

AWARD NOMINATIONS 2012

Unsung Hero Award

<http://www.michbar.org/programs/eventsawards.cfm>

This award will be presented to a lawyer who has exhibited the highest standards of practice and commitment for the benefit of others.

- The recipient must be a member in good standing with the State Bar of Michigan.
- The recipient's contribution may have been made during the past year or by virtue of cumulative effort or service.
- The recipient is selected by the State Bar of Michigan Representative Assembly Nominating and Awards Committee. of Michigan Representative Assembly Nominating and Awards Committee.

Apply Online at <http://www.michbar.org/generalinfo/awards.cfm>

1. Name of nominee: Judy B. Calton

Title: Attorney

Firm or organization: Honigman Miller Schwartz & Cohn, LLP

Address: 660 Woodward Avenue, Suite 2290, Detroit, MI 48226

Phone: (313) 465-7344

Fax: (313) 465-7345

E-mail: jcalton@honigman.com

Complete the contact and nomination information using this document. Provide supplemental information in additional documents.

Submit applications by e-mail, facsimile, or mail to:

Attention: Ms. Anne Smith
Representative Assembly Awards
State Bar of Michigan
306 Townsend St.
Lansing, MI 48933-2012
(517) 346-6374

Fax: (517) 372-2410
asmith@mail.michbar.org

Applications must be received no later than Friday, March 9, 2012.

Name of nominator: David W. Allard, Tracy M. Clark, James A. Plemmons, Barry Lefkowitz, Hon. Marci B. McIvor, Judith Greenstone Miller; Alesia W. Dobbins, Paul Schwarzenberg, Karen E. Evangelista; Lisa Gretchko, Seymore L. Adler, Wendy Turner Lewis, Leslie Berg

Title: Directors and Officers of Access to Bankruptcy Court; see www.accesstobankruptcycourt.com

Firm or organization: Access to Bankruptcy Court

Address: 25925 Telegraph Road, Suite 203, Southfield, MI 48033

Phone: (248) 352-4700

Fax: (248) 352-4488

E-mail: schwarzenberg@steinbergshapiro.com

THE ADDRESS ON ABC'S WEBSITE IS MS. CALTON'S ADDRESS AT HONIGMAN. FOR PURPOSES OF THIS NOMINATION, PLEASE DIRECT ANY QUESTIONS TO PAUL SCHWARZENBERG AT THE ADDRESS LISTED ABOVE.

2. Explain the merits of your nomination along with all supporting materials for your nominee where possible. Give specific examples. SEE ATTACHED LETTER OF SUPPORT.
3. Please provide a complete resume that includes dates of:

Service to and on behalf of the State Bar of Michigan

Other service to the legal profession

Service to the public

Any awards the nominee may have received

SEE ATTACHED RESUME OR GO TO WWW.HONIGMAN.COM, CLICK PROFESSIONALS, TYPE IN "JUDY CALTON"

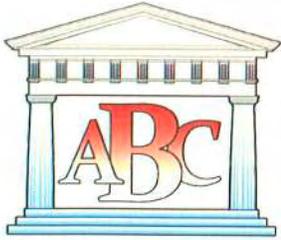
AWARD NOMINATIONS 2012

4. An optional list of news, magazine, radio, and TV features about the nominee's accomplishments may be submitted (do not submit actual articles or DVDs).

SEE ATTACHED RESUME OR GO TO WWW.HONIGMAN.COM, CLICK PROFESSIONALS, TYPE IN "JUDY CALTON"

5. Please provide a letter written by the nominator explaining why the nominee should be considered for the award. The letter should be signed by the nominator and any additional supporters. One dated and signed letter is required.

SEE ATTACHED LETTER OF SUPPORT.



