

**DEDICATION CEREMONY FOR THE
CONRAD B. DUBERSTEIN BANKRUPTCY COURTHOUSE***

TRANSCRIPT

Clerk of the Court: All rise. This special session of the United States District Court for the Eastern District of New York is now open for the dedication of the United States Bankruptcy Court's courtrooms and chambers to the Honorable Conrad B. Duberstein, Chief United States Bankruptcy Judge for the Eastern District of New York. Chief Judge Edward R. Korman and the Board of Judges will preside.

Chief Judge Korman: Please be seated. I have the honor today of welcoming to this special session of the court, the family, friends and judicial colleagues of Conrad B. Duberstein. Connie was appointed as the judge of the bankruptcy court on April 1st, 1981, at the age of sixty-five, a time when many begin to think of retiring. When he was appointed, Connie was the most successful and highly regarded bankruptcy practitioner in the city. Almost a quarter of a century after his appointment and after over two decades of service as the Chief Judge of the Bankruptcy Court, he is not only one of the most respected judges in this city, but also one of the most beloved judges to grace the bench. What makes him so? First and foremost, he is what we call in Yiddish, the language Connie learned between English and Italian, a goota ishuma. Literally translated, a good soul, perhaps one rank higher than being a mensch. The goodness of Connie's soul is accompanied by what the Book of Psalms describes as the wisdom of the heart. For wisdom is born not in the mind but in the heart. Connie not only brings to his work and shares with his friends and his family, his heart and soul. He is blessed with an extraordinary wit and a zest for life. Whenever I see him or even speak to him on the phone, my first response is almost reflexive, is to smile because one cannot help but be overtaken by the qualities that I have just described. In fact, just a few minutes ago in greeting some of you, Connie introduced me to his oncologist and I said, "How are you?" Connie said, "Why don't you ask me how I am?" (Whereupon, there was laughter) Many others will speak about Connie today. So I will conclude these welcoming remarks by reading from the plaque that will hang in the lobby of the Bankruptcy Court because it best summarizes the person who we honor today. "Chief Judge Conrad B. Duberstein, United States Bankruptcy Judge, appointed April 1st, 1981. Chief Judge of the Bankruptcy Court, appointed August 8, 1984. These courtrooms and chambers are dedicated to honor Conrad B. Duberstein for his extraordinary public service with the sincere appreciation of his friends,

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colleagues and the judges of the Eastern District of New York. Admitted to the bar of the State of New York on March 9, 1942, after graduating from St. John's University School of Law, Conrad B. Duberstein became one of the nation's foremost experts in bankruptcy law, with the country's only bankruptcy moot court competition named in his honor. He was appointed a judge on April 1st, 1981 and served as Chief Judge for more than twenty-one years. He was awarded the Purple Heart, the Bronze Star Medal and the Combat Infantry Badge for his service in World War II. He has truly earned the respect of the legal community, the affection of his colleagues and a well deserved reputation for intelligence, wit, humility and compassion. The dedication of these courtrooms and chambers honors Chief Judge Duberstein's unwavering commitment to the fair administration of bankruptcy jurisprudence and the preservation of the dignity of those in financial distress." Our first speaker today, speaking on behalf of the judges of the court, is our colleague, Leo Glasser.

Judge I. Leo Glasser: Judge Korman, colleagues of the Eastern Judiciary, distinguished guests, and family and friends of Judge Duberstein. Not too long ago Judge Korman strolled into my chambers and after exchanging the conventional pleasantries, he casually, in an off-hand sort of way, asked if I would speak today. My immediate response was, "Of course I would." Given the members of this Court who are hilariously humorous on occasions such as this, Carol Amon and John Gleeson, to mention just a few, I've been wondering why that honor was bestowed on me. You need only to look at that picture to know immediately that I would be rejected out of hand as a viable candidate for even light-hearted banter, let alone humorous remarks. I prefer to think that I was asked to speak this afternoon because of the special affinity that I believe Connie and I have for each other. Since I was asked, my mind has strayed from time to time while I was walking, reading, eating, about what it was that I would say today. What it is I would say today about Judge Duberstein? And the words that kept intruding on those thoughts were these words which are adapted from Euripides: "How can I praise him and not overpraise, and yet not mar his grace by stint thereof." Upon reflection, I concluded that I don't have to answer those questions, that the words of Euripides are irrelevant and that they have no meaning for me today simply because it's not possible to over-praise Connie Duberstein. Let me dwell for a few minutes on the background of the man we honor today. It's a remarkable background which may not be known to many of you. Judge Korman mentioned a few highlights of that background already. Connie was born in the Bronx in 1915. Conrad was not a common name that was given to a Jewish baby boy in those days. As a matter of fact, it isn't even now. But I can't imagine any other name that would fit him so perfectly. He came by the name in a very interesting and unusual way. It happened that his father worked for a luggage company that was owned by a man named Konrad, spelled with a "K". Konrad promised Mrs. Duberstein that he would give her husband a \$5 raise if she would name her newborn son after him. Now \$5 was not to be sneezed at in 1915

and Mrs. Duberstein complied. She named her little boy Conrad, but spelled with a "C" and Mr. Duberstein got his \$5 raise. When Connie was seventeen, his father died and Connie assumed the responsibility of supporting his mother and two sisters. He dropped out of high school to do it. The family lived above a butcher shop then. His Uncle Jack, who was a well-known auctioneer in this town in those days, gave him his first job as an auctioneer's helper. Shortly thereafter, his Uncle Sam, that's Sam Duberstein—I say Sam Duberstein because he was Mr. Bankruptcy. He was without a doubt the Dean of the bankruptcy bar in those days. He employed Connie only upon one condition and the condition was that he complete his education. And Connie did. He attended Morris High School at night and graduated from there in 1934. He continued to work during the day, went to school at night, first to Brooklyn College and then to St. John's Law School where he was on the Law Review there. He graduated from St. John's in 1942. He was soon thereafter admitted to the New York Bar and then to the bar of this Court which then sat in the General Post Office across the street. We continue to hope that it will soon return there. World War II interrupted any meaningful plans Connie had for participating in a law practice. He was drafted shortly thereafter. He served from 1943 to 1946 with the 91st Infantry Division of the 5th Army and he fought his way across Italy. He was wounded in Florence, and as Judge Korman has already told you, he was awarded the Purple Heart, the Bronze Star, the Combat Infantry Badge, and an assortment of campaign ribbons.

Chief Judge Duberstein: I don't want to take credit. I will take the cash but I don't want to take credit.

