

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA



The Court Connection

Newsletter of the
United States Bankruptcy Court
Middle District of Florida

Volume 12 | Issue 3 | July 2023

“Our Court serves the public by processing and deciding bankruptcy cases with fairness, impartiality, and excellence, while treating everyone with dignity, integrity, and respect.”

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The Court Connection is published quarterly.

Please submit items for the next edition by September 30, 2023, to: newsletter@flmb.uscourts.gov.



Clerk's Message
By: Sheryl L. Loesch

Life is never boring in the U.S. Bankruptcy Court in the Middle District of Florida. I think each member of our Court can attest that something unexpected happens nearly every day. As we face new challenges, our staff remain motivated and adapt however necessary to maintain the integrity and respect of our Court. This is a testament to the high caliber employees we have in the Middle District of Florida.

Last fiscal year we were told to expect massive budgetary cuts – most specifically cuts to our staffing. We saw the retirements of nine members of our court family due to the proposed cuts. When the budget was finally passed, surprisingly, the anticipated cuts were far less than we were told, so we found ourselves with a healthier budget than planned. While that may sound like a good situation to be in, it's actually counter-productive because we then are told to expect even larger budget cuts for the following year. It does no good to "staff up" since the following year we may not be able to afford the newly hired staff. To say this is a dysfunctional way to manage a court is an understatement, but it is the world in which we live. This situation is the same for every Bankruptcy Court, District Court, Probation, and Pretrial Services office throughout the country. Agency heads like myself have embraced the motto, "plan for the worst and hope for the best." However, hope and prayer have not helped with budget planning. During the annual turmoil that federal courts and federal court agencies face with funding requests, I have embraced one of Dr. Suess' books, "*Oh, the Places You'll Go*," especially when he wrote:

"I'm sorry to say so, but sadly, it's true that Bangs-ups and Hang-ups can happen to you. You can get all hung up in a prickle-ly perch. And your gang will fly on. You'll be left in a Lurch."

Each budget cycle, I need to dig my way out of that "Lurch," and I do that by trying to find inspiration and motivation. I'm pleased to say that our Judges and staff are great sources of both.

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This year, a number of our staff attended the National Conference of Bankruptcy Clerks' annual conference. Fortunately, we had the funding to send folks to this worthwhile educational conference that included special program tracks in the areas of human resources, information technology, financial management, and case management, as well as general topics covering the use of Teams and SharePoint, community service, and creativity in the workplace. In addition to the excellent educational programs offered, the networking opportunities were priceless.

Many of you are aware of my passion for international Rule of Law efforts. This is a topic Judge Williamson and I shared, and I cherish our many discussions on the off-the-beaten-path parts of the world where we each had the opportunity to visit and provide expertise. I'd like to share with you an outreach effort that is not well known, but I think it's one in which those of you in the legal community will have an interest. I was honored to be invited to participate in a small group of women judges and lawyers who are helping a group of at-risk Afghan women judges in Islamabad. During the 20-year presence of the United States in Afghanistan, the U.S. urged women to seek education and professional careers. As a result, in 2021 there were approximately 300 women judges in Afghanistan who were educated by the United States Agency for International Development (USAID) and the International Association of Women Judges (IAWJ) in both the United States and in Afghan universities.

When the U.S. exited Afghanistan in August 2021, there were no provisions in place to rescue the women judges. Women judges are particularly at-risk in Taliban dominated and governed Afghanistan – first, they are women. Second, they are educated women. Third, they are professional women, and fourth, they are judges who have sentenced Taliban and ISIS defendants during their careers. They are women judges who did what the U.S. urged them to do – establish the Rule of Law in Afghanistan.

Few of these women judges got out of Afghanistan before the takeover of power by the Taliban. The Taliban have gone house to house in search of women judges. At least two of them have been summarily shot and killed when found. The IAWJ has and is assisting these women judges in their quest to escape. Immediately following the U.S. exit from Afghanistan, some judges did escape to lily-pad countries (where many remain.)

The Taliban blocked all further rescue flights in May/June 2022. Since that time, most of the women judges have escaped over land to Islamabad, Pakistan, where they seek P1 visa status and visas to relocate to safe countries. At present, there are 19 women judges and their families still in Islamabad awaiting U.S. visa processing. In order to come to the U.S. with a P1 visa (regular immigrant status), there must be a

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resettlement agency in the lily-pad country that will process the visa and relocation request. There is no such agency in Islamabad because the government of Pakistan has not given permission to the U.S. to establish such an agency there.

These women judges and their families are at a dead-end with no hope of exit. The earliest judges arrived in Pakistan in May/June 2022. The Pakistan visas are only valid for one year. The only way to obtain an extension is to return to Afghanistan (not a viable option) or obtain one on the black market. Extensions can only extend the visa for six months and cannot be renewed or extended thereafter. Afghans in Pakistan cannot obtain a visa to any other country; therefore, they are stuck in Pakistan with no exit except to return to Afghanistan and most probably face death. These 19 judges and their families have little hope of escape. The IAWJ and various humanitarian organizations have been providing support and are in constant contact with them. I have personally read some of the email communications from these judges to the judges in my little group, and I can tell you their situation is heartbreaking.

As the Clerk-liaison to the International Judicial Relations Committee (a Committee of the United States Judicial Conference), I attended the Committee's meeting last month in Washington, D.C. I was able to provide an overview of this situation to the members and other liaisons to the Committee, and I am so pleased to say the report caught the attention of some high-ranking staff at the State Department who immediately leaped into action. The State Department is pressing hard to get the first family out. This is a family with no children, so it is a slightly less complicated effort. After that, the State Department plans to assist with extracting the remaining judges. Of all the international efforts I have been part of over my career, this particular one is most endearing to my heart. The small group that started all this is named the San Diego Afghan Rescue and Resettlement group, and I am honored and proud to be part of it. If anyone has any questions or would like additional information about this effort, please don't hesitate to contact me.



A Tribute to Hon. Cynthia C. Jackson



**By: Jeanne Kraft Herdeker and
Kristyn Barber Leedekerken**

The Middle District of Florida was very sad to lose another Court family member on April 21, 2023, when the Honorable Cynthia Carson Jackson passed away.

Judge Jackson grew up in Jacksonville and attended Tulane University, the London School of Economics, and Florida State University. Upon graduating from the University of Florida College of Law, Judge Jackson served as a city attorney for the City of Jacksonville, before joining Smith Hulsey & Busey where she practiced for 29 years. During her tenure at Smith Hulsey & Busey, she served as Debtor's counsel on high-prolife cases such as the Winn Dixie and Sawgrass by Marriott reorganizations. As an attorney, she was known to *always* be prepared and was highly respected for not only her litigation skills but also her insightfulness and willingness to be reasonable.