ACCESS TO BANKRUPTCY COURT

February 23, 2012

President
Judy B. Calton

Vice President
David W. Allard

Second Vice President
Tracy M. Clark

Secretary
James A. Plemmons

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Hon. Marci B. McIvor

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Alesia W. Dobbins

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Karen E. Evangelista

Ex Officio Member
Sy Adler

Ex Officio Member
Wendy Turner Lewis

Ex Officio Member
Professor Lauren Rousseau

Ex Officio Member
Leslie Berg

Access to Bankruptcy Court
c/o Judy B. Calton

Honigman Miller
Schwartz and Cohn
2290 First National Building
660 Woodward Avenue
Detroit, MI 48226

Representative Assembly Awards
Attn: Ms. Anne Smith
State Bar of Michigan
306 Townsend Street
Lansing, MI 48933-2012

Re: Unsung Hero Nomination for Judy Calton

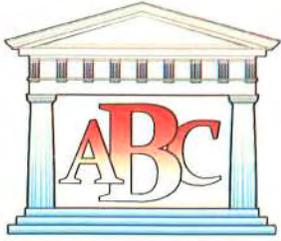
Dear Representative Assembly:

The purpose of this letter is to support the nomination of Judy Calton for the Unsung Hero Award. Ms Calton is a partner at the law firm of Honigman, Miller, Schwartz & Cohn and her outstanding qualifications as an attorney are represented by the fact that she has been selected as a Michigan Super Lawyer every year since 2006. However, it is Ms. Calton's dedication to assisting debtors who cannot afford legal representation in bankruptcy court which makes her so deserving of the Unsung Hero Award.

Economists tell us that we are living through the worst recession since the Great Depression. High unemployment and increased poverty have caused the number of bankruptcy filings to skyrocket, and many of those filings are done *pro se* – without legal representation – because the debtors simply cannot afford a lawyer. *Pro se* bankruptcy filings in the Eastern District of Michigan went from 390 in 2000 to more than 2,100 in 2010 - approximately ten percent of consumer bankruptcy filings that year. *Pro se* filings in 2011 were consistent with 2010, or approximately 2100. The number of needy debtors far outstrips the supply of attorneys able and willing to accept bankruptcy cases on a *pro bono* basis.

Many debtors who represent themselves in bankruptcy are unable to successfully complete a bankruptcy proceeding because of the complexities of a bankruptcy case. Without counsel, debtors often make mistakes that have disastrous consequences, including dismissal of their cases and denial of a bankruptcy discharge. Judy Calton, working with several other attorneys, came up with a novel idea to help address this problem: create a non-profit fund to subsidize attorneys who represent debtors who could otherwise not afford an attorney. With great effort spearheaded by Ms. Calton, Access to Bankruptcy Court was born.

A legal aid program under the State Bar of Michigan Foundation Access to Justice Fund.
Funded by a grant from the American College of Bankruptcy and American College of Bankruptcy Foundation.



ACCESS TO BANKRUPTCY COURT

Representative Assembly Awards

February 23, 2012

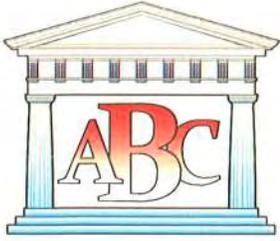
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Access to Bankruptcy Court is a non-profit corporation which partially compensates attorneys who are willing to represent debtors who cannot afford an attorney. Because there was no model for this type of organization, it required both time and imagination to set up the corporation. Ms. Calton, together with much assistance from James Plemmons of Dickinson Wright, obtained 501(c)(3) status for the corporation so that all donations are tax deductible. Ms. Calton worked with the State Bar to add Access to Bankruptcy Court to the list of Access to Justice funds to which State Bar members could make donations. Ms. Calton obtained a \$10,000.00 grant to provide start up money for the corporation. Lastly, Ms. Calton's efforts were critical to the success of a fund raiser for Access to Bankruptcy Court held in September, 2011. Ms. Calton obtained many valuable items for the silent auction and donated approximately 50 bottles of wine from her own private collection to the auction. Those donations generated almost \$5,000.00 in proceeds for ABC.

As a result of Ms. Calton's efforts, assisted by other board members, ABC is now a reality. Ms. Calton serves as President of the organization and as Chair of its Board of Directors. To date, ABC has matched 24 debtors, who would otherwise not have been able to afford counsel, with attorneys. Ms. Calton and the rest of the ABC board continue to dedicate their efforts to fund-raising so that ABC will remain a resource for impoverished debtors.

ABC provides a valuable service to the legal community here in Detroit. While the entire ABC board devoted a great deal of time and effort to the creation of ABC, Ms. Calton was always the motivating source behind the project. Without her hard work and fund raising efforts, ABC might not exist. Ms. Calton's dedication to the cause of making sure that people without financial resources are represented by competent counsel certainly makes her an unsung hero. For more information regarding ABC, please visit the organization's web site at: <http://www.accesstobankruptcycourt.com>.