Judge I. Leo Glasser: I wish I had the time to tell you about the period during which Connie was in the hospital recuperating and he was visited by Cardinal Spellman. The Cardinal was, just about like everybody else who ever met him, taken with Connie and he arranged an audience for him with Pope Pius, XII. I wish Connie had been wired for that audience. The Pope gave Connie his photograph and inscribed it for him when the audience was over. And I can only imagine what that the repartee between them must have been like. I keep thinking about that old vaudeville joke which would have Connie riding in a parade next to the Pope and people along the route would be asking, "Who is that man next to Duberstein?" Returning from the war, Connie married his beautiful and saintly wife Anne, with whom he had a daughter who came all the way from Kentucky to be with her parents on this wonderful day. I would be remiss if I didn't acknowledge their unconditional love and support for Connie, which surely contributed immeasurably to his professional success and lifelong happiness. From 1946 to 1952, Connie and a partner started an export business selling, would you believe, beer cans to Baccardi, sardine cans to fishermen in South America and sewing machines to Eva Peron. The business took a downturn in 1952 and they closed it. Connie returned to the law. He rejoined the firm that used to be Schwartz and Duberstein, but by

then it was Schwartz, Rudin and Duberstein. He was partner there until 1969 when it merged with Otterbourg, Steindler, Houston & Rosen, which was then regarded as the premier bankruptcy firm in the city. Connie headed the bankruptcy practice there until 1981, when then Chief Judge Weinstein induced him, urged him to accept an appointment to our Bankruptcy Court. His commitment to public service moved him to abandon a very lucrative practice and he accepted the appointment. He was appointed Chief Judge in 1984 and continued in that capacity until 1995. He has been the Chief Judge of that Court ever since, being recalled to serve in that capacity and we continue to hope that he will continue to be recalled year after year. That abbreviated chronology of Connie's life really doesn't begin to convey what it is about him that sets him apart from about every other mortal I know. Two stories told to me by his dear friend, Joe Hurley, who is the Clerk of the Bankruptcy Court, capture the larger-than-life Connie as well as countless other stories might. Some years ago, Connie and Joe attended a seminar in Pasadena, California. Anne went with them. On the first evening, at Connie's request, the concierge of the hotel recommended what he believed was the best Italian restaurant in town, but he cautioned them that getting in would be impossible because reservations usually had to be made at least two weeks in advance. Connie decided he would drive by anyway. As was predicted, a long line waited to be seated outside. Connie asked Joe and Mrs. Duberstein to wait while he disappeared into the restaurant. Minutes later, a well-groomed gentleman appeared outside, summoned the Judge Duberstein party and ushered them into the restaurant. Connie met them at the table, told them to order and that he would be back shortly. When he left, Mrs. Duberstein, admonished him, "Please don't get into any trouble." Fifteen minutes later, Connie returned to the table clutching four tickets to a New York play in his hand, flanked on either side by two of the actresses who were going to appear in it. By the time they left the restaurant half the place knew him, and a month later the actresses dropped by to visit him in New York. The next seminar took Connie and Joe to Miami. On the last night of that event, they made reservations to eat at a restaurant named "A Fish Called Wanda." Within ten minutes after they arrived, Connie was talking with half of the people there and the owner and the manager were sitting at his table discussing among many other things, Chilean wine and a recipe for a South American desert. When dinner was over, the owner insisted on calling a cab for Connie and Joe and the other members of their party. Connie was sitting next to the driver and began talking to him in Spanish. They were discussing the music being played on the radio when suddenly each rolled down his respective window and began singing the national anthem of Argentina. By the time they had reached their hotel, the cab driver was practically in tears and the hotel doorman had a startled look on his face when Connie and the driver stepped out of the cab and they began an encore of the Argentine national anthem on the sidewalk. You can multiply stories like that about Connie endlessly. Allow me to stand between you and the refreshments just a little bit longer and say a few words about Connie, the judge. The due diligence I did in talking with law clerks revealed very little. I have

come to believe that some law clerks take the oath of omerta. After speaking with them, I was reminded of the English judge who listened to counsel drone on for a while and then said, although he had been listening very attentively he was the least bit enlightened. To which counsel replied, "Not more enlightened, my lord, but surely better informed." And talking to law clerks and others, I was better informed for having learned such things as, for example, the mustard must be applied on the turkey side of the sandwich and everybody on Montague Street knows that there must be no cucumbers in the salad. That information aside, they were unanimous in exclaiming that the years spent with Judge Duberstein were the most amazing years of their lives. More interesting, however, was the following intelligence, which was gleefully imparted to me after persisting in due diligence. I learned, for example: That Connie has the only Italian court reporter who can transcribe in Yiddish. That Connie compiled a Yiddish lexicon to help those fortunate enough to appear before him. It is too long to read in its entirety, so let me just read a select few, some of which by now have been incorporated into the English Canon. For example, this is part of Connie's Yiddish lexicon for the assistance of those who appeared before him: Schlemiel: Anyone in a position to need a bankruptcy lawyer. Shmegegee: A schlemiel with a relatively small claim who hires a big law firm because he thinks they have clout and wind up paying for a zillion billing hours generated by a recent law graduate. Shlemazel: That's a schlemiel from New York or Chicago or California who either has a claim or gets sued in East Texas. Schnorrer: Is a member of the creditor's committee with a \$1,200 claim. Tzimmes: Is a creditors' meeting Anybody would know that. Chutzpah: Is the creditors' committee thinking that you would accept their plan without modification. Megillah: Is the bankruptcy code and the bankruptcy rules. Bubkes: That's what an unsecured creditor of a developer would likely get in a chapter 7. Kibbitzer: Is the lawyer at the end of the table who interrupts a lot, but never says anything constructive. Meshuga: That's a distressed developer who asks the lender gratuitously to reduce the principal amount of a loan. But I still haven't gotten to the essence of Connie as a judge. Let me tell you about one case which was related to me and which I think captures that essence exquisitely. A chapter 13 debtor had only \$10,000 to offer creditors who would have received about one cent on the dollar. He owed \$90,000 to a gambling casino and \$10,000 to a widowed Rumanian neighbor, a seamstress, who loaned him that money when he was in dire need. Connie assessed the matter quickly and he declared that there were two classes of chapter 13 creditors in this case. The first class consisted of the seamstress. The second consisted of the gambling casino. The first class to get 100 cents on the dollar. The second class, zero cents on the dollar. An order was then directed to be settled to that effect, on notice to the casino, with the assurance to the lawyer that the casino would not object because they wouldn't be bother coming to Brooklyn for \$9,000. That proved to be correct. The seamstress got her \$10,000 and, in the language of that court, the casino got bubkes. There is a commentary to a biblical verse which is quite apposite here. It says that a judge who rules correctly is credited as though he became a partner in

the creation. Connie has been a faithful partner in the work of the creation from the day he donned his robe. In speaking to a variety of people in preparation for these remarks, there were several phrases I kept hearing over and over again. "He never forgot where he came from." "He treats everyone with respect." "Even if you lose, you feel as though you won." Hearing those words, I recalled other words that I read some time ago. They were written of John Marshall. I quote, "Once in awhile," the author wrote, "A man mounts the bench with the salt of life, the spice of wisdom and the sweetness of humor blended in him so subtly and yet so successfully that those are quite unlearned in the law glimpse some of its beauties." Now, the echo that rang out from those words for me was, "That man is Judge Duberstein, that's Judge Duberstein." Because those words could have been written of him. Connie, you bring to your office a zest for life and a concern with it. You know, innately, that government touches people more deeply in the courtroom than in any other place in their lives. You are thoughtful and compassionate with judgments you render because you know that your decisions affect the lives of momentarily helpless people. You have been blessed with the gift of humor and you use that gift so effectively to ease the anxiety of stressful moments which frequently pervade the courtroom. And what is perhaps most important of all, is that litigants leave your courtroom not merely with a decision, but they leave it with a belief that there is wisdom in it and a kindly blessing on it and a touch of magic to go with it. It takes a touch of magic to make people feel as if they won even if they lost. It is precisely right, Connie, that your enormous contribution to the Bankruptcy Court, the bankruptcy bar and to the law of bankruptcy should be memorialized by, and that the bankruptcy courtrooms and chambers of the new courthouse be adorned with your name. And so I end where I started, Connie. None know you but to love you. None name you but to praise. (Whereupon there was applause.)