On March 5, 2013, the United States Court of Appeals for the Eleventh Circuit appointed Judge Jackson to serve as a United States Bankruptcy Judge. She presided in the Orlando Division until transferring to the Jacksonville Division at the beginning of 2020. In August 2021, Judge Jackson retired due to health reasons. Above all else, Judge Jackson valued her family and the time they spent together, which included a dream family vacation to England in December of 2019. She is survived by her husband, Dale; their children, Trace, Lillian, and Courtney; and many other relatives, friends, and colleagues.

We were honored to serve as Judge Jackson's law clerks – Jeanne in the Orlando Division and Kristyn in the Jacksonville Division. Following are some interesting cases and reflections on her judicial career.

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When Judge Jackson was presiding in the Orlando Division, she issued an opinion in *In re Uche* (555 B.R. 57 (Bankr. M.D. Fla 2016)) wherein the Court denied the creditor's Motion to Dismiss Chapter 7 Case for Cause Pursuant to 11 U.S.C. § 707(a), finding that the debtor did not file his Chapter 7 case in bad faith. The Court rejected the multifactor test for determining bad faith and found that the creditor's pursuit of a deficiency judgment against the debtor immediately before the bankruptcy filing was not determinative of bad faith. And *In re Creech* was an oral ruling that was affirmed by the Eleventh Circuit (782 F. App'x 933 (11th Cir. 2019)). These cases were also featured in Rochelle's Daily Wire (ABI).

In re Cole, 2019 WL 1528105 (Bankr. M.D. Fla. Apr. 3, 2019), dealt with homestead exemption, gerrymandering, and submerged land. And *In re Carter*, 593 B.R. 354 (Bankr. M.D. Fla. 2018), involved discharging a debt to the rock band "They Might Be Giants." Finally, *In re Eddy*, 572 B.R. 774 (Bankr. M.D. Fla. 2017), involved equitable subordination of a claim.

Although these cases were "run of the mill," they do show how much time and effort Judge Jackson put into her decision making – even though the case might not have been complex or large.

Shortly before the beginning of the pandemic, Judge Jackson relocated from the Orlando Division to the Jacksonville Division, and during that time she handled the following interesting cases.

In re VCHP Neptune Beach, LLC, et. al. (Cases: 20-bk-740; 20-bk-741; and 20-bk-1239) was a highly contested hotel case with most of the litigation occurring during the early months of the pandemic. Notably, a full-day trial was conducted on Friday, March 13, 2020, otherwise known as "the day the world shut down" because of the global pandemic. Amid this unprecedented time, which included mandated "stay at home orders," Judge Jackson kept the case moving forward with a calm and positive attitude.

In re NRP Holdings, LLC (Case No. 19-bk-4607) dealt with the issue of whether debtors in bankruptcy were eligible to participate in the Paycheck Protection Program ("PPP"). The Debtor was a regional family entertainment business whose parks were forced to shut down during the pandemic. Due to being in Chapter 11, NRP's attempts to participate in the PPP were unsuccessful, which led NRP to seek a temporary injunction against the Small Business Administration (the "SBA"). In granting the temporary injunction, Judge Jackson recognized that the PPP loan was likely the Debtors only lifeline to save its business and almost 500 jobs.

Prior to issuing her ruling, Judge Jackson stayed up to date on all aspects of the issue. New cases were coming out weekly, there were discussion groups amongst judges, as well as hope that the legislation may be clarified. A lot occurred during a relatively short time period. Although the world to a large extent had “shut down,” Judge Jackson continued to work at full speed ahead. We will always have a great deal of respect for Judge Jackson’s ruling on this issue. When Kristyn visited her prior to her passing, she told Judge Jackson that Adventure Landing, which has been in business for over 28 years in Jacksonville, was still operating and that her decision was imperative to the business’s survival. It was apparent that it meant a lot to her to know how her legacy as a judge positively impacted the community.

Although Judge Jackson’s background was in complex Chapter 11’s, she also took great time, care, and attention to detail on administering her consumer cases. It was of great importance to Judge Jackson to consider the long-term implications of matters that while may be “routine” to the Court, were of significance to individual debtors as they emerged from bankruptcy. What radiated the most from Judge Jackson was her empathy, care, and concern for those less fortunate. It was in her nature to think of others before herself, and she will be *greatly* missed.



Upcoming Events

- August 11** [Jacksonville Bankruptcy Bar Association Annual Seminar](#)
Ponte Vedra Beach
- August 24** [Central Florida Bankruptcy Law Association Annual Seminar](#)
Orlando
- October 11-14** [National Conference of Bankruptcy Judges Annual Conference](#)
Austin, Texas
- November 2-3** [Judge Michael G. Williamson View from the Florida Bankruptcy Bench](#)
Tampa and Miami

Judge Delano Reappointed Chief Bankruptcy Judge for the Middle District of Florida

On July 6, 2023, Chief District Judge Timothy J. Corrigan entered an [order](#) reappointing Judge Caryl E. Delano as Chief Bankruptcy Judge for the Middle District of Florida for a four-year term beginning October 1, 2023.

Congratulations, Chief Judge Delano!



Judge McEwen's Make Me Smile Column

Happenings that made me smile recently and that I share to both spread the smile and inspire others to do like work

Peter Zooberg negotiated a reaffirmation agreement for his client, taking the loan balance of \$20,210.78 down to a reaffirmed \$9,798.55!

Shawn Yesner negotiated a reaffirmation agreement for his client, taking the interest rate from a whopping 23.59 percent down to 15 percent and reducing the debtor's monthly payment by more than \$100 per month!

Pro se debtor **Lucille** (from a real email to me): “[Creditor] offered to reaffirm the loan at the current rate, and as I had nothing to lose I counter-offered with terms bearable to me, which they accepted. So I went from \$8900 @ 23% to \$5000 @ 8%. I think most people are so relieved they get to keep the car/asset that they accept what's offered without question. For me, rock bottom means I've lost anyway, so there's no harm in asking. What's another 'NO' ? But, I got a yes 😊🙏.”

Remember, the reaff statute (§ 524) uses the word “negotiate,” so, like Lucille, you might as well. These phrases are helpful:

- “What can you do for me?”
- “The judge hates double-digit interest rates.”
- “What if I don't reaffirm but keep making payments?”
- “The judge won't approve a reaffirmation agreement if I'm behind.”
- “If you take it back, how much will you get? I'll give you \$X on top of that.”

William Kopp was waiting in Zoomland for his hearing on a chapter 13 rocket docket. He heard the Court's discussion with a debtor who was close but still unable to meet the requirements for confirmation of her chapter 13 plan after having several chances. William unmuted himself and volunteered to help her on the spot.

