

Charles Jordan Tabb
Mildred Van Voorhis Jones Chair in Law
UNIVERSITY OF ILLINOIS COLLEGE OF LAW

Curriculum Vitae

ACADEMIC EXPERIENCE

University of Illinois College of Law

Mildred Van Voorhis Jones Chair in Law, 2012-present
Alice Curtis Campbell Professor of Law, 2002-2012
Interim Dean, 2007-2008
Associate Dean for Academic Affairs, 2003-2005
Professor of Law, 1991-2002
Associate Professor of Law, 1989-1991
Assistant Professor of Law, 1984-1989

Teaching awards

John E. Cribbet Excellence in Teaching Award, 2016-2019
*Award with annual cash prize of \$7,500 for three years, presented by
University of Illinois College of Law for lifetime excellence in teaching
Best Professor, voted by the College of Law Class of 1986
Outstanding University Teacher, University of Illinois, 1988-1989
Commencement Faculty Hooder, voted by the College of Law Class of 2010
SBA 2L Professor of the Year, voted by the College of Law Class of 2013
Commencement Faculty Hooder, voted by the College of Law Class of 2013
Commencement Faculty Hooder, voted by the College of Law Class of 2014
Commencement Faculty Hooder, voted by the College of Law Class of 2016

Courses taught

Bankruptcy; Contracts; Commercial Law (UCC); Bankruptcy Reorganizations;
Bankruptcy Seminars; Statutory Interpretation; Trusts and Estates.
Coach, Bankruptcy National Moot Court Team (2011 team finished 3rd at Nationals)

Committees

University: Council of Deans, 2007-2008; Campus Promotion and Tenure Committee,
2004-07; Campus Budget Oversight Committee, 2000-04; College of Law senator, UIUC
Faculty Senate, Committee on University Statutes, 2001-03

College: Extensive committee work for 32 years, including all important committees
many times, such as executive committee, faculty appointments, and promotion and tenure

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LAW PRACTICE

Foley & Lardner LLP, Chicago, Illinois

Of Counsel, 2014-present.

Bankruptcy & Business Reorganizations Practice Group

Carrington, Coleman, Sloman & Blumenthal, Dallas, Texas

Associate, 1980-1984

Practice: bankruptcy and complex chapter 11 reorganizations (including representing Boeing on the Official Committee of Unsecured Creditors in the Braniff Airways and Continental Airlines chapter 11 reorganizations) and commercial law.

Admitted to practice: Texas (1980), Illinois (2015); all U.S. District Courts in Texas.
Highest score of 1,400 successful candidates on July 1980 Texas state bar examination

INTERNATIONAL TEACHING, ADVISING, AND SCHOLARLY VISITS

1. *Treatise (THE LAW OF BANKRUPTCY, Third Edition 2013) being translated into Chinese*
2. **Advisor to National People's Congress, Finance and Economic Committee, People's Republic of China, 2002**

Advised Chinese government on reform of China's Enterprise and Bankruptcy Law.

The law was enacted in August 2006, with an effective date of June 1, 2007

3. **U.S.-China Legal Exchange on Bankruptcy Law and Corporate Reorganizations**, Beijing and Shanghai, China, December 2016.

I was invited by the United States Department of Commerce and the Chinese government to participate in a high-level legal exchange on corporate bankruptcy restructurings.

4. **Católica Global School of Law, Universidade Católica Portuguesa**, Lisbon, Portugal

Faculty, Advanced LL.M. Program in International Business Law, 2011-2016;

Course: "Transnational Bankruptcy Law"

5. **Shanghai Jiao Tong University Law School**, Shanghai, China

Visiting Faculty, 2013, Course: "Frontiers of Commercial Law"

6. **Tilburg Law School, Tilburg University**, Tilburg, Netherlands

Visiting Faculty, 2013, Course: "International Insolvency Law"

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7. *DIREITO GV, Escola de Direito de São Paulo, FGV (Fundação Getulio Vargas)*, Sao Paulo, Brazil
Visiting faculty, Spring 2011, Course: “Transnational Bankruptcy Law”
8. *Nottingham Law School*, Nottingham, England
Visiting Scholar and Lecturer, March 2006
9. *Cambridge University*, Cambridge, England
Visiting Scholar, March 2006; Hosted by John Armour, now at Oxford University
10. *Macquarie University*, Sydney, Australia
Prepared course materials (337 pages) for intersession course, “Comparative Consumer Bankruptcy Systems,” January 2006

VISITING PROFESSOR AND SCHOLAR

American Bankruptcy Institute

Robert M. Zinman Resident Scholar, Washington, D.C., spring 2014

The American Bankruptcy Institute is a multi-disciplinary, non-partisan organization devoted to education and research on bankruptcy and insolvency issues, and has 13,000 members. As Resident Scholar, I advised Congressional staff on pending legislation; hosted national video shows and podcasts on bankruptcy issues; and lectured at several bankruptcy conferences