Chief Judge Korman: Our next speaker is Judge Duberstein's colleague, Bankruptcy Judge Jerome Feller.

Judge Feller: Chief Judge Korman, Chief Judge Duberstein, esteemed members of the United States Court of Appeals for the Second Circuit the and District Court, colleagues of the Bankruptcy Court in this district, the Southern District of New York and elsewhere Judge Duberstein's wife Anne, his daughter Elysa, his granddaughter Nikki, and her husband, Mark Chemtov. All other members of Judge Duberstein's family, friends and admirers of Judge Duberstein, and we have many of those people here today. It is a distinct honor for me and special privilege to be afforded the opportunity to talk to you on the occasion of the dedication to Conrad B. Duberstein of the courtrooms and chambers of the new home of the United States Bankruptcy Court for the Eastern District of New York. Almost twenty-four years ago, in April of 1981, after a long and successful legal career spanning nearly forty years, at the ripe young age of sixty-five, an age that

other people might think of retiring. Conrad B. Duberstein was appointed a United States Bankruptcy Judge. In August of 1984, then-Chief Judge Weinstein of the District Court for this district, appointed Connie to the position of Chief Judge of the United States Bankruptcy Court for the Eastern District of New York. And Connie has continued in that position now for about twenty-and-a-half years. During this entire period of time Connie has never lost the enthusiasm for what he is doing. The same excitement and love for the work of the Bankruptcy Judge that Connie brought to the bench upon his appointment, he carries with him to this very day, undiminished. Since his elevation to the position of Chief Judge, Connie has seen an increase in the caseloads of the bankruptcy judges in the district to staggering levels. When he assumed the Bench in 1981, our Bankruptcy Court had approximately 5,000 filings each year. This steadily rose to the crushing sum of more than 27,000 cases that were filed in 2004. During this period, the bankruptcy bench of our district expanded from four permanent positions to six positions and from two court sites, one in downtown Brooklyn, the other in Westbury, to an additional court site in Hauppauge. Connie was responsible for overseeing the move of the Brooklyn Bankruptcy Court from Cadman Plaza to its present location at 75 Clinton Street in 1985. At that time the court was housed in just two floors of that building. Our Brooklyn operation at 75 Clinton Street has since expanded to five floors with four bankruptcy judges serving the New York boroughs of Brooklyn, Queens and Staten Island. Connie has also seen the consolidation of the Westbury and Hauppauge Court sites into our new court building in Central Islip, New York. That new courthouse opened in September of 2000. He is now overseeing the move of the Brooklyn Bankruptcy Court site at 75 Clinton Street to the General Post Office, which is expected to be concluded in the near future. Officially, Connie retired from the bench on December 31, 1995. He was immediately recalled by the Second Circuit and has remained a recalled judge from January 1, 1996 to the present time. In addition to presiding over chapter 11 cases in this district, his administrative responsibilities of Chief Judge of one of the busiest bankruptcy courts in this country serving a population of more than 8 million people, continues to this very day. In other words, Connie, in fact, never did retire. And for that we thank God, and Connie's belief in the precept that retirement kills more people than hard work ever did. As I have just outlined, Connie's contributions have been immense. However, what I have mentioned hardly tells the entire story. Employing his uncanny common sense and keen intellect, Connie also writes learned decisions, issues wise rulings and is most skillful assisting litigants and settling controversies. His humanity in dispensing justice and providing empathy for the unfortunate are legendary. On top of this, his wit and humor in the courtroom, presiding at judges' meetings and at all other times are matchless. And we heard some examples of that. And I would like to contribute to some classic examples of Connie's wit and humor and I think it would be appropriate to do so. If that's okay with the chief.

Chief Judge Duberstein: Anything you want to say, Jerry.

Judge Feller: Is it coming out all right?

Judge Duberstein: Do you hear me?

Judge Feller: He's incorrigible. Connie has been asked what is the difference between the chapter 11 cases filed in the Southern District of New York and the Eastern District of New York and Connie responded as follows, "They have Texaco, we have Vinnie's Gasoline Station of Bensonhurst." And he added to that, "They have Eastern Airlines, we have the Coney Island Parachute Jump." Connie in recent years has—.

Chief Judge Duberstein: What about John's Mansville?

Judge Feller: A few years back Connie was admitted to Mount Sinai Hospital and he goes over to the nurse and says, "Where do I go?" She says, "You're in eight." So Connie responds, "Honey, if I could do that, I wouldn't be here." There is another interesting story that I have told on other occasions, but bears repetition over here. About thirty years ago, Connie as an attorney and a very good attorney, was involved in a contested business reorganization case under chapter X of the old Bankruptcy Act in Newark, New Jersey. The case involved the reorganization effort of a motel chain consisting of about 400 motels that were very profitable, and there was a great deal of interest in acquiring this company in the context of the reorganization. And contested plan hearings went on for years. At one point Connie came into the case representing a well-heeled client proposing a plan of reorganization. And Connie had his client on the witness stand before the Chief Judge of the district court in Newark and he's examining his client and he is trying to demonstrate the feasibility of his clients plan of reorganization. Does his client have the wherewithal, the funds to see through the reorganization and acquisition of this company. He presents an exhibit, a letter of credit issued by the Chase Manhattan bank to his client. He shows it to the president of the company, has it identified and the judge says, "Mr. Duberstein, could I see that document?" Connie very dutifully turns over the document to the judge and the judge looks at it and says, "Mr. Duberstein, after Chase Manhattan Bank, there is N, period, A, period. Do you know what that means?" We have to the get the picture of this intense courtroom, a heavily litigated matter attended by a lot of people.

Chief Judge Duberstein: You represented the SEC.

Judge Feller: The judge asks, "What does N, period, A, period mean?" Connie, quick on his feet as he always is, he says to the judge, he says, "Your Honor, to tell you the truth I don't know, but it doesn't mean no assets." He conveyed a message

with that joke too. More recently, Connie wasn't in his office and I wasn't sure where he went. I get a phone call and I ask him, "Connie, where are you?" He says, "I am at the Central Baptist Hospital in Lexington, Kentucky. I was looking for a Jewish hospital and I couldn't find one." This is vintage Connie Duberstein. Judge Glasser made an effort and a very able effort at trying to understand how or why Connie has realized his extraordinary successes and accomplishments. I would like to add to that effort. I believe there are number of reasons. Number one, Connie has a tremendous passion and dedication for what he is doing. Connie just loves his chosen field of bankruptcy law. In an interview a few years ago by a local newspaper, Connie was quoted as saying, "From 1952, when I resumed my practice in bankruptcy, until I went on the bench in 1981, I lived, ate and dreamed bankruptcy." I can unequivocally state that Connie's all-consuming enthusiasm for bankruptcy law and practice has not only continued throughout his judicial career, but has been enhanced by his efforts to further its proper development and application to ever changing problems. If one was to ask why has Connie remained tied to one field of law for these many years, and we're talking here approximately sixty years, the answer I think lies in the story of the fellow who played the cello, but always played one note because he never moved his fingers on the string. His wife asked him, "I see other cello players keep moving their fingers from place to place. Why don't you?" He answered, "They're just looking for the right place I found it." Connie found this place and has played beautiful music in the singular pursuit of excellency in the field of bankruptcy law for all of these many years. Another reason for Connie's successes and accomplishments is that Connie has not grown old. For what grows, never grows old and Connie continues to grow. He continues to grow in his love of the law. He continues to grow in his love of his beloved United States Bankruptcy Court for the Eastern District of New York. He continues to grow in his love for his wife, children, grandchildren and his many friends. He continues to grow in his confrontations with the myriad challenges of life, including serious illness. There is yet a third reason for Connie successes and accomplishments. He possesses the most extraordinary *joie de vivre*. I can't think of any other word. He just enjoys life to the hilt. This manifests itself in a true love for every human being. He is the consummate people person. Offhand, I can think of no one that dislike him. On the contrary, everyone who knows him, adores him. One incident that occurred four or five years ago will suffice to demonstrate Connie's consummate people talents. Connie went away to the country one weekend to his home in Monticello. He was bitten by a cat over the weekend, but paid little attention to the bite although it was a big one. Sunday afternoon he drives home to be back in the office Monday morning. Connie comes home and he realizes he is starting to develop a fever. And, it was a high fever. He rushes over to the Long Island College Hospital to the emergency room, and he is immediately admitted to the hospital. Tests are run, antibiotics are administered. I find out about this Monday morning. Monday afternoon I walked over to the hospital to see Connie. I was fearful of what I would see. To my pleasant surprise, I found Connie

