

ABI COMMISSION TO STUDY THE REFORM OF CHAPTER 11

Financing Chapter 11 Advisory Committee

September 18, 2013 Meeting (by Telephonic Conference Call)

MINUTES/SUMMARY

The Financing Chapter 11 Advisory Committee (the “Committee”) of the ABI Commission to Study the Reform of Chapter 11 (the “Commission”) held a meeting on Wednesday, September 18, 2013, via teleconference. *The following individuals participated in the meeting:* Ashley Bruce; Norma Corio; William Fox; Elliott Ganz; Marshall Huebner; Christopher Mirick; Rebecca Roof; and Michael Tarsatana. *Committee members not in attendance:* Marc Abrams; Jo Ann Brighton; Judge Robert Drain; Michelle Harner; Robert Keach; Harvey Miller; Harold Novikoff; James Seery; Paul Singerman; David Skeel; and Judge Gregg Zive.

Ms. Roof commenced the meeting at approximately 3:03 p.m. prevailing Eastern time. The following matters were discussed during the course of the meeting:

- 1) The minutes of the September 4, 2013 Committee call were approved.
- 2) Ms. Roof, Ms. Corio and Mr. Huebner lead a discussion about issues related to the “lender control” topic. Mr. Ganz discussed the study on DIPs that the LSTA and WilmerHale have been undertaking, and the possibility of using that data to assist in the discussion of lender control issues.
- 3) Mr. Fox informed the Committee that he was working on final revisions to the adequate protection and priming report, and would be distributing a revised version. It was agreed that in the absence of objection the revised version would be submitted to the Commission, but that if any Committee member wanted an opportunity to discuss the revised report it would be taken up on the next call.
- 4) Ms. Roof informed the Committee that she anticipated distributing a revised version of the roll-up report to the Committee shortly. It was agreed that in the absence of objection the revised version would be submitted to the Commission, but that if any Committee member wanted an opportunity to discuss the revised report it would be taken up on the next call.

The meeting was adjourned at approximately 3:27 p.m. prevailing Eastern time.