

**THE HONORABLE HOWARD COBLE  
STATEMENT  
AMERICAN BANKRUPTCY INSTITUTE  
APRIL 19, 2012  
2237 RAYBURN**

Thank you for the opportunity to serve as an honorary Chairman of your commission on Chapter 11.

As you probably know, I represent North Carolina's 6<sup>th</sup> Congressional District. Some of the municipalities in my district with which you may be familiar are: Thomasville, High Point, Burlington, Asheboro, Southern Pines and Greensboro. In the upcoming election our office will completely lose Asheboro and Southern Pines do to redistricting but we will gain eight new counties that extend north to the Virginia boundary.

I have been a member of the House Committee on the Judiciary throughout my Congressional career and have had the great honor of chairing several of the committees' subcommittees. Most recently, Chairman Smith appointed me to Chair the Subcommittee on Courts,

Commercial and Administrative Law, which has jurisdiction over bankruptcy law.

Chapter 11 of the Bankruptcy Code is intended to facilitate the reorganization of a distressed business through a negotiated plan of reorganization. While that process has worked well for many debtors and creditors, it is important to consider periodically whether our laws are keeping pace with our rapidly changing economy.

There are several issues that this commission plans to study that are of interest to me and could be relevant to our subcommittee. First, the Supreme Court's recent decision in *Stern v. Marshall*; second the use of the chapter 11 to facilitate a sale under section 363; and third, choice of venue for large chapter 11 cases.

Thank you again, for the opportunity to serve as an honorary chairman of your commission. I am not sure how many subsequent meetings I will be able to attend, but my staff and the staff of the

Judiciary Committee will certainly remain tuned in. Your expertise is critical to our legislative efforts. Please let me know how I may be of service to you and I look forward to reviewing your recommendations.