sitting on the hospital bed, fully clothed, ready to be discharged, regaling six nurses with jokes. I spoke to these nurses. They just loved him. And they were fighting as to who would take him home. On a more serious vein. There is an anonymous ancient Near Eastern teaching that instructs as follows, "The fullness or emptiness of life will be measured by the extent a man feels that his life impacts on the lives of others. To be a man is to matter outside yourself or to some calling or cause bigger than yourself." I believe that this gem of ancient wisdom properly and succinctly sums up the fullness of Connie's life in his indelible imprint on the lives of others as a wise judge, leader of our court for almost twenty-one years, husband, father, grandfather, and precious friend to all who have privilege to come in contact with him. Connie was born October 22, 1915. As Judge Glasser mentioned, his parents named him Conrad for rather gratuitous reasons, but Conrad in High German does mean a wise counselor. His parents, as is customary in Jewish families, gave Connie a Jewish name, as well. That name was Chuna Ber. Connie's first name Chuna translates into English as thanks or gratitude. In effect, Connie's parents, through their name selection, expressed their thanks to The Almighty for their newborn son. More than 89 years later, we gather here today to dedicate the courtrooms and chambers of the new home of the United States Bankruptcy Court of the Eastern District of New York in Connie's name and thereby, in turn, express our gratitude and appreciation for Connie's many contributions to our court, the bankruptcy system in general, and the overall betterment of our world. I can think of no person more deserving of such honor. Connie, you have certainly earned it.

Chief Judge Duberstein: Thank you, Jerry.

Judge Feller: In closing, on behalf of myself, my wife, Miriam and all of us gathered here today, Connie, we pray for your speedy and complete recovery, so that you may continue until 120. (Whereupon there is applause.).

Judge Duberstein: With that I only say amen.

Chief Judge Korman: Our next speaker who speaks on behalf of the bankruptcy bar is David Doyaga, the past president of the Brooklyn Bar Association.

Chief Judge Duberstein: He looks just like Robert DeNiro.

Mr. Doyaga: Ladies and gentlemen, I am deeply honored to be speaking here today on this very special occasion before this very distinguished gathering. In the past, I often get up and speak on behalf of the bar and on behalf of the men and women who earn their living every day and support their families practicing law in the courts, but today I'm gonna make it a little personal. There is an old expression that comes from the land of my forefathers, and literally the translation is, that a

man's life is measured by the life of his neighbor. What it means is that the value of life is measured by the good, the positive impact that life has on the lives around him. So if you'll forgive me for talking about myself, I am going to tell you the positive impact and the very dramatic effect this man has had on my personal life. I am going to take you back to 1982 when I was first admitted to practice law. I had no job. I had no clients. I had no income. I had three children. I was the son of immigrant parents who had never even used the services of a lawyer and I had no direction. I undertook to represent a creditor in an objection to a chapter 7 discharge based upon fraud and concealment of assets. I hadn't even taken bankruptcy law in law school and this was the first case that I decided to take. To let you know how green I was, I didn't even charge a fee up front and I had no agreement or written retainer agreement as to how I was going to get paid and how much I was going to get paid. I charged forward and filed my complaint. And then the luckiest thing that maybe ever happened to me happened. The last three digits of the case number were 260. To the younger people that translates to C.B.D. The judge was Conrad B. Duberstein. My adversary in that case was a particularly difficult attorney, a very experienced attorney and by the second pretrial hearing he had filed a complex motion to dismiss and I realized I was in over my head and I had to get out of the case. So I went to my client and said, "Listen, you've got to relieve me and get a more experienced attorney." The client said, "Oh no, your price is too good. I'm not doing that." So I made a motion to withdraw and my adversary objected, citing the delay in the case. And at the hearing, Judge Duberstein and my adversary got into a terrible argument, but the judge got frustrated finally and said, "You know what, you want this kid to stay in the case, the kid stays in. Doyaga, your motion is denied." I was devastated. But losing that motion was probably the greatest legal tactic that I ever committed. Because if I had won, I never would have seen this man again. And I stayed in the case. I will never forget packing my bags, I was terribly upset and walking out and the judge sent his law clerk and tapped me on the shoulder and said, "Come back. The Judge wants to speak to you when the calendar is over." And I waited and at the end of the calendar, they called me up. And those of you who know the way he speaks, you can imagine how the conversation went. He asked me a lot of questions about me. He asked about my background. He said, "Where are you from? What is your nationality?" I said, "I'm Basque." He said, "You're not gonna blow me up, are ya?" He said to me—he said, "You, know, I've listened to you, Doyaga," he said, "You know, I am going to recommend two or three treatises that I want you to read and I'll tell you what. If you have any questions, you call me." He said, "Wouldn't it be sweet irony if, after this guy wouldn't let you out, if you had won the case? And one other thing, you violated rule number one." I said, "Rule number one?" "You didn't charge a retainer up front." Well, I finished the case, it settled and I even got paid. And I thought that was it for me and bankruptcy. But like Michael Corleone in *The Godfather*, just when I thought I was out, Judge Duberstein drags me back in. I get a call two weeks later, I used to answer my own phone at the time. I get a call two

weeks later, the Judge says, "Listen, I've got this pro se litigant in my courtroom, fighting with a creditor but he is bouncing off the walls, but I think he has a good defense. I want you to take the case." I said, "Your Honor, I'm very grateful." He said, "Don't forget rule number one." And I thought about it. I said, "Get a retainer up front?" He said, "Doyaga, you're learning." And over the next few months and the next few years, Judge Duberstein sent me cases, almost all pro se litigants. Sometimes he asked me to do it pro bono. And from the cases that he sent me and the referrals from those cases, a practice was born, and a direction was found and ultimately, a passion. I wondered, why did this man reach out to me that day and call me back? And what I learned over the next twenty-five years was that is a very Dubersteinesque quality. Over the next twenty-five years I saw him reach out to hundreds of lawyers and thousands of debtors, many chapter 13 debtors at risk of losing their home, and do something special. Sometimes something small, sometimes significant, to just make their lives a little better. He's got a special gift. And I know there are many people here whose life he's also changed that way. For twenty years the Brooklyn Bar has had a friend at 75 Clinton Street. For twenty years of the bankruptcy bar has had a friend at 75 Clinton Street. As a showing of our appreciation and affection for the Judge, funded with a contribution from the Brooklyn Bar Association at the request of the Clerk's Office, the staff of the Clerk's Office and the Judge's former law clerks, a portrait of the Judge has been commissioned that will hang in the new courtroom in the new courthouse. So that we will forever have our friend at 271 Cadman Plaza East. Judge Duberstein, you have been a blessing to all of us. And the naming of this new building, or the new portion of the building after you, is a blessing to all of us. I thank you.