Georgia State University

Southeastern Bankruptcy Law Institute Distinguished Visiting Professor, Spring and Fall, 1998. Endowed Visiting Professorship

University of Texas School of Law

Visiting Professor of Law, Summer 1993 (Secured Transactions)

University of Colorado School of Law

Visiting Associate Professor of Law, Fall 1990 (Commercial Law, Trusts & Estates)

Visiting Associate Professor of Law, Summer 1988 (Trusts & Estates)

PUBLICATIONS

BOOKS

THE LAW OF BANKRUPTCY, one-volume treatise on bankruptcy law, 1,410 pages (*Fourth Edition*, West 2016)

- This is the official West “hornbook” on bankruptcy law

Earlier editions:

THE LAW OF BANKRUPTCY, one-volume treatise on bankruptcy law, 1,391 pages (*Third Edition*, West 2013)

- *Awarded Wayne R. LaFave Award for Excellence in Scholarship, 2014*
 - outstanding faculty book, College of Law
- being translated into Chinese

THE LAW OF BANKRUPTCY, one-volume treatise on bankruptcy law, 1,447 pages (*Second Edition*, Foundation Press 2009)

THE LAW OF BANKRUPTCY, one-volume treatise on bankruptcy law, 1050 pages (Foundation Press 1997)

BANKRUPTCY LAW: PRINCIPLES, POLICIES & PRACTICE, a casebook on bankruptcy, 962 pages (*Fourth Edition*, LexisNexis) (with Ralph Brubaker) (2015)

Earlier editions:

BANKRUPTCY LAW: PRINCIPLES, POLICIES & PRACTICE, a casebook on bankruptcy, 882 pages (*Third Edition*, LexisNexis 2010) (with Ralph Brubaker) (2010)

2014 SUPPLEMENT, 161 pp.; **2012 SUPPLEMENT**, 72 pp; **2011 SUPPLEMENT**, 84 pp.

BANKRUPTCY LAW: PRINCIPLES, POLICIES & PRACTICE, a casebook on bankruptcy, 870 pages (*Second Edition*, LexisNexis 2006) (with Ralph Brubaker)

BANKRUPTCY LAW: PRINCIPLES, POLICIES & PRACTICE, a casebook on bankruptcy, 675 pages (Anderson 2003) (with Ralph Brubaker)

BANKRUPTCY IN PRACTICE (5th ed. 2015, by Bernstein & Kuney) (American Bankruptcy Institute) 572 pages (Editor)

BEST OF ABI 2014: THE YEAR IN BUSINESS BANKRUPTCY (American Bankruptcy Institute 2014) 241 pages (Editor)

BLOOMBERG LAW: BANKRUPTCY TREATISE (Bloomberg BNA 2014, 2015, 2016, 2017) (Editor), a multi-volume treatise. My contribution is ~ 1,000 pages annually. In 2016 it was 1,085 pages.

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A DEBTOR WORLD: INTERDISCIPLINARY PERSPECTIVES ON DEBT, 314 pages (Oxford University Press 2012) (ed., with Ralph Brubaker and Robert M. Lawless)

BANKRUPTCY ANTHOLOGY, an edited anthology of scholarly articles and books on bankruptcy law, 852 pages (Anderson 2002)

TRANSNATIONAL BANKRUPTCY, course materials for class in Transnational Bankruptcy, taught at Católica Global School of Law, Universidade Católica Portuguesa, Lisbon, Portugal; at DIREITO GV, Escola de Direito de São Paulo, FGV (Fundação Getulio Vargas), Sao Paulo, Brazil; Tillburg University, Tillburg, Netherlands (233 pages)

- (prepared and updated annually, 2011-2016)

BOOK CHAPTERS

The Enron Bankruptcy, in ENRON: CORPORATE FIASCOS AND LEGAL IMPLICATIONS, 303-356 (Foundation 2004) (invited)

Obtaining Credit, chapter 13 (276 pages), in CHAPTER 11 THEORY AND PRACTICE (1994), and 1994 Supplement (invited)

Priority Claims, chapter 42 (216 pages), in NORTON BANKRUPTCY LAW AND PRACTICE 2D (1994), and annual supplements 1995-1997 (invited)

ARTICLES, MONOGRAPHS, AND REVIEWS

Forthcoming:

Bankruptcy and Entrepreneurs: In Search of an Optimal Failure Resolution System, in LAW AND ENTREPRENEURIAL ACTION (Cambridge University Press, Gordon Smith and Christine Hurt, eds.) (forthcoming early 2018)

- Manuscript submitted September 1, 2016; 10,771 words

Published:

[32.] ***Book Review of Ruin and Redemption: The Struggle for a Canadian Bankruptcy Law, 1867-1919***, 34 LAW AND HISTORY REVIEW 533 (2016) (Cambridge University Press)

[31.] ***The Bankruptcy Clause, the Fifth Amendment, and the Limited Rights of Secured Creditors in Bankruptcy***, 2015 UNIVERSITY OF ILLINOIS LAW REVIEW 765-809

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2516841

Highlighted in Harvard Law School Bankruptcy Roundtable, at <http://blogs.law.harvard.edu/bankruptcyroundtable/2015/02/17/the-bankruptcy-clause-the-fifth-amendment-and-the-limited-rights-of-secured-creditors-in-bankruptcy/>

[30.] ***Detroit's Chapter 9 Bankruptcy and the Grinch Who Stole Their Pensions***, published online Dec. 23, 2013, at <http://jurist.org/forum/2013/12/charles-tabb-detroit-bankruptcy.php>

[29.] ***Credit Bidding, Security, and the Obsolescence of Chapter 11***, 2013 UNIVERSITY OF ILLINOIS LAW REVIEW 103-150.