Briefly, it should also be noted that Ms. Calton has been involved in many other volunteer activities. Most importantly, for years she has been an active participant in the Business Law Section of the State Bar. She is a frequent speaker at conferences, and gives freely of her time to provide continuing legal education to attorneys.



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In conclusion, the Board of Directors of Access to Bankruptcy Court respectfully requests that the Representative Assembly bestow the Unsung Hero Award on Ms. Calton. Ms. Calton is unquestionably one of the finest bankruptcy and creditors' rights attorneys in the State of Michigan. However, it is her willingness to use her talents to improve the lives of those less fortunate than herself that makes her an unsung hero. Thank you for your consideration of her application.

Sincerely,

David W. Allard
Vice President

Tracy M. Clark
Second Vice President

James A. Plemmons
Secretary

Barry Lefkowitz
Treasurer

Hon. Marci B. McIvor
Director

Alesia W. Dobbins
Director

Judith Greenstone Miller
Director

Paul Schwarzenberg
Director

HONIGMAN

JUDY B. CALTON

PARTNER



RELATED SERVICES

Commercial Law,
Bankruptcy and
Reorganization

- *Troubled Supplier and Supply Chain Management*
- *Commercial Law*
- *Commercial Bankruptcy and Corporate Reorganization*
- *Commercial and Bankruptcy Litigation*
- *Secured Finance*
- *Creditors' Committees*
- *Landlord and Leasing*

Insurance

EDUCATION

Wayne State University
Law School, J.D.

Honors: *magna cum laude*; with *high honors*; Order of the Coif; Ira Spoon Award
Associate Editor, *Wayne Law Review*, 1984-1985

University of Illinois, B.A.
History and Pre-Law
Studies
Honors: with *high honors*; James Scholar

Michigan State University
Best Practices in Local
Government Fiscal
Management Training
Program

ADMITTED

U.S. Court of Appeals for
the Ninth Circuit

U.S. Court of Appeals for
the Sixth Circuit

U.S. District Court for the

- Counsels banks, finance companies, manufacturers and other business clients in commercial law, corporate reorganization and transactions, and represents her clients' interests in negotiations, disputes and in insolvency and bankruptcy-related litigation.
- Extensive preference litigation experience having prosecuted and defended hundreds of actions. Tried three preference actions, including a nine day trial defending a \$3.8 million preference claim, achieving dismissal of action. Experienced in forming and leading joint national defense groups for multiple preference actions in Michigan, New York and Delaware bankruptcy courts.

- Represented company whose bank stopped funding and returned payroll in emergency Chapter 11 case which confirmed a plan in less than six months, selling business as a going concern with payment in full to bank and distribution of approximately seventy-five cents on the dollar to unsecured creditors.
- Represented a manufacturer with \$500 million a year in sales as debtor-in-possession.
- Represented the bank group in one of the largest bankruptcy cases filed in the United States in 1994, successfully obtaining repayment in full of over \$100 million in prepetition indebtedness within a year of the commencement of the case.
- Represented the Chapter 7 trustee of a corporate debtor in litigation, recovering over \$15 million from insiders and former professionals of the corporation.
- Represented a Chapter 11 trustee of a timeshare developer with projects in seven states.
- Recognized as having particular knowledge on rules of procedure, testifying twice before the Judicial Conference Advisory Committee on Bankruptcy Rules, Civil Rules and Evidence Rules, writing commentary on the proposed amendments to the Federal Rules of Bankruptcy Procedure on behalf of the Bankruptcy Advisory Committee and other Bar groups.
- Reporter for a subcommittee of the Advisory Committee drafting new local rules for Chapter 11

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660 Woodward Avenue
Detroit, Michigan 48226