Chief Judge Duberstein: Thank you, David. (Whereupon there was applause.)

Chief Judge Korman: Our next speaker, on behalf of the staff of the Bankruptcy Court, is Joseph Hurley, the Clerk of the Court.

Mr. Hurley: Chief Judge Korman and the members of the Board of Judges for the District Court, honored judges and the family of Judge Duberstein, and certainly Judge Duberstein himself. As the man who represents the supporting staff for the Bankruptcy Court of this district, I've had the job of the century, as most of you know, working for this man since 1985 and his court clerk since 1989. I am here to do three things. One, certainly first, to express the appreciation of the support services, the law clerks, of the clerk's office staff, of the CSO's and the building maintainers, all of whom love this man, have great affection for him and we want to thank. Judge Korman and the Board of Judges for this opportunity to publicly express our appreciation. Secondly, Mrs. Duberstein, we want to express our appreciation to you for sharing this man with us these many years. We know that this has been quite a trip. And being with you on occasion, whether it's a plane, or a train or a restaurant or a place of worship, we always share the Judge with

everybody there. It is not unusual to be on a plane with the Judge and find him introducing me to numerous people in the aisles. By the time—the only thing we don't do recently is get into the cockpit because that was something that he regularly did too. The third thing that I'm here to do is certainly to express to you, Chief Judge Duberstein, the appreciation of the men and women who have served as your law clerks, as your court staff in the clerk's office, as the Court security officers and as the building maintainers. Most of which he has been involved with their personal lives in many, many, many ways. Just a beautiful, beautiful man. So we would like to express publicly today by reading this to you and in the hope that this will be publicly displayed in our new digs very soon. This on the occasion of the dedication of the United States bankruptcy courtrooms, chambers and facilities in the newly renovated post office building for the Honorable Conrad B. Duberstein, Chief United States Bankruptcy Judge for this district. We, the members of his supportive personnel including law clerks, judicial assistants, clerk's office staff, court security officers and building services personnel do declare and state our appreciation for the many years of service that you have given us and this court. May everyone who makes use of these facilities in the future be ever mindful of the outstanding talents and dedication exhibited by Chief Judge Duberstein as witnessed by each of us on a daily basis. From the confines of his chambers to the public forum of his courtroom and even to the neighborhood surrounding our court buildings, so many have been blessed by his wisdom, leadership, sense of fairness and perpetual desire for nothing but justice for all who access our court. He is a judge that who has lived by the basic principal that the reason for living is to enlarge the lives of others and in so doing, your own life will be enlarged as well. In grateful appreciation by all supporting personnel of this court for our time and service with him. Thank you.

Chief Judge Duberstein: Thank you, Joe. (Whereupon there was applause.)

Chief Judge Korman: The next speaker is Judge David H. Adams, who is the President of the National Conference of Bankruptcy Judges.

Judge Adams: May it please the Court and distinguished guests, it is an honor to be here on this special occasion for Judge Conrad B. Duberstein ("Duberstine"). There is a story about that and below the Mason-Dixon line he is known as Duberstein. We also note that he has been Chief Judge longer than most of us have been on the bench. It is my honor to be here and represent the 300 plus members of The National Conference of Bankruptcy Judges and bring greetings from all of them. As you have heard today, and I won't try and compete with what you have heard because it is so outstanding, we honor an outstanding jurist. You've heard about the moot court competition in his name that is sponsored by the ABI, the American Bankruptcy Institute and Sam Gerdano asked that I pass along his regrets because he wanted to be here, but could not because of a prior engagement. I do

bring though, special greetings from an old friend of Judge Duberstein's. He was a little confused about the occasion, but I need to read it to you. "To the Honorable Conrad B. Duberstein, Chief Judge, United States Bankruptcy Court, Eastern District of New York, Brooklyn. Dear Judge Duberstein, through the courtesy of Judge David Adams, President of the National Conference of Bankruptcy Judges, I am pleased to bring my warmest greetings and congratulations on the occasion of the renaming of the borough of Brooklyn to the Duberstein Borough of New York. I shall miss the name Brooklyn, but honor is past due. A more fitting name is surely in the works. You may not remember me, but I am the lad who stood on the shore of the James River in Newport News as you sailed down the river from Camp Perry in Williamsburg, on a ship on the way to World War II. I waved at you until the ship was out of site. Connie, there is no judge more in the history of bankruptcy—of the American bankruptcy court that I love more and miss more in my retirement. You are a friend I shall cherish forever. Hal J. Bonney, Retired Judge. I am in a very precarious position. You heard the wonderful remarks about Judge Duberstein and I'm unfortunately sandwiched in between the two clown princes of the bankruptcy court. I am the straight man. And so, without further ado and risk to my tenure as a bankruptcy judge, with great trepidation it's my honor to introduce to you, George C. Paine, II, Chief Judge of the Middle District of Tennessee. (Whereupon there was applause.)

Judge Paine : Well, they stole my Duberstein line.

Chief Judge Duberstein: You—

Judge Paine : A couple of peckerwoods down south called him Duberstein and he has held us culpable for that ever since. David, thank you for getting rid of that task for me. Certainly, I am delighted that I get to speak after the only other person apparently here today who doesn't have an accent. David, we will have to talk now about what was said beforehand. Everybody is saying things that we don't understand, and we will see what they said in the translation. We thought there was going to be simultaneous translation. We are here today to celebrate the most universal person that I know. He is truly universal. And when Judge Korman called me to make sure it was on my calendar, I noticed that it was scheduled on the Muslim festival day of Muharram. I guess Connie has a Muslim connection I didn't know about. I know about his Jewish heritage and I know about all of his Catholic connections. And a couple of years ago, when I attended a great function in New York City in March of 2003, 500 lawyers were there honoring Connie, they all talked about when he was in his private practice that he was a rainmaker, so I found that he had a Native American connection. The guy is truly universal. And when I say, truly universal, I mean he transcends all religions, races, nationalities, walks of life, level of education, professions. It doesn't matter whether you're a lawyer, you're a clerk, you're a judge. Connie basically has never known a person he didn't