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2019018

[28.] ***Ignoring Polonius: A Review of Debtor Nation: The History of America in Red Ink***, 52 CANADIAN BUSINESS LAW JOURNAL 321-328 (2012)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2312556

[27.] ***Bankruptcy Reorganizations and the Troubling Legacy of Chrysler and GM***, 2010 UNIVERSITY OF ILLINOIS LAW REVIEW 1375-1410 (with Ralph Brubaker)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1549650

Reprinted in the JOURNAL OF LEGAL STUDIES published by the Faculty of Law, University Petre Abdrei, in Iassy, Romania

[26.] ***Panel Discussion of Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute C-47 and Beyond***, 46 CANADIAN BUSINESS LAW JOURNAL 359-379 (2008) (with Kathryn Feldman, Andrew Kent, and Rosalind Mason)

Invited presentation at 37th Annual Workshop on Commercial and Consumer Law, University of Toronto, October 2007

[25.] ***Living With the Means Test***, 31 SOUTHERN ILLINOIS LAW JOURNAL 463-515 (2007) (with Jillian K. McClelland)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=964460

Invited symposium on "Shredding the Safety Net," Southern Illinois University Law School, February 2007

[24.] *The Top Twenty Issues in the History of Consumer Bankruptcy*, 2007 UNIVERSITY OF ILLINOIS LAW REVIEW 9-29

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=859725

Published in Conference Proceedings of the 79th Annual Meeting of the National Conference of Bankruptcy Judges (November 2005) (invited); Published in Conference Proceedings of the University of Illinois Conference, “Consumer Credit and Bankruptcy in the Wake of the 2005 Act” (April 2006)

Republished in CONSUMER PROTECTION: DISPUTES AND RESOLUTIONS, at 53-76 (Icfai Univ. Press 2008); Republished in Chinese in China’s *Commercial Law Review*

[23.] *Consumer Bankruptcy Filings: Trends and Indicators*, (lead article), 25 AMERICAN BANKRUPTCY INSTITUTE JOURNAL, (part I): No. 9, Nov. 2006, at 1; (part II): No. 10, Dec. 2006/Jan. 2007, at 42

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=931172

Published in Conference Proceedings of the ABI One-Year Anniversary Program on BAPCPA (October 16, 2006), Georgetown University Law Center

Invited presentation to Risk Managers Roundtable, Chicago, Illinois, Sept. 2006

[22.] *Courting Controversy*, 54 BUFFALO LAW REVIEW 467-502 (2006)

Posted at <http://law.bepress.com/uiuclwps/papers/art43>

Invited paper at symposium at University of Wisconsin in Sept. 2005 on Lynn M. Lopucki’s book, COURTING FAILURE

[21.] *The Importance of a Bankruptcy Law to Economic Development and Implications for China*, 3 INSOLVENCY LAW & PRACTICE 98-102 (2006)

Refereed journal in the United Kingdom

Paper presented at Conference, “The Role of Law in Economic Development—Implications for China and the World,” University of Illinois College of Law and the Law Faculty of Sun Yat-sen University, Guangzhou, China, December 2005

[20.] *Consumer Bankruptcy After the Fall: U.S. Law Under S. 256*, 43 CANADIAN BUSINESS LAW JOURNAL 28-75 (2006)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=859645

Invited presentation at 35th Annual Workshop on Commercial and Consumer Law, University of Toronto, October 2005

[19.] *The Brave New World of Bankruptcy Preferences*, 13 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 225-256 (2005)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=859626

Invited symposium article on 2005 Bankruptcy Act

[18.] *Lessons from the Globalization of Consumer Bankruptcy*, 30 LAW & SOCIAL INQUIRY 763-782 (2005)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=726510

Invited review essay on CONSUMER BANKRUPTCY IN GLOBAL PERSPECTIVE, Niemi-Kiesiläinen, Ramsay, and Whitford, eds., and COMPARATIVE CONSUMER INSOLVENCY REGIMES – A CANADIAN PERSPECTIVE, by Jacob S. Ziegel

[17.] *Of Contractarians and Bankruptcy Reform: A Skeptical View*, 12 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 259-271 (2004)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316219

Invited symposium article, part of American Bankruptcy Institute's 25th Anniversary Symposium on the Bankruptcy Code