And, finally, this, from **Mike Barnett**: “Just thought you might like to know we filled all the in-person slots at the [Tampa walk-in] clinic [for the month] in less than 30 minutes after opening them to volunteers, and we had a firm agree to take a full case and adversary proceeding pro bono within 24 hours of asking for volunteers. The judges and bar are doing a great job of encouraging the volunteers.”

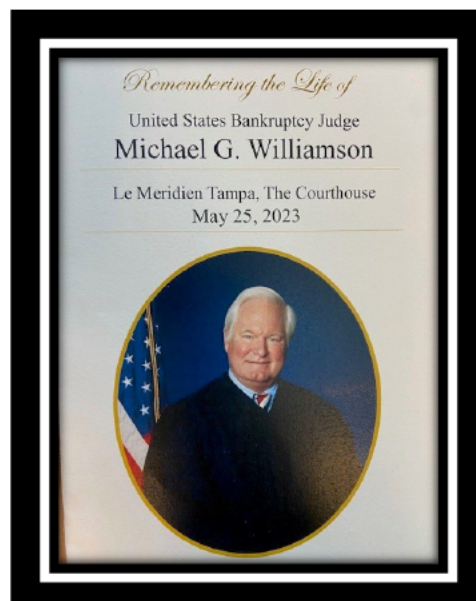
Couldn't have said it any better, Mike! Thanks to the volunteers for living up to their word (the oath of admission to the bar)!

**Program and Reception Honoring
Judge Williamson Held May 25, 2023
By: Dana L. Robbins, Esquire**

On Thursday, May 25, 2023, the Tampa Bay Chapter of the Federal Bar Association and the Tampa Bay Bankruptcy Bar Association hosted a CLE program to honor and celebrate the life and legacy of Bankruptcy Judge Michael G. Williamson at the Sam M. Gibbons United States Courthouse in Tampa. The program served as a retrospective of Judge Williamson's most influential decisions and was moderated by attorney Harley Riedel, with discussions from the bankruptcy lawyers who litigated the cases including Steven Berman, Denise Dell-Powell, Daniel Fogarty, David Jennis, Donald Kirk, and Patricia Redmond, with special remarks from Father C. Timothy Corcoran, III, and Bankruptcy Judge Catherine Peek McEwen.

Immediately following the seminar, esteemed guests attended a reception at the Courthouse Ballroom at Le Méridien Hotel. The reception featured remarks by Bankruptcy Judge Roberta Colton, Judge McEwen, Edward Comey, and Linda Williamson, with a welcome by FBA Bankruptcy Chair Dana Robbins and TBBBA President Barbara Hart. The event was well attended by current and former judges of the Middle District of Florida, Bankruptcy Judge Mindy Mora (West Palm Beach), Bankruptcy Judge Grace Robson (Orlando), and members of the Bar, along with Judge Williamson's former law clerks.

We would like to thank the Middle District of Florida Bench Bar Fund for its contributions to this event and extend our sincere thanks and appreciation to Judge Williamson's family and courthouse staff for their support of this event.



Judge Delano Celebrates 15 Years on the Bench

On June 23, 2023, Judge Delano’s family, staff, and former law clerks gathered for lunch to celebrate the 15th anniversary of her appointment as a United States Bankruptcy Judge. On June 25, 2008, Bankruptcy Judge Paul M. Glenn swore in Judge Delano in a ceremony at the Sam M. Gibbons United States Courthouse. The Eleventh Circuit Court of Appeals appointed her for a second 14-year term in 2022, and in June of that year, Circuit Judge Charles Wilson administered the oath of office.



(L to R): Former law clerks Andy Layden, Kathleen DiSanto, Dana Robbins, Judge Delano, former law clerk Phil Nodhturft, law clerk Cindy Turner, judicial assistant Laura Stevenson, and courtroom deputy Lisa Mills.



Judge Delano with her son Michael and husband Don at her celebratory lunch.



(L to R) - Judge McEwen, Judge Paskay, Judge Glenn, Judge Delano, Judge Williamson, and Judge May at Judge Delano’s 2008 swearing-in on June 25, 2008.

A Great Day to Become an American

By: Seth Bowe, Deputy in Charge, Jacksonville Division

On June 15, 2023, the Honorable Jacob A. Brown presided over a Naturalization Ceremony in the Bryan J. Simpson Federal Courthouse in Jacksonville. Judge Brown swore in 46 new citizens hailing from 24 different countries. A presentation of colors by Boy Scout Troop 351, and an amazing rendition of our national Anthem by Ms. Teneese Williams, had all in attendance excited to celebrate the new citizens. Assistant U.S. Attorney Collette Cunningham introduced the principal speaker of the ceremony, Mr. Juan Carlos Gonzalez. Mr. Gonzalez, an immigrant from Cuba, shared his story of immigrating to the United States in the 1990's.

With tears in everyone's eyes, the new citizens performed their first Pledge of Allegiance and reflected, while listening to America the Beautiful, that they are now American citizens. Court concluded with Judge Brown taking a photo with each new citizen to commemorate this great achievement.



Judge Jacob Brown
and
AUSA Cunningham



Ms. Teneese Williams



Mr. Juan Carlos



New Citizens



It Took a Village to Create Award-Winning Access-to-Justice Project: Middle District’s Virtual Bankruptcy Consult Platform Gets Special Recognition from 13th Circuit Pro Bono Committee

By: Hon. Catherine Peek McEwen

[Editor’s note: The following is a revised version of Judge Catherine Peek McEwen’s remarks in presenting the Thirteenth Judicial Circuit Pro Bono Committee’s Special Recognition Award to the Middle District of Florida Bankruptcy Pro Se Assistance Clinic at the committee’s annual awards ceremony in May. (By order of the Supreme Court of Florida, each judicial circuit in the state’s Third Branch has a circuit pro bono committee to promote pro bono service.)]



L to R: Jena Hudson, Barbara Hart, Bankruptcy Judge Catherine Peek McEwen, Kathleen DiSanto, 13th Judicial Circuit Judge Darren Farfante, Michael Barnett, and Chief Bankruptcy Judge Caryl E. Delano

I can’t tell you how pleased I am to showcase the project that is honored with this special award. There are two reasons for my delight: First, the project was sorely needed, as you’ll hear about in a moment. Second, the project is a model for what a group of creative individuals can do, using technology, to bring about pro bono representation in other courts.

As to the first reason, last year — 2022 — the United States Bankruptcy Court for the Middle District of Florida was ranked 5th in the nation out of 90 federal judicial districts for pro se bankruptcy filings per authorized judgeship (this statistic does not count pro se creditors). These pro se individuals frequently need assistance in preparing their bankruptcy schedules and addressing issues that arise in their cases. The high volume of pro se parties appearing in our bankruptcy court is a significant burden on our clerk’s office and creates a disproportionate demand for judicial resources.

