**Minutes of the December 14, 2012 Meeting**

**ABI Commission to Study Chapter 11 Reform**

**Advisory Committee on Executory Contracts and Leases**

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Participants: Kevin Huennekens, Chair

 Lisa Hill Fenning, Reporter

 Berry Spears, Reporter

 Larry Ahern

 Irene Bagby

David Epstein

Susan Freeman

David Kuney

Mark Stingley

Charles Tabb

Jay Westbrook

Consultant: David Pollack

ABI: Michelle Harner

Sam Gerdano

I. Minutes/records

A. October 12, 2012 minutes were approved without comment.

B. Those minutes have now been posted on the website.

C. The co-reporters will arrange for the posting of each set of minutes after they have been approved by the Committee.

D. Lisa Fenning will maintain electronic file of email discussion threads for the record; make sure she is copied on substantive emails

II. Committee Consultants

A. The Commission has approved the following consultants as requested by the Committee:

 1. David Pollack

 2. Dannia Alteminei

 3. Eric Van Horn

 B. Additional consultants:

 1. One further request is pending.

 2. Additional consultants may be added as needed

III. Revised topic matrix

A. Renamed to reflect that it is now the Committee’s working list, rather than the original list from the Commission

 B. Additional topics may be added as they are identified

 C. Consultants to be added to specific topic assignments

IV. First preliminary report for Commission -- due January 25, 2013

 A. Topic #1 -- Definition of Contracts Eligible for Assumption or Rejection

 B. Draft to be distributed to Committee week of January 7

 C. To be presented at next meeting: **January 11, 2013** (2 p.m. EST/11 a.m. PST)

 D. Revisions to be made after the meeting for submission to Commission

E. Working group for Topic #1 may circulate questions for feedback and input from Committee members to guide the development of their report

V. Schedule for other topics

 A. Topic #2 -- Standards Governing Assumption and Assignment

 B. To be presented at meeting on **February 15, 2013**

 C. Draft reports on all other topics to be submitted to Committee by **March 1, 2013**

 D. Discussion schedule for other topics to be established later

VI. Hearing on 365 before the Commission -- **June 4, 2013** NYC

 A. Topics to be determined

 B. Committee participants will include: Huennekens, Fenning, Spears, Stingley

Meeting schedule: January 11, 2013 (2 p.m. EST/11 a.m. PST) (telephonic)

 January 25 or Febuary 1 [TBD]

 February 15, 2013 (2 p.m. EST/11 a.m. PST) (telephonic)

 [every two weeks thereafter, TBD]

 April [19], 2013 -- in person at ABI Annual Meeting in DC

Minutes prepared by Lisa Fenning