[16.] *The Death of Consumer Bankruptcy in the United States?*, in INTERNATIONAL PERSPECTIVES ON CONSUMERS' ACCESS TO JUSTICE, 264-299 (Cambridge University Press 2003, Ricketts & Telfer, eds.)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=285760

This paper also was published at 18 BANKRUPTCY DEVELOPMENTS JOURNAL 1-49 (2001), and at NORTON BANKRUPTCY LAW ADVISER, June 2002

Circulated to European Economic and Social Committee, advisor to European Commission, Council & Parliament, in Stockholm, Sweden, June 2001

Principal paper presented at and published in materials for the International Consumer Law Conference, Auckland, New Zealand, April 2001

[15.] *A Century of Regress or Progress?: A Political History of Bankruptcy Legislation in 1898 and 1998*, 15 BANKRUPTCY DEVELOPMENTS JOURNAL 343-381 (1999)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2312525

Invited symposium article (Presented at the Association of American Law Schools annual meeting in January, 1999, and at Georgia State University and Emory University, November 1998)

[14.] **AMERICAN BANKRUPTCY INSTITUTE PREFERENCE SURVEY REPORT** 1-30 (1997)

The American Bankruptcy Institute, the largest organization of insolvency professionals in the country, conducted two nationwide surveys on the operation of the bankruptcy preference laws. At their invitation, I wrote the official Report on those surveys, which was published and also submitted to the National Bankruptcy Review Commission.

Recommendations from the Report were enacted into law as part of Pub. L. No. 109-8, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005

[13.] ***Panglossian Preference Paradigm?***, 5 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 407-422 (1997)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316227

Invited symposium article on National Bankruptcy Review Commission Report

[12.] ***The History of the Bankruptcy Laws in the United States***, 3 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 5-51 (1995)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316255

Invited symposium article

Republished in Chinese in China's *Commercial Law Review*

Quoted by Justice Thomas in dissent in **United States Supreme Court case, *Central Va. Community College v. Katz*, 546 U.S. 356, 386 (2006)**

Cited 361 times, including in 14 briefs or petitions for certiorari to the United States Supreme Court, and in four cases in the Courts of Appeals

[11.] ***Expanding the Reach of Alternative Dispute Resolution in Bankruptcy: The Legal and Practical Bases for the Use of Mediation and the other Forms of ADR***, 46 SOUTH CAROLINA LAW REVIEW 1259-1328 (1995), with Ralph Mabey & Ira Dizengoff

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2312553

Invited symposium article

[10.] ***The Future of Chapter 11***, 44 SOUTH CAROLINA LAW REVIEW 791-862 (1993)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316254

Invited symposium article

[9.] ***Requiem for Cross-Collateralization***, 2 JOURNAL OF BANKRUPTCY LAW & PRACTICE 109-162 (1993)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316246

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[8.] *Rethinking Preferences*, 43 SOUTH CAROLINA LAW REVIEW 981-1035 (1992)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316230

Invited symposium article

[7.] *Of Commas, Gerunds, and Conjunctions: The Bankruptcy Jurisprudence of the Rehnquist Court*, 42 SYRACUSE LAW REVIEW 823-892 (1991), with Robert Lawless

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316218

Invited symposium article

[6.] *Emergency Preferential Orders in Bankruptcy Reorganizations*, 65 AMERICAN BANKRUPTCY LAW JOURNAL 75-115 (1991)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2312531

Winner of the Editor's Prize for the most outstanding article in volume 65 of the American Bankruptcy Law Journal, sponsored by the National Conference of Bankruptcy Judges.

Relied on by District Court in *Capital Factors, Inc. v. Kmart*, 291 B.R. 818 (N.D. Ill. 2003), ordering return of \$227 million in payments; ruling affirmed by Seventh Circuit

[5.] *The Historical Evolution of the Bankruptcy Discharge*, 65 AMERICAN BANKRUPTCY LAW JOURNAL 325-371 (1991)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2312573

Cited in 10 briefs or petitions for certiorari to the United States Supreme Court

Cited 182 times and in two Court of Appeals cases

[4.] *The Scope of the Fresh Start in Bankruptcy: Collateral Conversions and the Dischargeability Debate*, 59 GEORGE WASHINGTON LAW REVIEW 56-113 (1990)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2316256

[3.] *Lender Preference Clauses and the Destruction of Appealability and Finality: Resolving a Chapter 11 Dilemma*, 50 OHIO STATE LAW JOURNAL 109-162 (1989).

