law and best practices for ensuring transparency and accountability in the decision-making process.
12:00 - 1:45 PM	Lunch/Keynote Presentation - <i>Modest and Immodest Bankruptcy Law</i>	Prof. Melissa Jacoby, University of North Carolina Chapel Hill	"Modest and Immodest Bankruptcy Law" explores how bankruptcy law reflects deeper tensions in the rule of law, separation of powers, and federalism, drawing from the themes of <i>Unjust Debts</i> , by Professor Melissa B. Jacoby. The talk underscores the continuing significance of state commercial law and the need to preserve its place in modern law school curricula.
1:45 - 2:30 PM	Consumer Mashup	Julie E. Rabin, Rabin & Rabin Robb Barr, Koehler Fitzgerald LLC Toni Freeburg, Freeburg Law, LLC	The Consumer Mashup presentation addresses issues of interest that arise in consumer bankruptcy cases. The subject matter will range from the prevalence of pro se cases and bankruptcy petition preparers, to exemptions issues, household income, common assets administered in consumer cases, the sale of assets, and dischargeability issues. The panel will also address issues that arise when a divorcing or ex
2:30-3:45 PM	Judges Potpourri: Judges from our Sixth Circuit states consider issues on their minds (and your minds if you ask) that will help local practitioners in and out of court	Hon. Greg Schaaf, E.D. Ky. (Moderator) Hon. Jessica Price Smith, N.D. Ohio Hon. John Hoffman, S.D. Ohio Hon. Paul Hage, E.D. Mich. Hon. Nancy King, M.D. Tenn.	The 2025 ACB Ethics Judicial Roundtable presentation brings together bankruptcy judges from across the Sixth Circuit to discuss pressing ethical and procedural issues for practitioners. Topics include the scope of judicial sanction authority, professional disinterestedness and disclosure obligations, attorney-client privilege limits in bankruptcy, and evolving duties of candor, competence, and civility. The panel also addresses modern challenges such as AI use in legal practice, social media ethics, ghostwriting concerns, and recent case law developments affecting committees, sovereign immunity, and filing deadlines.
3:45-4:00 PM	Break		
4:00-5:00 PM	A Re-Examination of <i>In Pari Delicto</i> – Does Daddy Need a New Pair of Shoes?	Alan R. Lepene, Thompson Hine (Moderator) Michael Ott, Ice Miller Ian Rubenstrunk, Spencer Fane LLP Prof. Ralph Brubaker, University of Illinois College of Law	"Re-Examining In Pari Delicto" explores whether the equitable defense that bars recovery by wrongdoers should apply to bankruptcy trustees pursuing claims on behalf of a debtor's estate. The panel will review the historical and statutory basis for the trustee's pursuit of claims under section 541 of the Bankruptcy Code; whether appellate decisions preempting the application of state law on the availability of the in pari delicto defense, and establishing instead a federal rule of decision, should be reconsidered; and recent high profile cases such as <i>Kelly v. BMO Harris Bank</i> . The panel will also examine potential workarounds and policy implications, including whether trustees may avoid the defense through pursuit of claims under section 544 or through assignment of claims from creditors.
5:00 - 6:00 PM	Cocktail Reception		