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In mid-2022, Judge Jay Brown learned about an undertaking in Orlando for a virtual pro bono consultation platform and thought about taking that concept districtwide. He enlisted the help of Chief Judge Caryl Delano to constitute a districtwide committee to make it happen. She appointed him to chair the committee and tapped Judge Jason Burgess, retired Judge Karen S. Jennemann, me, and bankruptcy practitioners from Tampa, Orlando, Jacksonville, and Fort Myers to be members. *[Editor's note: A complete list of the team follows this article.]*

Collaborating in the style of “it takes a village,” it took the districtwide committee only a few months to tackle the challenges of overseeing the creation of a virtual clinic website, which launched Labor Day last year and is found at <https://www.bankruptcyproseclinic.com/>. This online platform — which augments some divisions’ existing but separate walk-in and email clinics — allows attorneys to register as virtual clinic volunteers and gives pro se parties the ability to schedule a free, 30-minute telephone or Zoom consultation with an attorney. In addition, the districtwide committee recruited attorney volunteers to staff the virtual clinic, identified grants and other sources for funding the operation of the virtual clinic, and developed a form notice (modeled after a similar notice that Northern District Bankruptcy Judge Karen Specie created for that district’s pro se filers) that our Court mails to each pro se debtor, advising the debtor of the availability of local pro bono resources, including the virtual clinic. The attorney recruitment piece was headed by Tampa’s Kathleen DiSanto. *[Editor's note: For that reason, she was tapped to accept the award for the districtwide committee at the ceremony; see accompanying pictures.]*

With the support of more than 200 attorneys across the Middle District of Florida, the virtual clinic had served more than 246 clients as of April 30 of this year through virtual or telephonic consultations. *[Editor's note: The count through May 30 was 292 since inception of the clinic.]* As of May 4, we had an astounding 4,562 appointment slots available!

And now to underscore the second reason that I’m happy: The virtual clinic now serves as a template for use by bankruptcy courts across the nation. We think that state courts, state court bar associations, and legal aid agencies can also follow suit.

Congratulations and thanks to our award-winning village of creative thinkers for being pro bono trailblazers in deploying existing technology to deliver access to justice!

Middle District of Florida Bankruptcy Pro Se Clinic Committee

Court Representatives

Judge Jacob A. Brown

Judge Catherine Peek McEwen

Judge Jason A. Burgess

Judge Karen S. Jennemann

Kameron Fleming
Jodie Hollingsworth
José Rodriguez
Michael Schumpert

Orlando Division

Jeffrey S. Ainsworth
Bethanie A. Barber
Andrew V. Layden
C. Andrew Roy
Jonathan M. Sykes
Larri T. Thatcher
Frank M. Wolff

Tampa/Ft. Myers Divisions

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Michael R. Barnett
Kathleen L. DiSanto
Barbara A. Hart
Jena D. Hudson
Kathleen S. McLeroy
Luis E. Rivera
Dana L. Robbins
J. Ryan Yant

Jacksonville Division

Ryan T. Hyde
James A. Kowalski
James R. LeMieux
Dominic C. MacKenzie
Mary Kimberly Martyn
Debra Talley
Allan E. Wulbern



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CASE LAW UPDATE FOR Q3 2023

Editor:

Bradley M. Saxton, Winderweedle, Haines, Ward & Woodman, P.A., with special thanks to summer associates Kim Ciarcia (Florida State College of Law, Spring '25) and Michael Romano (University of Florida College of Law, Spring '25) for assistance with this issue.

Bankruptcy Court Cases

BenShot, LLC v. 2 Monkey Trading, LLC (In re 2 Monkey Trading, LLC)

2023 WL 3947494 (Bankr. M.D. Fla. June 12, 2023) (Geyer, J.)

In a subchapter V chapter 11 case, the Court certified a direct appeal to the Eleventh Circuit Court of Appeals where Plaintiff appealed the Court's prior conclusion that Plaintiff could not maintain an action for denial of discharge under § 523(a)(6) because Plaintiff is an LLC. The Eleventh Circuit has not yet ruled on whether § 523(a) applies to corporate debtors.

In re Smart Baking Co., LLC

2023 WL 3813506 (Bankr. M.D. Fla. June 1, 2023) (Robson, J.)

The Court granted motion to compel in part, holding that debtor did not reject lease until the locks to the premises were changed, even though debtor had stopped using the premises previously, because there was no sublease or agreement that relieved debtor of its lessee obligations when it stopped using premises. The Court held that damages occurring prior to lease rejection were recoverable along with reasonable attorneys' fees.

SCCY Indus. v. Hickman (In re Hickman)

2023 WL 3521648 (Bankr. M.D. Fla. May 17, 2023) (Geyer, J.)

The Court granted Plaintiff's motion to dismiss debtor's amended counterclaim with eleven claims, holding that debtor lacked standing to bring ten of the claims that accrued pre-petition and that debtor could not bring a claim for defamation because Plaintiff was protected by the litigation privilege.

In re Smart Baking Co., LLC

2023 WL 3614644 (Bankr. M.D. Fla. May 16, 2023) (Robson, J.)

The Court sustained objection to use of deposition testimony in lieu of live testimony at trial. The Court held that debtor did not exercise the requisite “reasonable diligence” necessary to permit the use of deposition testimony under Federal Rule of Civil Procedure 32(a)(4)(D) when debtor did not subpoena witness until a day or two before the trial.

In re Hall

650 B.R. 595 (Bankr. M.D. Fla. 2023) (Burgess, J.)

The Court granted the creditor’s motion for summary judgment, holding that disputed debt amounts counted towards the \$7.5M limit for subchapter V bankruptcy under § 1182 regardless of the magnitude of the dispute. Further, the Court held that eligibility is determined based on what a debtor actually owes, not what is included on their schedules. Lastly, the Court held that debtor, who guaranteed a debt individually and on behalf of an LLC, created an obligation for the debt for herself and the LLC.

In re Summit II, LLC

2023 WL 3295003 (Bankr. M.D. Fla. May 4, 2023) (Colton, J.)

In a subchapter V chapter 11 case, the Court held that debtor was able to assume an executory contract under § 365(a) (made applicable to Subchapter V debtor-in-possession by § 1184) because the contract had not expired, and it was in the best interest of the estate to assume the contract.

In re Huckleberry Partners LLC

2023 WL 3244778 (Bankr. M.D. Fla. May 2, 2023) (Robson, J.)

The Court denied the motion for reconsideration of the Court’s prior order denying affirmative defenses. The Court held that the date an order is entered on the docket is the time from which the timeline to make motions or appeals is measured, not the date an order is signed.