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2312587

Relied on for holding in *In re Saybrook Manufacturing Co.*, 963 F.2d 1490 (11th Cir. 1992)

[2.] *The Bankruptcy Reform Act in the Supreme Court*, 49 UNIVERSITY OF PITTSBURGH LAW REVIEW 477-589 (1988)

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[1.] *A Critical Reappraisal of Cross-Collateralization in Bankruptcy*, 60 SOUTHERN CALIFORNIA LAW REVIEW 109-175 (1986)

Posted at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2312530

Relied on for holding in *In re Saybrook Manufacturing Co.*, 963 F.2d 1490 (11th Cir. 1992)

Quoted in Petition for Certiorari, *In re Ellingsen MacLean Oil Co.*, 1988

PROFESSIONAL WRITING

Author, *Bankruptcy Law Letter*, March 1992–April 2000 (98 issues) (Eight-page analysis of current developments in bankruptcy, published nationally each month)

PROFESSIONAL ACTIVITIES

Conferences

1. Along with my colleague Ralph Brubaker, I organized a conference, *Consumer Bankruptcy and Credit in the Wake of the 2005 Act*,” on behalf of the University of Illinois College of Law. The conference was held on April 7, 2006, in Chicago, Illinois. There were a dozen speakers. The papers were published in the 2006 UNIVERSITY OF ILLINOIS LAW REVIEW. I served as a Moderator on two of the panels.
2. Professor Brubaker and I, along with Professor Robert Lawless and with the cooperation of the American Bankruptcy Institute, organized a symposium on the changing role of secured financing in chapter 11 corporate reorganizations, held in Chicago, Illinois on April 3-5, 2014. The papers were published in the 2015 UNIVERSITY OF ILLINOIS LAW REVIEW.

Bar examination

Beginning in 2011, I have been invited to draft Contracts questions for the Multistate Essay Examination for the National Conference of Bar Examiners.

LAW REFORM WORK

1. Advisory Committee on Executory Contracts, American Bankruptcy Institute Commission to Study the Reform of Chapter 11, 2012-2014
2. Advisor to National People's Congress, Finance and Economic Committee, People's Republic of China, regarding draft of China's Enterprise and Bankruptcy Law. The law was enacted in August 2006, with an effective date of June 1, 2007
3. Commissioner, National Conference of Commissioners on Uniform State Laws, 1997-2001
Appointed by Governor Jim Edgar to represent the State of Illinois
Drafting Committee, Revision to Uniform Commercial Code Article 7
Drafting Committee, Uniform Consumer Leases Act (adopted by NCCUSL 2001)
Study Committee, Uniform Service Contracts Act
4. Principal author, two letters to United States Senate regarding bankruptcy reform, 1999. These letters were signed, respectively, by 82 and 60 professors from across the country.
5. Advisory Committee on the Federal Rules of Bankruptcy Procedure, 1993-1998
Appointed by Chief Justice William H. Rehnquist for three-year term; reappointed by Chief Justice Rehnquist for a second three-year term
Chair, Subcommittee on Alternate Dispute Resolution
Subcommittee on Forms (participated in redrafting of Official Bankruptcy Forms)
6. *Reporter*, American Bankruptcy Institute's national bankruptcy preference survey, 1997
As described above, some of the recommendations in this Report were enacted by Congress in Pub. L. No. 109-8
7. National Bankruptcy Review Commission
Testified before Working Group on Preferences, May 1997 (presenting American Bankruptcy Institute Preference Survey Report)
Member, Working Groups on: Executory Contracts; Small Business, Partnership, and Single Asset Real Estate Reorganizations.
8. American Law Institute. Elected to membership 1994
Members Consultative Groups: UCC Article 2; UCC Article 9; Transnational Insolvency.
9. Commentator, draft of 1993 Romanian Law on the Reorganization of Enterprises and Bankruptcy Management, request of Central and East European Law Initiative of the American Bar Association
10. Testified before the United States Senate, Subcommittee on Courts and Administrative Practice of the Committee on the Judiciary: June 27, 1991 hearings on *The Bankruptcy Code and Individual Debtors*, and submitted written response to questions from that Subcommittee

HONORS, BOARDS

Fellow, American College of Bankruptcy (highest honor bestowed on a bankruptcy professional in the United States), 2005-present

- Board of Regents, 2011-2014 (named as the only academic to the governing board of the College, the Board of Regents)

Member, American Law Institute, 1994-present

Inaugural member, Editorial Advisory Board, LexisNexis, 2005-2009

Referee, *Journal of Institutional Economics*

Referee, *American Bankruptcy Law Journal*

Editorial Advisory Board, *American Bankruptcy Institute Law Review*, 2004-2008

Editorial Advisory Board, *American Bankruptcy Law Journal* (the official journal sponsored by the National Conference of Bankruptcy Judges), 1992-1995

Editorial Advisory Board, *Journal of Bankruptcy Law & Practice*, 1991-1992

American Bankruptcy Board of Certification, Faculty and Board of Directors, 1992-1996

Association of American Law Schools, 1984-present: Sections on Creditors' and Debtors' Rights (chair 1991-1992); Contracts; Commercial and Related Consumer Law

American Bar Association, 1980-present: Sections on Business Law, Legal Education

State Bar of Texas, 1980-present

Who's Who in the Midwest

Who's Who in American Law

PRESENTATIONS, MEDIA

80. American College of Bankruptcy Seventh Circuit Education Committee Seminar, *SCOTUS to Decide Whether the § 546(e) Settlement Payment Safe Harbor Applies When the Qualifying Entity is a Mere Conduit*, Chicago, Illinois, September 2016.