- Eastern District of Michigan
- U.S. District Court for the Northern District of Illinois
- U.S. District Court for the Northern District of Ohio
- U.S. District Court for the Northern District of California
- cases, amending the local rules in 2007 and to be effective December 1, 2009. She was also the reporter for a committee advising the Michigan Legislature on amending the state exemptions, which amendments were adopted into law.
- Developed creative procedures to resolve construction lien and trust fund claims when owners of projects, general contractors or major subcontractors become debtors.
 - Represented a directors and officers insurer, in bringing an interpleader in a bankruptcy case to determine whether the liquidating trustee or the former officers and directors were entitled to the policy. All of the client's legal fees were reimbursed to it out of the policy proceeds.
 - Represented a Chapter 7 trustee, developed the strategy to obtain a consent judgment for \$1 million against an insolvent former director and then sued a major international insurance company to collect the judgment. Settled case for \$750,000.
 - Sued a former director who was also the insurance agent for the company for wrongfully canceling the company's excess directors and officers insurance policy without proper corporate authority. Even though he filed a personal bankruptcy, obtained a \$2 million judgment against him and collected \$1.2 million from his errors and omissions insurance policy.
 - Obtained relief from the stay in bankruptcy cases numerous times so claims against a debtor in bankruptcy could be made against the debtor's insurance.
 - Prosecuted fraudulent conveyance cases where life insurance in which the debtor had an interest was transferred to the insured, obtaining recoveries from both the insurance companies and the insured.
 - Representative Cases:
 - *In re Collins & Aikman Corporation*, 401 BR 900 (Bankr. E.D. Mich. 2009)
 - *In re Connolly North America*, 398 B.R. 564 (Bankr. E.D. Mich. 2008)
 - *In re The Estate of the Assignment for the Benefit of Creditors of Edward Paul May*, 405 BR 443 (Bankr. E.D. Mich. 2008)
 - *In re Collins & Aikman Corporation*, 368 BR 623 (Bankr. E.D. Mich. 2007)
 - *Riversideworld Inc. v. National City Corp et al*, 366 BR 34 (Bankr. N.D. Iowa 2007)

- *Connolly North America, LLC v. Art Leather, Inc.*, 340 BR 829 (Bankr. E.D. Mich 2006)
- *In re John Richard Homes Building Co., LLC*, 439 F.3d 248 (6th Cir. 2006), cert. denied, 75 U.S.L.W. 3164 (U.S. 2006)
- *Marks Management Services, Inc. v. Reliant Manufacturing, Inc.*, 7 Fed Appx 493 (6th Cir. 2006); 268 BR 505 (E.D. Mich 2001)
- *In re Quinn*, 327 B.R. 818 (W.D. Mich. 2005)
- *Jackson Precision Die Casting, Inc. v. Inrecon, LLC*, 291 BR 396 (Bankr. E.D. Mich 2003)
- *In re New Haven Foundry*, 285 B.R. 646 (Bankr. E.D. Mich. 2002)
- *North American Royalties*, 276 BR 594 (Bankr. E.D. Tennessee 2002)
- *Republic Technologies International*, 267 BR 548 (Bankr. N.D. Ohio 2001)
- *General Motors Corporation v. Paramount Metal Products, Co.*, 90 F.Supp 2d 861 (E.D. Mich. 2000)
- *Allard, Trustee for the Debtor Estate of DeLorean Motor Co. v. Weitzman*, 991 F. 2d 1236 (6th Cir. 1993)
- *Allard, Trustee for Debtor Estate of DeLorean Motor Co v. DeLorean*, 884 F. 2d 464 (9th Cir. 1989)
- *In re Advanced Professional Home Health Care, Inc.*, 82 B.R. 837 (Bankr. E.D. Mich. 1988)
- Certified by Michigan State University and the Turnaround Management Association in *Best Practices in Local Government Fiscal Management* (2011)

PROFESSIONAL INVOLVEMENT

- State Bar of Michigan
 - Business Law Section, Council Member
 - Business Law Section, Creditor/Debtor Rights Committee, Co-chair
- Bankruptcy Court for the Eastern District of Michigan
 - Advisory Committee Member
 - Rules Subcommittee of the Advisory Committee, Reporter
- Advisory Committee to the Michigan House

Committee on Civil Laws and Judiciary relating to amending exemption statutes, Reporter

- Pro Se Bankruptcy Assistance Project, Inc., a non-profit, funding representation of formerly pro se debtors, President and Director

HONORS

- Testified twice before the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States on Amendments to the Federal Rules of Bankruptcy Procedures
- *The Best Lawyers in America*, 2010-2012
- *DBusiness*, Top Lawyers, 2010-2012
- *Michigan Super Lawyers*, 2007-2011
 - Named as one of the *Michigan Super Lawyers* Top 50 Women, 2009
- Martindale-Hubbell AV® Preeminent™ Peer Review Rated