BenShot, LLC v. 2 Monkey Trading, LLC (In re 2 Monkey Trading, LLC)

650 B.R. 521 (Bankr. M.D. Fla. 2023) (Geyer, J.)

The Court granted defendant’s motion to dismiss for failure to state a claim pursuant to Federal Rule of Civil Procedure 12(b)(6). The Court concluded that, as a matter of law, Plaintiff could not maintain an action for denial of discharge under 11 U.S.C. § 523(a)(6) against the Debtors/Defendants, who were

proceeding under Subchapter V of Chapter 11, because they are not “individuals” but rather are limited liability corporations.

In re Bravo

2023 WL 3035382 (Bankr. M.D. Fla. Apr. 21, 2023) (Delano, C.J.)

The Court concluded Florida’s homestead exemption does not require a travel trailer to be “permitted” or “built and permanently placed on the premises in accordance with applicable law and building code requirements” to qualify as the debtor’s exempt homestead. To qualify for a homestead exemption, an individual must have an ownership interest in a residence, must use and occupy the residence, and must intend to live there permanently.

Nutrien Ag Solutions, Inc. v. Hall (In re Hall)

651 B.R. 62 (Bankr. M.D. Fla. 2023) (Burgess, J.)

Using statutory interpretation tools, the Court rejected the Fourth Circuit’s conclusion and held that the exceptions to discharge under § 523(a) do not apply to corporate debtors receiving a discharge under § 1192.

In re Christopher

2023 WL 2911655 (Bankr. M.D. Fla. Apr. 12, 2023) (Delano, C.J.)

The Court found that debtor’s confirmed Chapter 13 Plan explicitly provided that the proceeds from the sale of real property would be returned to debtor upon confirmation. The party opposing the release of the funds had notice of debtor’s plan and sufficient time to object but failed to do so. Thus, the objector was bound by the plan’s terms.

In re Robles

2023 WL 2809882 (Bankr. M.D. Fla. Apr. 6, 2023) (Geyer, J.)

The Court concluded that denying debtor’s motion to vacate his discharge would deprive him of the fresh start he was entitled to as a good-faith debtor.

In re Namen

649 B.R. 603 (Bankr. M.D. Fla. Apr. 5, 2023) (Burgess, J.)

The Court ruled that a creditor who failed to take affirmative steps to end garnishments after debtor filed for Chapter 11 reorganization was subject to sanctions for violating bankruptcy’s automatic stay.

USBC Goes To The Dogs (And Cats) for Tampa Courthouse Bake-Off

Judge Roberta Colton and law clerk Jen Deeb led the FLMB-Tampa team “Blondies for Bucks” at the recent federal courthouse chambers bake-off competition. The team’s theme was ASPCA, with each vote for the booth being matched with a \$1 donation to the charity. Jen’s blissful Blondies were a hit, and our team featured the only actual dog. With all that going for us, our three Tampa judges will together donate \$168 to ASPCA!



L to R: Jen, law clerk Ed Comey, Judge McEwen, Nike and her human — Judge Colton, and summer interns Kristina Lester and Riley Lazzara.



Judge Colton and Nike

Other fun booths:



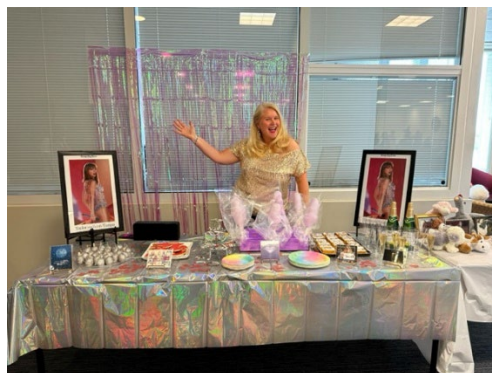
Look closely at the names of Judge Honeywell's offerings for her chamber's Nightmare on the 13th Floor theme. Scary Dec-EYE-sis (eyeball confection and coffin cookies). Ex-Scalpel-tory Evidence (bloody knife cookies). Legal Grounds (graveyard cake). The Legal Grounds include these clever headstones: Ex Pastry Defendant, BONE-a-fide Purchaser, Habeus Corpse, Scary Decisis, The Eerie Doctrine, Hauntium Meruit, and Pro BONE-O!



Best Overall: Tony Zeppole's (aka Judge Porcelli) Italian donuts.



Best-Tasting: Judge Scriven's Sweet Extraction double fudge, double chocolate chip cake, featuring a replica of an extraction from a stuck elevator in our building



Judge Sansone channeling Taylor Swift with her chamber full of Swifties garnered the award for Best Presentation for her Eras theme, complete with different desserts from different eras. The free, handmade friendship bracelets were a plus.



Judge Sneed's chamber featured their dogs for a Sneed's Breeds theme.



*Left: Judge Badalamenti's theme was Ain't no Challah-Babka Girl, featuring his law clerk's challah and babka (and her sense of humor).
Right: Judge Covington's When Life Gives You Lemons lemon desserts.*



Judge Barber's chamber surprised him with a namesake theme of sorts.



Judge McEwen, Judge Colton, and Nike find their inner-Barbie.

~~Retire~~
What Do You Want to Do When You Grow Up?
Compiled by Judge McEwen

In June 2023, the Tampa Division bid happy retirement to Susan Miguenes and Jeff Harrison. There was a farewell breakfast held on June 14.



Tampa Division staff at retirement breakfast for Jeff and Susan.

Susan Miguenes (retiring after 35 years of federal service, 32 with the Court and 3 as a Marine):



Susan accepting her retirement certificate from Chief Deputy Jose Rodriguez.

Susan writes, “Here is my retirement list. After writing them down it seems a bit boring but, these are short term goals, and hopefully better things will be on the horizon.”

1. Slow down (which will be a drastic change for me).
2. Sit in the backyard each morning and enjoy the birds while our dogs enjoy the yard, followed by walking a lap in our neighborhood park.

3. Spend time with my sons before they move out of the house.
4. Travel with my mom to see extended family before her mobility issues don't allow it.
5. Finish knitting that blanket I started (hopefully before Christmas).
6. Find some new family meals that don't involve pasta.
7. Lose weight and get into better shape to enjoy retirement for a very long time.
:)

Jeff Harrison (retiring after 12 years of service with the Court):



Jeff accepting his retirement certificate from Chief Deputy Jose Rodriguez.

Jeff writes, “You asked what I plan on doing after I retire; truthfully, my hopes are:”

1. My mom is a young 83 so I plan on taking her to lunch twice a week.
2. I normally get in the pool with a glass of wine — hopefully I will first do some daily laps.
3. I live close to a trail, so I want to get a bike and take a daily ride.
4. I have a granddaughter who is turning 3. I didn’t have grandparents growing up, so I hope to be the best grandparent I imagine other kids had. She’ll learn real quick that my answer is always “yes.”

5. We have a beagle that just turned 3. I'm sure she would appreciate some extra walks.
6. I also plan on two cruises per year. This next cruise is number 27 for us, [obviously] something we enjoy.