79. U.S.-China Legal Exchange on Bankruptcy Law and Corporate Reorganizations, Beijing and Shanghai, China, December 2016.

78. UNLV Boyd School of Law, *Bankruptcy and Entrepreneurs: In Search of an Optimal Failure Resolution System*, Faculty Workshop Series, October 2016.

77. American College of Bankruptcy Seventh Circuit Education Committee Seminar, *What's Mine is Yours and What's Yours is Mine: Insider Financing of Troubled Businesses*, Chicago, Illinois, September 2016.

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76. Bloomberg Law Brief: *SCOTUS Voids Puerto Rico Law*, national podcast, June 2016.

75. Brigham Young University, *Law and Entrepreneurial Action*, Provo, Utah, February 2016.

74. ABI Mid Level Conference, *Supreme Court Review: A Look Back at the Court's 2015 Bankruptcy Cases*, Chicago, Illinois, October 2015.

73. American College of Bankruptcy Seventh Circuit Education Committee Seminar, *Successor Liability in Bankruptcy*, Chicago, Illinois, September 2015.

72. Advanced Bankruptcy Seminar, Oklahoma Bar Association, *The History of Consumer Bankruptcy*, Oklahoma City, Oklahoma, December 2014.

71. 2014 LLC Institute, ABA, *Jewel v. Boxer & Law Firm Failures*, Arlington, Virginia, October 2014.

70. American College of Bankruptcy Seventh Circuit Education Committee Seminar, "Bankruptcy: Taming 'An Expansive (and Sometimes Unruly) Area of Law'", *Recent Cases Influencing Practice in Seventh Circuit*, Chicago, Illinois, September 2014.

69. American Bankruptcy Institute, Northeastern Bankruptcy Conference, *Mountainside Chat: The Top Ten Issues in Bankruptcy History*, Stowe, Vermont, July 2014.

68. Advanced fraudulent transfers, posted on ABI website, <http://www.abiworld.org/podcast/149/>, June 2014.

67. American Bankruptcy Institute, Annual Spring Meeting, *The Collision of Confidentiality and Due Process*, Washington, DC, April 2014.

66. American Bankruptcy Institute, *Chapter 14 and the Bankruptcy of SIFIs*, national podcast with Profs. David Skeel and Stephen Lubben, posted on ABI website, <http://www.abiworld.org/podcast/148/>, April 2014.

65. American Bankruptcy Institute, *Asbestos Bankruptcy Trusts*, national podcast with Prof. Todd Brown, posted on ABI website, <http://www.abiworld.org/podcast/147/>, April 2014.

64. American Bankruptcy Institute, *Overview of Bankruptcy: Business Bankruptcy*, presented to staff of ABI, April 2014.

63. SYMPOSIUM ON THE REFORM OF CHAPTER 11, American Bankruptcy Institute and the University of Illinois, *The Bankruptcy Clause, the Fifth Amendment, and the Limited Rights of Secured Creditors in Bankruptcy*, Chicago, Illinois, April 2014.

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62. American Bankruptcy Institute Newsroom, *Analysis: Supreme Courts Hears Arguments on Whether Inherited IRA is Exempt*, at <http://news.abi.org/headlines/analysis-supreme-court-hears-arguments-on-whether-an-inherited-ira-is-exempt>, March 25, 2014.

61. 2014 Republican National Lawyers Association National Policy Conference, *Politicizing Insolvency*, Washington, DC, March 2014.

60. American Bankruptcy Institute, *Environmental Obligations in Bankruptcy*, national podcast with James Redwine, posted on ABI website, <http://www.abiworld.org/podcast/145/>, March 2014.

59. 38th annual Alexander L. Paskay Memorial Bankruptcy Seminar, *Business Session: Case Law Update*, Tampa, Florida, March 2014.

58. American Bankruptcy Institute, *Examining Law v. Siegel*, media teleconference, broadcast live, posted on ABI website, <http://news.abi.org/educational-brief/bankruptcy-experts-discuss-supreme-courts-ruling-in-law-v-siegel>, March 2014.

57. American Bankruptcy Institute, *Overview of Bankruptcy: Consumer Bankruptcy*, presented to staff of ABI, March 2014.

56. Joint training program, Thailand Office of the Judiciary and the University of Illinois, *Overview of the U.S. Legal System and Bankruptcy Code; Eligibility for Bankruptcy; General Principles of U.S. Bankruptcy Law* (series of four lectures), March 2014.

55. American Bankruptcy Institute, *Student Loans in Bankruptcy*, national podcast with Sen. Richard Durbin, posted on ABI website, <http://www.abiworld.org/podcast/144/>, February 2014.

54. American Bankruptcy Institute, *Overview of Bankruptcy and the Sad Travails of Debtors and Creditors*, presented to staff of ABI, February 2014.