PUBLICATIONS

- "Investigate to See if the Lawsuit Against Your Client was Discharged in Bankruptcy," *Michigan Lawyers Weekly* (August 12, 2011)
- "Working with a Chapter 11 Business Can Be Tricky," *Michigan Lawyers Weekly* (August 9, 2010)
- "Proof of Claim: Whether to File, and if so, How to File," *Michigan Business Law Journal*, Vol. 30, Issue 1, p. 10 (Spring 2010)
- "New Challenges to a Successful Bankruptcy Reorganization," *Bankruptcy and Financial Restructuring Law 2009*, Aspatore Books (2009)
- "Current and Future Trends and Strategies," *Bankruptcy and Financial Restructuring Law 2008*, Aspatore Books (2008)
- "Using the Power of Bankruptcy to Solve Litigation Disputes," *Bankruptcy Litigation and Dispute Resolution*, Aspatore Books (2008)
- "What You Should Know About Single Asset Real Estate Bankruptcy Cases," *Michigan Real Property Review* 82 (Summer 2008), co-author
- "Statute of Frauds" and "Specific Performance," chapters, *Michigan Contract Law*, ICLE
- "Jury Trial Rights of Trustees in Bankruptcy

Proceedings," *Michigan Business Law Journal*, Vol. 15, Issue 4 (1993)

- "Defending a Preference Action," *Michigan Bar Journal* (July 1993), co-author
- "Survey of Torts Law," *Wayne Law Review* (1985), co-author
- "1984 Annual Survey of Tort Law," *Wayne Law Review*, co-author

SPEECHES AND CONFERENCES

- "Section 363 Bankruptcy Sales," Institute of Continuing Legal Education, Business Law Institute (March 2011)
- "Purchasing Assets from Bankrupt Estates: What You and Your Clients Need to Know," Institute of Continuing Legal Education, Business Law Institute (May 2010)
- "When and How to File a Proof of Claim," 2009 'Groundbreakers' Breakfast Roundtables, Real Property Law Section of the State Bar of Michigan, Birmingham, Michigan (October 2009)
- "Practice Strategies for a Down Economy Series: Dealing with the Financially Distressed Customer or Supplier," Institute of Continuing Legal Education (July 2009)
- "Complex Issues In Preference Litigation – Maneuvering The Thicket, Central States Bankruptcy Workshop," American Bankruptcy Institute (June 2008)
- "What Commercial Litigants Need to Know About Bankruptcy," presented to the Commercial Litigation Committee of the Business Law Section of the State Bar of Michigan (April 2008), presenter
- "Alternatives to Bankruptcy," presented to the Debtor/Creditor Rights Committee of the Business Law Section of the State Bar of Michigan (February 11, 2008), presenter
- "The Impact of Bankruptcy on Inter-Creditor Claims: Ability of Bankruptcy to Preempt, Release or Enjoin Creditors' Claims Against Non-Debtor Third Parties" (April 2007), presented for Lorman Educational Services
- "Changes in Utility Service Requirements," BAPCPA: One Year Later/A Columbus Day Seminar (October 9, 2006)
- "Customer Insolvencies and Bankruptcy Under the Newly Amended Bankruptcy Code in

Michigan" (April 6, 2006), presented for Lorman Educational Services

- "Changes In The Cost of A Chapter 11 Case Imposed By The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005," presented to the Debtor/Creditor Rights Committee of the Business Law Section of the State Bar of Michigan (September 2005), presenter
- New Bankruptcy Code Seminar, Cobo Hall, Detroit, Michigan (2005)
- "Representing a Corporation When Its Supplier or Customer Enters Bankruptcy," presented to the In-House Counsel Committee of the Business Law Section of the State Bar of Michigan and the Michigan Chapter of the American Corporate Counsel Association (2002)
- "Current Chapter 11 Topics," Western District of Michigan Federal Bar Association (2002)
- "Using Expert Witnesses in the Bankruptcy Court" (1999), instructor
- Conducted Business Seminars on Bankruptcy Valuations and What Companies Benefit From Chapter 11
- "Subcontractor Bankruptcies," General Contractors' Association, addressee

PRIOR EMPLOYMENT EXPERIENCE

- Internal Revenue Service