Happy pearling, Susan (and don't forget your Court family when you make those yummy Italian wedding cookies at holiday time), and Bon Voyage and smooth sailing into your retirement years, Jeff!

Bloom Where You're Planted!

By: Hon. Catherine Peek McEwen

That was the message a group of impressionable middle schoolers heard during a courthouse tour this past school year. In conjunction with the Tampa Bay Chapter of the Federal Bar Association and the George Edgecomb Bar Association, the Tampa Divisions of the District Court and Bankruptcy Court for the Middle District of Florida hosted approximately 40 young ladies from Ferrell Middle School.

Over the course of the tour, the students:

- Toured the civics displays and the U.S. Marshal's area with teacher and lawyer chaperones and Bankruptcy Judge Cathy McEwen,
- Heard a compelling story from Magistrate Judge Chris Tuite about a young woman who had been used as an inner-city drug-dealing enterprise's look-out and who made the right decision to cooperate in the prosecution of the dealers,
- Learned about what pretrial services officers do, from Joely Andrews, a Supervisory Pretrial Services Officer,
- Watched a part of a jury trial in a criminal case that District Judge Mary Scriven was presiding over (and the alleged perpetrator was a woman!),
- Enjoyed a pizza lunch while Magistrate Judge Julie Sneed visited from table to table, and
- Then wrapped up the tour by hearing some words of wisdom from Judge Scriven and District Judge Charlene Honeywell.

When Judge Scriven mentioned the adage "bloom where you're planted," she added that, "you have to make the very best of what you are given at the time. Strive for the best and not just adequate!" She also told them what skills are necessary to become a good lawyer or judge, such as loving to read, to write well, to be a good listener, to be able to grasp a lot of information and synthesize it quickly, and to have the temperament to relate to all people and treat them with dignity and respect.

Judge Honeywell shared what she called her "two pearls: Set a goal and look what you need to do to meet that goal." She also warned that the girls will face obstacles in life, "but just keep your goal front and center and have the tenacity to get around the obstacles." She summed up with a short story about how she dealt with an adverse event in her life: "I didn't let adversity stop me. It made me a better person and a better judge."

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At the end of their time at the courthouse, the students and their teacher each left with a pocket Constitution and a new appreciation for the federal judiciary!



FBA tour coordinator Michelle Moretz-Smith, law clerk to Eleventh Circuit Judge Charles Wilson, looks on as District Judges Mary Scriven (l) and Charlene Honeywell (r) talk about life lessons with the visiting students from Ferrell Middle School.



Approximately 40 students from Ferrell Middle School gather in Judge Scriven's courtroom for a group photo prior to watching a segment of a jury trial in a criminal case before the judge.



Ferrell Middle School teacher Alarice McDonald-Brown and Judge McEwen, holding one of the pocket Constitutions she gave each student.

Less is Not More
When Designating the Record on Appeal
By: Lisa Scotten, Law Clerk to Hon. Catherine Peek McEwen

Courts acting in their appellate capacity rely on the parties to provide a complete and accurate record of the proceedings below. In the context of a bankruptcy appeal, Federal Rule of Bankruptcy Procedure 8009 directs the appellant to file and serve a designation of the record on appeal within a specified time period.¹ The rule also dictates the minimum required contents that must be included in the designation.² Once the appellee is served with the appellant’s designation, the appellee then has the opportunity to designate additional items to be included in the record.³ Either party may subsequently utilize the procedures set forth in this rule to correct or modify the record if necessary.⁴

Under Rule 8009, despite an appellee’s opportunity to supplement, correct, or modify the record, the appellant bears the ultimate burden of creating the record on appeal.⁵ Without an adequate record before it, an appellate court will be unable to determine if the court below committed any error. And without such a determination, it will typically affirm the order or judgment on appeal.⁶

For example, in a decision from the Middle District of Florida, the court denied relief under two of three grounds raised on appeal because the record on appeal was insufficient. As to one of these two grounds, the appellant asserted that the bankruptcy court erred in entering judgment on the pleadings because certain issues were allegedly not framed by the pleadings. However, because the record on appeal contained neither the complaint nor the answer, the court could not properly evaluate *de novo* the validity of this argument.⁷ With respect to the other of these two grounds, the appellant argued that the bankruptcy court erred by finding the complaint was untimely because the corporate statement was not a “pleading” to which the complaint could relate back. “However, again, the items the Appellant would have the Court consider for purposes of this argument are missing from the record, which precludes proper review of this issue.”⁸

¹ Rule 8009(a)(1), Fed. R. Bankr. P. All references to rules in this article are to the Federal Rules of Bankruptcy Procedure, unless identified otherwise.

² Rule 8009(a)(4).

³ Rule 8009(a)(2).

⁴ Rule 8009(e).

⁵ *Trujillo v. Moffitt (In re Moffitt)*, 635 B.R. 836, 839 (M.D. Fla. 2022) (citations omitted).

⁶ *Id.* (referring to “absence-equals-affirmance-rule” as recognized in *Selman v. Cobb Cty. Sch. Distr.*, 449 F.3d 1320, 1333 (11th Cir. 2006)).

⁷ *Id.* at 840.

⁸ *Id.* at 841.

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In another opinion from the Middle District of Florida, decided in a slightly different context, the court considered an emergency motion for a stay pending appeal of an order denying the appellant’s request to reconvert its chapter 7 bankruptcy case back to a case under chapter 11.⁹ Because the appellant failed to provide a transcript of the hearing at which the bankruptcy court denied reconversion, the district court held that insufficient evidence existed for it to determine the likelihood that the appellant would succeed on the merits, which is a key factor when considering a motion for stay pending appeal. Instead, the appellant relied on “vague, unverified, and unauthorized assertions about the legal basis for the bankruptcy court’s ruling.” Consequently, the court ruled that it “will not reward with the requested stay [the appellant’s] refusal to permit meaningful review of the bankruptcy court’s findings.”

Yet another example arises in an Eleventh Circuit decision where the court considered the adequacy of the record before it under applicable Federal Rules of Appellate Procedure.¹⁰ There, the district court had denied plaintiffs’ motion for summary judgment as to two particular counts and ordered that they be tried by a jury. After losing at trial on both counts, the plaintiffs appealed, arguing, among other things, that the district court committed various evidentiary errors while conducting the trial. They failed, however, to provide a trial transcript, without which the court could not determine if any of the alleged evidentiary errors occurred.¹¹ And, being thus unable to identify any such errors, the court concluded that it must affirm the judgment below.¹²

The lesson here is clear. Appellate courts cannot find fault with action taken by the court below if the appellant fails to provide a complete record upon which the appellate court can fully analyze the basis for the lower court’s ruling. Thus, although less is often more — as with motions for judicial relief according to the late Hon. Michael G. Williamson, creator of “The 3-3-3 Rule” — less is not more when considering what items to include in a designation of a record on appeal.¹³

⁹ *Bruno One, Inc. v. Meininger*, No. 8:20-cv-01644-SDM (M.D. Fla. July 23, 2020) (Doc. No. 8).