like and vice versa. While this is his nature, in his very veins, I would suggest to you that his ability to bond with people and his sense of humor was probably perfected and forged in the crucible of his experiences in the Army in World War II. I think anybody who has been in the service can understand this. Who you get to know, how you deal with them, it really is a leveling thing to serve in the armed forces. Connie was sent far from his native Bronx to a foreign land, far away, where people didn't even speak his language. And that was Fort Polk, Louisiana. I had a similar experience as Connie, I was sent to Fort Dix, New Jersey. What it meant, it meant bad news and it also meant that you were going to end up in the infantry, which is also bad news and that happened to both of us. This bond, first of all, when you're in basic training it's hard to imagine the type and condition of humanity of the people you find in a similar situation. You really understand what tolerance and getting to live with other people and getting to learn about them, really is. This bond, this acceptance of this brotherhood with your fellow soldiers continued and was probably cemented in his extensive combat experience that we've heard about in Northern Italy, Florence. Hey, you were in Florence? I've heard that story before. I am glad that Connie corrected that, no one was wounded in Florence. I thought we had caught you, Connie. It really gives you an appreciation of other people and who you are. There was one particularly heroic incident where Connie, at complete risk to his own life went to save one of his buddies. And he was actually told not to do it, but he did it anyway. He risked his life and he actually saved the life of that buddy, and I can assure you from experience, you don't do it for country or flag. You do it because he's your buddy. That's the reason Connie went in there. And for that Connie received a Bronze Star. I don't know if you all have seen one of these, but they are a beautiful device. I know Connie has his in his office. But I am going to introduce as part of the evidence today, if the Court please. Come up here afterwards and take a look at it because it's a great thing to have. It's a bauble admittedly, but Connie has that. More importantly, he has the satisfaction of having saved his buddy. And it is possibly someone who was completely different from him. That he wouldn't know in civilian life and he might not have even been his friend, but you react under those circumstances to save your buddies. Connie was also wounded, which has also been mentioned. He was seriously wounded. What happens when you're wounded, you go to a evacuation hospital, which is generally right behind the lines and then you are moved on to a real hospital, as he was, as soon as you're able to travel. Connie was given a Purple Heart for that. I also want to introduce a Purple Heart. You need to come look at this if you have never seen Connie's. Again, it is a bauble, but it's a hell of a meaningful one. It's the oldest military award that is still being given in the world. It was created by General George Washington in 1782. This spillage of blood really furthers the bond with your buddies who have known the horrors of war, who you've soldiered with and best of all it gives you a hell of a sense of humor. You find humor anywhere, in the military, in the Army, in basic training, before you go into combat, in combat, after combat, in the hospital. You

can deal with almost anything after that and you can deal with it with a sense of humor. Now, as we would expect, Connie's time in the hospital gave him some great anecdotes. My favorite one was about then Archbishop Spellman blessing him, in Hebrew, I might add, and then his audience with Pope Pius XII. I thought about trying to tell that story, but not having an accent like Connie does, I knew I couldn't do it. So I wasn't about to take that on. I thought, well, maybe he can do that in his response. Connie still actually continues to serve. After his own military experience was over, and I know he's very proud of it, he serves as the Judge Advocate in the Military Order of the Purple Heart, the Colon-Rivera Memorial Chapter No. 3 in New York City. So not only did he serve, but he continues to serve his fellow wounded veterans. So I wanted to be short, but before I came down here. I went by to see my old friend, Judge Korman and he said, "You've got to tell the Reagan story." I thought, "No, we've got to keep this short." He said, "Time doesn't mean anything." Apparently so. I thought, "Well, okay. For Connie, I will tell the Reagan story." When I was President of the National Conference of Bankruptcy Judges Connie calls me and said, "George, we've got to go to the White House and see President Reagan." I said, "That is great idea Connie, sure." He said, "No, no. My cousin Kenny Duberstein can arrange it." And I said, "Sure Connie, you arrange it and we'll go." He said, "Okay. I will get it done." And this is with apologies to Judge Glasser who thinks getting into a restaurant in Pasadena is a big deal or one in New York. I am showing you the upper-end of it that Connie deals with. So I said, "By the way, we are going up to see the Chief Justice on March 13 or whatever it was. Optimally, you ought to get it scheduled for the same day." It must have been four or five days later I get a call from Connie, "It is set up. We are going to the White House." I said, "Okay, Connie." He said, "We'll just all get together and go to the White House." I said, "Is this really happening? Here I am, a poor Southern boy Gullible. Am I being taken advantage of by this Yankee, this native New Yorker?" So we go up to Washington, we go see the Chief Justice, then we go over to the White House and they let us in. I thought maybe we are going to have a tour of the White House. So we go into the little waiting room in the West Wing. We are sitting there and the door flies open and it's Ken Duberstein. And I know a little something about Washington and I knew who Ken Duberstein was, Chief of Staff. And all of a sudden there was this, "Kenny!" "Connie!" "Kenny, Kenny!" "Connie!" And after we had had the old home folks week there, in the waiting room, Ken Duberstein, who I can hardly call Ken, I should call him Kenny, takes us on an incredible tour of the White House. And we stopped outside a door and we're all trying to be cool and I said, "Exactly where are we?" And Ken said, "Well, this is the door of the White House and within a minute the door will open and we'll get a photo op with the President. And if he wants to sit down, we'll just sit down and chat." So, about the time that I was trying to assimilate that, the door flies open. And there is Reagan, as big as life, in a brown suit. Two things I remember. He was much bigger than I believed he would be and he had a brown suit on. We all got a photo op and Reagan said, "Why don't we sit down and chat?"

I was president of the group and I was trying to think of something profound to tell the President of the United States about recent bankruptcy issues. So about the time we were hitting the leather and I was trying to come up with something that was really important, guess who took over? "Mr. President, Mr. President!" Do you know who—what was Miller's first name?

Chief Judge Duberstein: Don.

Judge Paine: Don Miller. "Do you know Don Miller?" Reagan lights up. And with that, for the next twenty minutes President Reagan and Connie BS. And the rest of us are going (gesturing.) So, he can get into a restaurant in Pasadena, he can get into one in New York and he can get into the White House. That says it all, it's Connie, our universal man. He is truly a friend to all. He's a hero in every sense of the word. He's the world's best judge. I guess I can best sum up how much his colleagues adore him by reciting what we put on a plaque when we gave him a special award two years ago in front of the lawyers in the City. It read: "To our incomparable raconteur, beloved mentor, sublime obituarist, (and that's another story) transcendent jurist and dear friend, Chief Judge in perpetuity, Conrad B. Duberstein: We love you. The Bankruptcy Judges of the United States of America." And lastly, since I played the straight guy for the man on more than one occasion, I want to introduce Judge Duberstein by saying, and H-e-e-e-r-s Connie! (Whereupon there was applause.)

Chief Judge Duberstein: Thank you. Wow! I want to say I'm speechless, but if I do, I know my buddy George will yell, "Wanna bet?" (Whereupon there was laughter.)

Chief Judge Duberstein: Thank you, Chief Judge Korman, Judge Glasser, Judge Feller, Judge Paine, Judge Adams, David Doyaga, Joe Hurley for all your kind words. By the way, Judge Paine told you and so did, I think, some of the others, about my combat experience in Italy in World War II. What George didn't tell you, and I do so very proudly, that he too received the Purple Heart and a Bronze Star medal in Vietnam. A great war. I am happy to see here my other Purple Heart patriots. Dan Murphy, who is the National Judge Advocate General of the Order. My good friend Dr. Harold Rosenberg, who's Senior Commander for the State of New York. And Judge Labuda, who is filling my job while I recuperate and I hope that will be soon. I welcome all of you. Incidentally, I was told by my wife, "Honey, you are not a stand-up comedian in the Concord. This is a very serious audience. So I had to strike out a lot of thing, like: (Singing) "There's no business like show business, like no business I know." I welcome all of you, my dear friends and relatives sitting over there. All here, gave me bar mitzvah presents again. The fountain pens you gave when I was thirteen shouldn't drop the water now. You all took a long time to come out here, of your busy schedules, all of you,

all of you, not only my relatives, but my friends, fellow judges, I would like to thank you all by name, but since you mean—because you do mean so much to me that I have been told that because of time constraints, we have the stuff outside to eat, you would be here all too late to get home to watch your favorite program. So forgive us, forgive me. I look forward to shaking your hands and hugging you all later. I certainly would be most remiss if I didn't acknowledge one person here today who has my dearest love and best friend for almost fifty-six years, my beautiful, bright bride, Anne. (Whereupon there was applause.)