53. American Bankruptcy Institute, *Bankruptcy in Depth: Charles Tabb and John Pottow on Bellingham Argument*, video interview posted on ABI website, <http://news.abi.org/videos>, January 2014.

52. American Bankruptcy Institute, *Bankruptcy in Depth: Charles Tabb and Danielle Spinelli on Supreme Court Arguments*, video interview posted on ABI website, <http://news.abi.org/videos>, January 2014.

51. Chicago Kent Faculty Workshop Series, *The Bankruptcy Clause, the Fifth Amendment, and the Limited Rights of Secured Creditors in Bankruptcy*, December 2013.

50. Shanghai Jiao Tong University Law School, *Frontiers of Commercial Law: The United States Bankruptcy System* (series of 8 lectures), Shanghai, China, July 2013

49. American Bankruptcy Institute, national podcast, *Revisiting RadLAX and Hall: Legal and Practical Impact of the Decisions: Another Look*, February 2013.
48. American Bankruptcy Institute, Winter Leadership Conference, *Revisiting RadLAX and Hall: Legal and Practical Impact of the Decisions*, November 2012.
47. American College of Bankruptcy Seventh Circuit Education Committee Seminar, “Bankruptcy: Back to the Future”, Chicago, Illinois, September 2012.
46. American Bankruptcy Institute, national podcast, “*Credit Bidding in the Supreme Court: Analyzing the RadLAX Decision*,” June 2012.
45. 5th Annual Frank W. Koger Bankruptcy Symposium, “*The Future of Consumer Bankruptcy After Lanning, Ransom, and Schwab*,” Western District of Missouri, June 2012.
44. American Bankruptcy Institute, national podcast, “*Credit Bidding in the Supreme Court: Analyzing the Oral Arguments in RadLAX*,” April 2012.
43. “Theoretical and Interdisciplinary Perspectives on Law, Lawyering, and Judging” (A Federal Judicial Center Program for Bankruptcy Judges), “*Bankruptcy Reorganizations and the Troubling Legacy of Chrysler and GM*,” University of Illinois College of Law, September 2010.
42. University of Illinois College of Law Faculty Retreat, “*Bankruptcy Reorganizations and the Troubling Legacy of Chrysler and GM*,” May 2010.
41. American Bankruptcy Institute, “Legislative Symposium: Chapter 11 at the Crossroads,” Washington, D.C., “*Revisiting the Idea of a Mandatory Trustee*,” November 2009.
40. National Association of Consumer Bankruptcy Attorneys, annual meeting (over 1,400 attendees), Chicago, Illinois “*Exemptions*,” June 2009.
39. 37th Annual Workshop on Commercial and Consumer Law, “Panel Discussion of S. Ben-Ishai & A.J. Duggan (eds.), *Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute c.47 and Beyond* (Lexis Nexis, Toronto, 2007),” Toronto, Canada, October 2007.
38. Southern Illinois University College of Law, Carbondale, Illinois, Conference, “Shredding the Safety Net,” “*Living With the Means Test*,” February 2007
37. Risk Managers Roundtable, Chicago, Illinois, “*Consumer Bankruptcy Filings: Trends and Indicators*,” September 2006
36. Nottingham Law School, Nottingham, England, “*Consumer Debt and Consumer Bankruptcy – An American Perspective*,” March 2006
35. Conference, “The Role of Law in Economic Development—Implications for China and the World,” “*The Importance of a Bankruptcy Law to Economic Development*,” University of Illinois College of Law and the Law Faculty of Sun Yat-sen University, Guangzhou, China, December 2005

34. National Conference of Bankruptcy Judges, 79th Annual Meeting, San Antonio, Texas; “Big Issues in Bankruptcy History – Consumer Bankruptcy,” “*The Top Twenty Issues in the History of Consumer Bankruptcy*,” November 2005

33. 35th Annual Workshop on Commercial and Consumer Law, “Bill C-55: Key Issues and Comparative Bankruptcy Developments,” “*Consumer Bankruptcy After the Fall: United States Law Under S. 256*,” Toronto, Canada, October 2005

32. Principal Paper, “Conference on LoPucki’s COURTING FAILURE,” “*Courting Controversy*,” Madison, Wisconsin, September 2005

31. American Bankruptcy Institute, Summer Conference, Hawaii, *Taking it to (or From) Secured Creditors in Bankruptcy*, June 2004

30. Turnaround Management Association, Chicago, “Holding Court: A Bankruptcy Judges Forum,” Moderator for Panel on “*Corporate Governance Matters*,” May 2004

29. University of Alabama, “*Of Contractarians and Bankruptcy Reform: A Skeptical View*,” November 2003

28. American Bankruptcy Institute, “25th Anniversary Symposium on the Bankruptcy Code,” Washington, D.C., “*The Reluctant Contractarian*,” October 2003

27. National Conference of Bankruptcy Judges, 76th annual meeting, Chicago, Illinois; “*(The Doctrine of) Necessity as the Mother of Invention*,” October 2002