¹⁰ Rule 10(b)(2), Fed. R. App. P. (requiring an appellant intending to urge on appeal that a finding or conclusion is not supported by, or is contrary to, the evidence to include in the record a transcript of all evidence relevant to that finding or conclusion).

¹¹ *Loren v. Sasser*, 309 F.3d 1296, 1304 (11th Cir. 2002); *See also Kunsman v. Wall (In re Kunsman)*, 752 F. App’x 938, 941 (11th Cir. 2018) (affirming dismissal of chapter 13 case following denial of confirmation under the “absence-equals-affirmance rule” because the debtor failed to order transcripts or otherwise provide a record of the proceeding that occurred in the bankruptcy court, particularly at the confirmation hearing).

¹² *Id.*

¹³ Michael G. Williamson, *The 3-3-3 Rule*, http://www.flmb.uscourts.gov/judges/tampa/williamson/3-3-3_rule.pdf [<https://perma.cc/SUE7-DSE2>] (a typical motion should be no longer than three pages, cite no more than three cases for each legal proposition, and any argument in support thereof should last no more than three minutes; however, for particularly complex matters, this might be a “10-10-10 Rule”).

**The Privilege Log Problem
(No One-Size-Fits-All Solution)
By: Hon. Catherine Peek McEwen**



The Bankruptcy Court for the Middle District of Florida does not have a local rule or suggested format for privilege logs. The Tampa Bay Bankruptcy Bar Association’s quarterly liaison meetings with the Tampa judges produced a suggestion that we think about adopting one. The issue is not as easy as it may seem and, indeed, has garnered much debate on a national scale.

One of the committees of the Judicial Conference of the United States (JCUS), which sets policy for and administers the federal judiciary, is the Committee on Rules of Practice and Procedure (“Standing Committee”). That committee, in turn, is informed by five advisory committees, including the Advisory Committee on Civil Rules (“Civil Rules”) and the Advisory Committee on Bankruptcy Rules. The advisory committees are charged with drafting proposed rule amendments.

Civil Rules has been studying the so-called “privilege log problem” for several years through its Discovery Subcommittee. (As a member of the Advisory Committee on Bankruptcy Rules, I attend Civil Rules meetings as my committee’s liaison.) At the Civil Rules meeting in October 2022, the Discovery Subcommittee proposed to the full committee that Civil Rules recommend to the Standing Committee that it publish for comment two simple proposed amendments to Rules 25(f)(3) (on disclosure duties) and 16(b)(3) (on pretrial conferences).

Civil Rules agreed with the proposal and referred the recommendation to the Standing Committee. The Civil Rules report, including the background of the privilege log issue, may be found here (see p. 2, line 38 through p. 9, line 268): [advisory committee on civil rules december 2022 0.pdf \(uscourts.gov\)](#). According to Civil Rules’ report to the Standing Committee,

The proposed amendments would call for early identification of a method to comply with Rule 26(b)(5)(A)'s requirement that producing parties describe materials withheld on grounds of privilege or as trial-preparation materials. Specifically, the proposed amendment to Rule 26(f)(3)(D) would require the parties to address in their discovery plan the timing and method for complying with Rule 26(b)(5)(A). The proposed amendment to Rule 16(b) would provide that the court may address the timing and method of such compliance in its scheduling order.

The Standing Committee approved the recommendation unanimously at its June 2023 meeting and will publish the proposed amendments for comment beginning this August. The text of the proposed amendments and Committee Notes may be viewed here (see pp. 828-830 and 846-849): [2023-06 standing committee agenda book final updated 5-30-23 0.pdf \(uscourts.gov\)](#). The comment period will end sometime in February 2024 (depending on the schedule of the Office of the Federal Register). After the comment period closes, Civil Rules can consider all comments and either go back to the drawing board or recommend to the Standing Committee that the proposed amendments be submitted for adoption by the JCUS and the Supreme Court. If you care to comment, watch for the publication notice here: [Proposed Amendments Published for Public Comment | United States Courts \(uscourts.gov\)](#).

The meeting agenda books for the March 2022, and October 2022, meetings of Civil Rules shed light on why the Discovery Subcommittee opted to keep the proposal simple and not to try to craft a one-size-fits-all solution with scripted disclosures. The materials are public, available at these links: [2022-03 civil rules agenda book final.pdf \(uscourts.gov\)](#) and [civil agenda book october 2022 final.pdf \(uscourts.gov\)](#) (and the commentary is fascinating if you are a discovery rules geek).

You will see discussion at p. 274 of the March 2022 meeting book that the gap between the two sides — “requester” and “responder” — is not easily bridged:

The meeting began with the thought that the Subcommittee had received substantial input from a variety of sources with a variety of perspectives. Throughout, it appeared that there is a considerable divide between what might be called the “requester” and the “responder” parties from whom the Subcommittee has heard.

Many on the “requester” side urge that detailed and specific privilege logs are key to enabling an effective check on over-designation.

To some extent, it may be that this over-designation is a result of heightened worries about waiver of privilege. To some extent, it may also result from inadequate appreciation of when privilege or work product protections actually apply. And to some extent it may result from assignment of the initial screening function to inexperienced and little-trained “contract attorneys.”

Those on the “responder” side emphasize the often very high cost of document-by-document logging, and also the many judicial statements that current privilege log practice often fails to achieve the goal of Rule 26(b)(5)(A) -- making clear the ground for the claim of privilege. Meanwhile, the cost of preparing these documents -- even using “contract attorneys” -- can be very high.

One thing that does stand out is that there seems to be little coalescence on specifics between the two “sides.”

What resulted was agreement against micro-managing the scope, as can be seen in the discussion at pp. 142-3 of the October 2022 meeting book:

Perhaps the most pertinent point was that one size would not fit all cases. Some cases involved only a limited number of withheld documents; for those cases a “traditional” document-by-document privilege log might work fine. Depending on the nature of the privileges likely to be asserted, the specifics necessary in one case might have little to do with the specifics important in another case. Often the type of materials involved and the manner of storage of those materials could bear on the information needed to evaluate a privilege claim.

Taking account of these aspects of the information it obtained through its outreach, the Subcommittee concluded that trying to amend Rule 26(b)(5)(A) and prescribe an all-purpose solution to the variegated problems of claiming privileges with regard to variegated materials would not work.

Instead, what emerged was a consensus that the most beneficial rule amendment would be one that would make the parties focus carefully at the outset of litigation on the best method for compliance for their case and also that they apprise the court of their proposed method for complying with the rule, and also focus on the timing of that activity. None of this interaction will solve all problems that claims of privilege present, but the Subcommittee is convinced that these small additions

to Rules 26(f) and 16(f) promise to significantly reduce difficulties that have occurred due to the requirements of Rule 26(b)(5)(A).