Chief Judge Duberstein: And here with us is her brother and her family, our daughter he Elysa, who came all the way from Lexington, Kentucky and our granddaughter, Nikki and her husband, Mark. And we have our grandchildren, three of them, they're home watching television. And our great-granddaughter couldn't be here, also watching television. By the way, Lexington, Kentucky—I think George mentioned the fact that I was in a hospital in Lexington, Kentucky. And they said, "What's a nice Jewish boy doing in this Baptist hospital?" I was finished there after a few days and the doctors came in and said, "Judge, you know, we have a problem. We want to get you back to New York, so you're discharged." I said, "Now, wait a minute." Hi, Kevin, how are you doing? My old buddy, Kevin Duffy." Are you discharging me because I ain't a Baptist?" And he looked at he says, "No, Judge, we are discharging you because you are a damn Yankee." I welcome all my friends here. I'm really—I'm happy to see my dear friend, Father Bernard Tracey, who is the dedicated associate to Father Donald J. Harrington, the president of my vincentian alma mater, St. John' University. Father Harrington called me, said he'd suddenly gotten another important date and couldn't make it. I am also glad to see back there, he should be up here next to the priests, our Rabbi Joseph Potasnik, the rabbi of congregation, Mount Sinai. Good to see you here, Joe. And I hope that their prayers for me, both of you Father Tracey and Rabbi Potasnik, I hope that your prayers for me will contribute to the efforts and the skill of my renowned oncologist over there, Dr. Seymour Cohen. (Whereupon there was applause.)

Chief Judge Duberstein: One of the reasons that I am so pleased and hopeful that Father Tracey and Rabbi Potasnik prayers will work for my great oncologist is that it will enable me to go two rounds with George Paine, thank you. Do that. Two rounds with you, George, at the end of this.

Judge Paine : Bring it on.

Chief Judge Duberstein: It's a delight for me to see our closest and best friends, Chief Bankruptcy Judge Emeritus, Alexander Paskay, who came all the way up here from Tampa, the Middle District of Florida. I've known Alex Paskay for forty years. I met him back in 1964. He has been a bankruptcy judge for forty-

one years. He is the longest sitting bankruptcy judge in the whole country. And my small claim to fame is I'm just a lousy oldest chief bankruptcy judge in the country. Somebody wrote an article about me and said, "Somebody said that Connie Duberstein is the oldest bankruptcy judge." So some smart guy said, "That's wrong. Duberstein is not the oldest judge, there a guy name of Goldwater down in Nevada or Nebraska. He's the oldest one." I got a little mad, PO'd. I sent a letter back to this gentleman, "I may not be the oldest bankruptcy judge, but I'm the oldest chief bankruptcy judge." Now, I called up Frank Szczebak, who is the head of the Bankruptcy Division down in Washington. I said, "Hey Frank, when does this guy Goldwater get off the bench?" He gave me some good news, he said, "They don't think they are recalling him." I said, "I'm so sad. I will be the oldest bankruptcy judge in the whole goddamned country!" I see all the way from Washington, our Congressman, Edolphus Townes. And I'm sorry Frank Szczebak couldn't be here. Ken Duberstein, former Chief-of-Staff under Reagan, was supposed to be here. My secretary told me she got a fax from him, he sent a copy of his boarding pass, he couldn't get his plane, otherwise he would be here. Well, anyway, on a serious note. I always have to say that to people. When I went to college and I get up in a very serious program, ancient history, and start talking about what had to be done and everybody started laughing. "Why are you laughing?" "That's Duberstein, he's gonna crack a joke." I'm going to crack a joke about Sumeria or about the totem or whatever it was. Or whatever it is. I'm telling you I am on a serious note. First of all, I am very seriously—I am deeply, deeply grateful for the honor that our district judges have bestowed upon me. I stand here in sincerest humility, very humbled am I today. It is said that the humble person is free of pride. But I hope that you will forgive me for being proud of the genuine friendships I've been blessed with as well as my performance as a bankruptcy judge to carry out the benefits of bankruptcy to all those that come to my court. More importantly, and this is more importantly than me, I am also told that he who is humble ascribes to God, to Hashem, to the Almighty, all credits for his achievements. That I do with all my heart. When then-Chief Judge Jack Weinstein, my good friend. Jack Weinstein, swore me in as a bankruptcy judge in 1981 for a term of three years, now this is funny. In those days a lot of you guys—a lot of you guys know bankruptcy judges were sworn in for six years. But when I was sent by Judge Weinstein and Jack Mischler, may his soul rest in peace, one of our dear colleagues, my friends Jack -- I used to do. Jack's bankruptcy work and when he came a judge he sent for me and he said, "Connie, come on down. Jack Weinstein wants to see you." I said, "Okay." I went down to see him. He told me, "We would like you to become a bankruptcy judge." Well, here I was retiring—retiring as a lawyer and I had beautiful condominium in down in Puerto Rico, a gorgeous home up in Monticello, up there, and an opportunity for me to crack jokes, and a lovely apartment on 89th Street. And I said, "Judge, I don't think that I want to—to make a deal. I am the only guy who didn't take a six-year term, I took a three-year term. I made a deal. It's hanging in my certificate." And anyway, he swore me in back in 1981. I have been

here for twenty-four years. And then for twenty years as the Chief Judge. Well, since then I've always been indebted to my fellow bankruptcy judges, who are, most of them, here today, for their cooperation and help. Judge Feller, Judge Eisenberg, she couldn't make it today and had to be with her husband, Judge Eisenberg, Judge Cyganowski, Bernstein, Craig, Milton, Stong Former Judges Holland, Conrad and Edward J. Ryan, who sat with us several years ago on loan from the Southern District. Former Judge Robert Hall and Judge Laura Taylor Swain, who I am so happy to see here today, who now graces the District Court in the Southern District of New York. We gave her to you guys. A few deserved words of appreciation. By the way, when I told Judge Korman I was writing this speech and I was going to thank this one and thank this one and this was going on for about forty-five minutes, he said, "Connie, this is not a Jewish VJA appeal process. A Jewish U.J.A. appeal, you don't have to thank everyone. Okay. \$2,000 anonymous, Schwartz. I want to show my appreciation." I can't tell you how deeply indebted I am for my right-hand man, Joe Hurley and his aides-de-camp, Bob Gavin and Ann Zito, here in Brooklyn and Jennifer Jolly and Nancy Profit in Central Islip. Joe's great staff in Central Islip and in Brooklyn and his supervisors and able clerks, our computer experts and Charlie Langois here, who has made our electronic filing system one of the finest and the best in the country. With the help of our District Executive, Jim Ward, who's worked for the District Judges, and the Clerk of our District Court, Bob Heinemann. Together with Joe, they were able to get this ceremony off the road and I think it's a tremendous effort on their part and it all shows here today. It's so good to have with us our Circuit Executive, Karen Milton, our United States Attorney Roslyn Mauskaupf, our United Trustee, Dierdre Martini and her able counsel who appear in our court almost on a daily basis, our United States Marshall Corcoran and the security officers in our bankruptcy courts. And, as is well known to any executive, I repeat this, where would I had been without my former secretaries, Peggy Pisciotta, Susie Young-Chaisson, my present secretary, Vivian McCallum, courtroom deputy, Diane Bisset and my other right-hand-man, my law clerk, David Capucilli. It's good to say hello to all the lawyers here whose presence in my court is always a pleasurable experience. I have learned over the years that some of these lawyers are also appealing. Well, the funniest guy comes in and I throw him out three times and comes over to you lovely folk, you affirm me and send him back, and he walks into my courtroom one day and nice guy. As he walks in, aha, there's George, one of my most appealing lawyers. Now, we also have here many of my former law clerks, in addition to Dave Capucilli, many of those here were extremely dedicated as all our law clerks are, all of you know that in helping me fulfill my responsibilities as a judge. I have always appreciated the excellent opinions that they wrote for me which of course, I happily signed. Thank you guys and gals. Now, what happens here today never would have come to pass if it wasn't for the facts that soon we will be celebrating the return of our Bankruptcy Court to the General Post Office building which is about a block away from here. It was built in 1898 for the post office. A few years later our Federal Court for the Eastern