26. International Conference on Insolvency Law, Beijing, China, regarding the draft Bankruptcy Law of the People’s Republic of China, met with Finance and Economic Committee, National People’s Congress, April 2002

25. International Consumer Law Conference, Auckland, New Zealand, “*The Death of Consumer Bankruptcy in the United States*,” April 2001

24. American Bankruptcy Institute, “*The Coming New Bankruptcy Code*,” December 1999

23. Association of American Law Schools, Annual meeting, Section on Creditors’ and Debtors’ Rights, “*The Political Economy of the Bankruptcy Act of 1898*,” January 1999

22. Emory University, Georgia State University, “*Reflections on the Comparative Political Economy of Bankruptcy Reform in 1898 and 1998*,” November 1998

21. Emory University, Georgia State University, “*Consumer Bankruptcy at the Crossroads*,” April 1998

20. Southern Illinois Bankruptcy Institute, “*Reflections on the National Bankruptcy Review Commission*,” September 1997

19. American Bankruptcy Institute, Annual Spring Meeting, “*ABI Preference Survey Report*,” Washington, D.C., May 1997

18. Southeastern Bankruptcy Law Institute, “*General Partners and Members of Limited Liability Companies in Bankruptcy; Litigating Discharge of Tax Debt*,” Atlanta, April 1997

17. State Bar of Wisconsin mid-winter meeting, “*History of Bankruptcy*,” January 1996

16. Bank of China delegation, University of Illinois, “*The Bankruptcy Law in the United States*,” September 1995

15. Wisconsin Supreme Court, “1995 Civil Law Seminar;” “*History of Bankruptcy*,” September 1995

14. Thirteenth Annual Pacific Bankruptcy Law Institute, Advanced Course; San Francisco, “*Obscure Claims*,” “*Avoidance Actions*,” July 1995

13. American Bankruptcy Institute, Midwest Regional Conference for State Trial Court Judges, “*Bankruptcy*,” St. Louis, January 1995

12. “1994 Symposium on Bankruptcy,” sponsored by the South Carolina Law Review and the South Carolina Bankruptcy Lawyers Association, Charleston, South Carolina, “*Alternative Dispute Resolution in Bankruptcy*,” August 1994

11. Twelfth Annual Pacific Bankruptcy Law Institute, Advanced Course; San Francisco; “*Executory Contracts in Bankruptcy*,” May 1994

10. Twelfth Annual Pacific Bankruptcy Law Institute, Basic Course; San Francisco; “*Executory Contracts in Bankruptcy*,” May 1994

9. Fourth Annual Midwestern Bankruptcy Conference; Chicago Indian Lakes Resort, Illinois, “*Legislative Changes: Landlord-Tenant*,” May 1994

8. Seventh Circuit Bankruptcy Judges Educational Seminar, University of Chicago Law School, Chicago, Illinois; “*Bankruptcy in the Rehnquist Supreme Court*,” December 1993

7. “1993 Symposium on Chapter 11 Bankruptcy Reorganizations,” sponsored by the University of South Carolina School of Law and the South Carolina Law Review, in Charleston, South Carolina; “*The Future of Chapter 11*,” March 1993

6. American Bar Association, Section of Business Law, San Antonio, Texas; “*Cross-Collateralization After Saybrook Manufacturing*,” October 1992

5. American Bar Association, Section of Business Law, Spring meeting, in Orlando, Florida; “*Business Bankruptcy in the Supreme Court*,” April 1992

4. “1992 Symposium on the Trustee's Avoiding Powers in Bankruptcy,” sponsored by the University of South Carolina School of Law and the South Carolina Law Review, in Columbia, South Carolina; “*Rethinking Preferences*,” March 1992. This paper also was presented at a faculty workshop at Washington University in St. Louis

3. “*Agenda for Bankruptcy Reform*,” Annual meeting, Creditors' and Debtors' Rights Section, Association of American Law Schools, Jan. 7, 1992 (Organized as chair)

2. “5th Biennial MidSouth/Midwest Bankruptcy Institute,” University of Kentucky College of Law; “*Emergency Preferential Orders in Bankruptcy Reorganizations*,” December 1991

1. National Conference of Bankruptcy Judges, 64th annual meeting, Chicago, Illinois; “*Cross-Collateralization and Other § 364 Issues*,” November 1990

EDUCATION

UNIVERSITY OF VIRGINIA SCHOOL OF LAW

Juris Doctor, 1980

Order of the Coif

Class rank, # 3

Virginia Law Review, 1978-1980

Trial Advocacy Award, Virginia Trial Lawyers Association

VANDERBILT UNIVERSITY

Bachelor of Arts in Economics, *summa cum laude*, 1977

Ranked # 6 in graduating class

Phi Beta Kappa Honorary Society; Phi Eta Sigma Honorary Society

National Merit Scholar

Contact:

University of Illinois College of Law

504 East Pennsylvania Avenue

Champaign, Illinois 61820

(217) 333-2877

ctabb@illinois.edu