So, what are the take-aways from the Civil Rules dialogue and proposals?

1. Approach the privilege log issue with the opposing party very earlier in the discovery phase of the case.
2. Try to agree on the extent of a privilege log.
3. Involve the judge early on to assist in resolving conflict.

As for FLMB's part in creating a proposed rule or format of a privilege log, I cannot speak for my independent and co-equal judicial colleagues, but to me it appears that — given the extensive and thoughtful consideration of many views by Civil Rules — local rule-making or form-making makes little sense.

That said, here is a log format (use columns) that I have directed in a pending case warranting such disclosures:

If a party claims a privilege(s), the privilege log shall include, with respect to each communication, (i) the date, (ii) the identities of the sender(s) and recipient(s), (iii) the form of the communication (email, text message, letter, agreement, invoice, etc.), (iv) a summary of the content sufficient to allow the Court to determine whether the privilege and/or an exception to the privilege might apply, and (v) a designation of the privilege(s) asserted.

You might also look at this paper (and search the 'net for others like it) for suggestions: [Practical Advice on Privilege Logs | ABA Law Practice Today](#).

Bottom line: It's up to practitioners, using their best professionalism skills, to try to reach a consensus on proportionality and scope of the level of disclosure of withheld material. Then, only as a last resort, involve the trial judge.



**ABJA Certified Bankruptcy Assistant
and Professional Skills Seminars
October 10-13, 2023 – Lafayette, Louisiana**

The Association of Bankruptcy Judicial Assistants (“ABJA”) will present its annual Certified Bankruptcy Assistant Seminar and Exam on October 10-11, and annual Professional Skills Seminar on October 12-13, at the John M. Shaw United States Courthouse in Lafayette, Louisiana.

The Certified Bankruptcy Assistant (“CBA”) program is aimed specifically toward legal assistants and paralegals in the bankruptcy field. The two-day certification program includes training workshops and two exams that cover grammar usage and writing; the Bankruptcy Code and Rules; ethics; and research and proper legal citation.

If you’re already a CBA in need of continuing education credits, or a legal assistant or paralegal who is interested in enhancing your professional development, the Professional Skills Seminar is your opportunity to join judicial assistants and bankruptcy professionals in learning best practices. Some topics offered will be: Hardship Discharge and Student Loans; A Current Look at Bankruptcy from All Sides; ChatGPT, AI and the Courts; Westlaw and Lexis refreshers; Bankruptcy Fraud; and Credit Traps for the Unwary.

Speakers at both seminars include judges, experienced practitioners, trustees, and even a U.S. Marshal, so you won’t want to miss these great educational opportunities!

For more information on the CBA or Professional Skills programs, please visit the ABJA’s website at www.abja.org or contact Laura Stevenson at Laura.Stevenson@fmb.uscourts.gov.



Wes Beaubian, IT Support Technician, Tampa Division

Hello everyone! My name is Wesley Beaubian, and I am the new IT Support Technician in the Tampa Division. I am New York born; Tucson, AZ raised (21 years). I am still a Mets/Knicks fan and a University of Arizona fan -- "Bear Down"! I have three kids, ages 24, 15, and 10. The younger two are keeping me busy with high school band and soccer. My spare time and hobbies include gaming, bowling, sporting events, and working out. I also volunteer security at the church I attend.

Fun fact: I used to do security for a lot of events/concerts.

In the IT workplace, I have 20 years of experience in a variety of private and public sectors and government. My last job was at the Florida Department of Transportation where I served as the Special Applications Technician.

I look forward to meeting and also working with all of you, and I am excited and grateful for the opportunity to be here at the U.S. Bankruptcy Court.



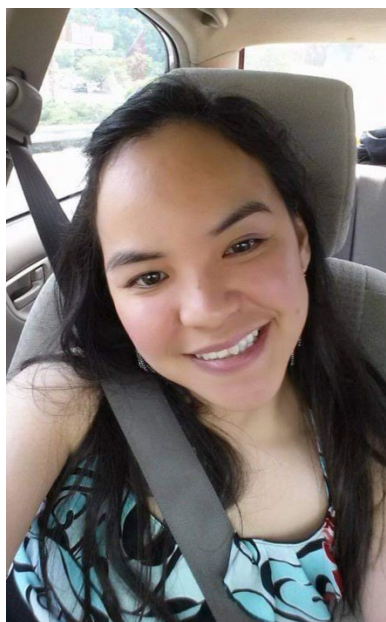
Wes Beaubian, IT Support Technician, Tampa Division

Acel Maser, IT Support Technician, Jacksonville Division

Hello. My name is Maricel P. Maser. Please call me Acel. I am an official Floridian now with a driver's license, residence, taxes, and all to show for. I am joining the IT team for FLMB. I got into the IT field due to my life's circumstances. But long story short, I earned a degree in Computer Science from the University of the Philippines, Diliman. Although my degree wasn't my first choice, I have thrived and done well. I credit perseverance and putting integrity and pride into the work I do. I received my MBA in Leadership and Management this past May while working full-time for Tennessee Middle District Court. Who knew that my naturalization judge would later be one of the two judges to interview me for the position I originally applied for, advocate for my employment there, and as a result, they opened and offered me the role of Automation Support Specialist that I held shortly after that? Henceforth, my career shifted to the federal government, and I enjoy working in the public sector. Before that, I worked as a network administrator for Nashville International Airport, as a clinical research IT analyst as my first job in the US, and the rest of my earlier career in the private sector.

I filled the new position of IT Technician II in the Jacksonville office. I'm happy to serve you all and relish making personal connections, so please reach out! They painted a picture of a must-see work-life culture in the Jacksonville office during the interview process, and I had to check it out, so here I am. Amidst the personal challenges of this big, bold, interstate transition, JAX folks have been amazing!

I look forward to greater things, visiting other offices soon, and meeting you all!



Acel Maser, IT Support Technician, Jacksonville Division

Kim McFarland, Case Manager, Jacksonville Division

Hi, I'm Kim McFarland, Jax native, mother of two, from Sarasota, Florida.

I am the new Case Manager for the Jacksonville Division. I hold a BS in Criminology from The Florida State University (GO NOLES!!!) and an MA in HR Management from Webster University.

After some time working in both state and local government, I was fortunate enough to secure a position in federal government, and that's where I have been for the last four-and-a-half years now, with my last position being with U.S. Probation in the Middle District of Florida. In my spare time I enjoy reading, bowling, and retail therapy.

I am excited to be starting this new chapter of my life back at home in Jacksonville and with FLMB.



Kim McFarland, Case Manager, Jacksonville Division