District of New York moved into that building. See, the reason I'm telling you this is, I'm sitting here listening to all the things about me at this point, "This can't be me they're talking about, it must be some other guy." We're here for one reason, not me so much as the fact that we are moving into this building I want to tell you about it. Well, a month after that, our District Judges moved there with their staff. The Post Office remained there on the ground floor. All the District Judges and their staff moved to the second, third and fourth floors. They occupied the rest of the place. The District Clerk's Office was in the building. Shortly thereafter, a little after, maybe 1932 or something before, '31, the Bankruptcy Court moved in. Why was the Bankruptcy Court there? It consisted of a little courtroom on the second floor. There was no Bankruptcy Clerk's office at the time. In the early '30s they put up a new building, which as you walk out, is attached to the old post office building. Judges and the District Clerk's office moved into that new building. The Bankruptcy Court, however, still consisting only of its little courtroom on the second floor, still stayed in the Post Office building. The Bankruptcy Judges at that time were called Referees. That was because all—you've heard of referees, Referee so-an-so—well, what do you guys call a bankruptcy judge—they were called Referees a long time ago. Why? That was because—there were no bankruptcy clerks though—all bankruptcy petition and papers were filed with the Clerk of the District Court and he would then take them up to the sitting judge, sitting in District Court. He then referred anything to a Referee and that's how we got the word Referee involved in this whole thing. It wasn't until 1970 when they were called bankruptcy judges. In those days, each referee had an office with a secretary where they maintained their files and their dockets. Each sat in the Courtroom on the second floor on different days. By 1960, one of the referees was my uncle, Samuel C. Duberstein, who was appointed in 1945. He was given chambers right next to the second floor courtroom. Although when I became a lawyer I never appeared before him, I remember that there was a fireplace in his chambers, as well as other rooms in the building, many of which are now being preserved. When I came to visit my uncle at the end of 1945 after the war was over, but I was not as yet discharged and still in uniform, I bumped into one of the District Judges, Robert E. Inch. I guess his picture is up here somewhere. Robert Inch was a remarkable man. I didn't get into the Army at that point, we were sitting in the courtroom and in those days we had sirens alerting us to the fact that there may be an attack, and the siren went off and Judge Inch said, "Okay. Everybody out." We walked out and there was a park across the street and he always smoked a cigar and here he was in the park, it was April, the end of March, a tremendous wind and Judge Inch was out there walking around with a cigar in his mouth and his robe. And all of sudden the wind came up blew up his robe and there he is standing in his underwear. I bumped into him in the corridor when I went to visit my uncle and he asked me if I was admitted to Federal Court. I said, no, I was admitted in 1942, but I spent a lot of time in Italy and I finally came back. He invited me into his courtroom, into his chambers. And he swore me in standing in front of his fireplace. Now, a photo of

that unforgettable incident hangs in my chambers, me being sworn in by Judge Inch. In 1964 before my uncle retired, the entire Federal Court and the Bankruptcy Court moved into this present building where we are today, where this ceremony takes place. Now, I have to tell you that there has been a strong effort on the part of GSA, that is the General Service Administration, to preserve that old Post Office building whose interior is beautifully—with a beautiful architectural accomplishment. And its goal is to convert as we now know it to a beautiful home the Bankruptcy Court. I have to acknowledge and tell you that this would not have come to pass without GSA; and if it wasn't for the fact that we have the dedicated effort of Chief Judge Korman and Judge Raymond Dearie, of our own court; Judge Barrington Parker, of the Second Circuit Court of Appeals; our own Bankruptcy Judge, Dennis Milton. Where is he, Dennis; our Chief Clerk, Joe Hurley going over there all the time; and his Deputy Bob Gavin; and lately, our computer expert, Jimmy DiGiacomo, who is taking pictures here, we are now approaching that goal. We are told we will be moving in in a few months. That's been told to us the last four-and-a-half years, but I understand that Ray is getting on them. I guess that one of the reasons why I have been called here arises out of my own recollection of the existence of that Bankruptcy Court in that memorable building. Something I am about to tell you passed over and talked about it, very proudly for me, I have to say it again, because I have gotten this damn speech. If I leave it out, I don't know where the hell I am. Forgive me Father Tracey, please forgive me. Rabbi, forgive me. I don't know where I am. Okay. I know. Well, this experience goes back about seventy-four years. Look guys. Seventy-four years. This is little Duberstein boy was walking down Court Street. Seventy-four years ago I was only fifteen-and-a-half years old. My father had just lost his business because of the Great Depression and I had to quit school and go to work. At that time, my father's brother, Samuel C. Duberstein, who I told you became a referee, was respected as a very great bankruptcy lawyer. As a matter of fact, he was the first Professor of Bankruptcy in St. John's. And there is my Professor Bob Zinman's lovely wife there, and Richard Levy. He was the first bankruptcy professor at St. John's and fortunately for me, he gave me a job as an office boy. I worked everyday except Sunday, still worked Saturdays. At night, I went to high school. I went to the same school, I found out later, that Colin Powell went to. We both did and we are buddies because we're alma mater alike. I got out when he was a little baby boy. I went to Brooklyn College at night and finally St. John's Law School at night. Now, during the time I would have this job, I would accompany my uncle and the other lawyers in his office, carrying there files or whatever they needed, to the hearings before the referees on that second floor bankruptcy courtroom. Thus about from 1931 until I was admitted in 1942, and after I got out of the Army and returned to the practice of law, I appeared in that old Bankruptcy Court almost on daily basis for about thirty years when it moved to this building in 1964. I continued to practice bankruptcy law until I was appointed Bankruptcy Judge in 1981. That's the end of the saga of my connection with this Bankruptcy Court during the time it was

located in the post office building. I am sure that you can all understand why its forthcoming move back to its old quarters means so much to me. I deeply appreciate all of you coming here today to be part of the ceremony and sharing with me the honor which I truly appreciate. You all have given me the joy of reaching this point in life as I prepare someday to ascend to Sainthood. I hope. Bob, you don't believe that, do you? Saint Conrad. It's a joke. Father, can you work on that? I hope that when October 22nd rolls around we will be in that building so we can all get together and celebrate with me, my 90th birthday on that day. So, you all come back to Brooklyn, you hear. (Whereupon there was applause.)

Chief Judge Duberstein: When you've got it, flaunt it. I will see you after.

The Clerk: The special session is adjourned. (Whereupon the dedication ceremony was concluded.)