



AMERICAN
BANKRUPTCY
INSTITUTE

2017 Northeast Consumer Forum

Faculty Biographies

Carolyn A. Bankowski is the chapter 13 trustee for the Eastern Division of Massachusetts in Boston, appointed on Aug. 6, 2006. Prior to her appointment, she was an attorney at Deutsch Williams Brooks DeRensis & Holland, P.C., where she concentrated her practice in the areas of insolvency and bankruptcy law. In 2004, Ms. Bankowski was appointed to the panel of chapter 7 trustees in Massachusetts and served as a chapter 7 trustee until her appointment as chapter 13 trustee in 2006. She is a frequent lecturer on bankruptcy law and has participated in seminars for ABI, Boston Bar Association, Massachusetts Continuing Legal Education, the National Association of Chapter Thirteen Trustees, the National Business Institute and the Lorman Institute. Ms. Bankowski has authored many insolvency-related publications including “The Traps of Entrusting Your Assets to a Trust,” published by ABI (2001), and “The Keys To Understanding Chapter 13 Bankruptcies,” published in MCLE’s 1999 edition of *Chapter 7 And 13 Bankruptcy Filings*. She is a member of ABI and the Boston Bar Association, and she co-chaired the New England Chapter of the International Women’s Insolvency and Restructuring Confederation. Ms. Bankowski received her B.S. *magna cum laude* in 1990 from Emerson College and her J.D. *cum laude* in 1995 from Suffolk University Law School.

Hon. Peter G. Cary is Chief Bankruptcy Judge for the U.S. Bankruptcy Court for the District of Maine in Portland, appointed in 2014. He also serves on the U.S. Bankruptcy Appellate Panel for the First Circuit. Previously, he clerked for one year for the Maine Superior Court and in 1988 joined the law firm of MittelAsen, LLC where he practiced law until his appointment to the bankruptcy court. Judge Cary served as the treasurer of the Maine State-Federal Judicial Council and as an advisory director of the Nathan & Henry B. Cleaves Law Library. He presents at various continuing legal education seminars for lawyers and judges, including those held by the Federal Judicial Center, ABI, the Maine State Bar Association and Massachusetts Continuing Legal Education, Inc. Judge Cary is a member of ABI, the Cumberland County Bar Association, the Maine State Bar Association and NCBJ, and is certified in both Consumer and Business Bankruptcy Law by the American Board of Certification. He received his undergraduate degree *cum laude* and Phi Beta Kappa from the University of Massachusetts at Amherst in 1982 and his J.D. *cum laude* from Boston College Law School in 1987.

Randy J. Creswell is chair of Perkins Thompson, PA’s Bankruptcy/Creditor and Debtor Rights Practice Group in Portland, Maine. He has nearly 20 years of experience representing national and regional lenders, banks, financial institutions, private-equity firms, secured and unsecured creditors, and lessors in consumer and complex commercial cases under chapters 7, 11, 12 and 13 of the Bankruptcy Code. Mr. Creswell has handled numerous out-of-court workouts, receiverships and insolvency proceedings, and he is experienced in representing chapter 7 trustees, creditor committees, stalking-horse bidders and other creditors, insiders and interested parties in § 363 sales, confirmations of chapter 11 plans, adequate-protection hearings, and all aspects of bankruptcy cases throughout the Northeast and nationally, including cases pending in the Districts of Delaware, Southern District of New York, Massachusetts, California and Florida. He has prosecuted and defended hundreds of avoidance and fraudulent-transfer actions and other contested matters in bankruptcy court, and he has brought and defended many breach of fiduciary duty and nondischargeability cases. He is also proficient in Article 9 of the Uniform Commercial Code and has conducted numerous secured-party sales, strict foreclosures, power-of-sale foreclosures and judicial foreclosures. Mr. Creswell is experienced in Maine law in all aspects of the acquisition and sale of distressed real estate, whether through judicial foreclosure auctions, commercial auctions or bankruptcy sales. He is AV Peer-Review Rated for Ethical Standards and Legal Ability by Martindale-Hubbell. Since 2009, he has been listed in

The Best Lawyers in America in the field of Bankruptcy and Creditor-Debtor Rights/Insolvency and Reorganization Law, and since 2013 he has been recognized in the field of Litigation-Bankruptcy. He is also featured in *Chambers USA* and in *New England Rising Stars* for his work in the field of Bankruptcy & Creditor/Debtor Rights and Bankruptcy/Consumer and Business Litigation. Prior to joining Perkins Thompson, Mr. Creswell clerked for Hon. Gene Carter and Hon. David M. Cohen of the U.S. District Court for the District of Maine, and prior to those clerkships he served as a law clerk for the Connecticut Superior Court. He received his B.A. *cum laude* from the University of Southern Maine in 1995 and his J.D. *cum laude* from Quinnipiac College School of Law in 1997.

Hon. Diane Finkle is a U.S. Bankruptcy Judge for the District of Rhode Island in Providence, appointed on Sept. 6, 2012. She was appointed to the First Circuit Bankruptcy Appellate Panel in 2013. Since taking the bench, Judge Finkle has conducted legal education seminars for the Rhode Island Bar Association on bankruptcy topics and has served on seminar panels for ABI and MCLE/New England. Prior to her appointment, she was an attorney for 30 years with Winograd, Shine and Zacks PC in Providence, R.I., where she represented debtors, secured creditors and creditors' committees in chapter 11 bankruptcy cases, and served as counsel to bankruptcy trustees, also having served as a court-appointed receiver for various manufacturing, service and retail businesses, and commercial and residential real estate developments in numerous state court receivership proceedings. Judge Finkle had been continually listed in *The Best Lawyers in America* for Rhode Island Bankruptcy and Insolvency practitioners since 2007, and was named a *Super Lawyer* in 2008. She is a member of ABI and a former member of the Committee on Debtor and Creditor Rights of the Rhode Island Bar Association. Judge Finkle received her B.A. from Colorado University and the University of Rhode Island, and her J.D. from George Washington National Law Center at George Washington University.

Jennifer G. Hayden is a member of Molleur Law Office in Biddeford, Maine, where she focuses largely on chapter 7 and 13 consumer bankruptcy cases. She also litigates consumer and bankruptcy law violations in bankruptcy and state courts. Ms. Hayden specializes in student loan debt solutions and prioritizes her work for veterans dealing with financial hardship. Prior to joining the firm, she practiced in Massachusetts for several years at Neighborhood Legal Services in Lynn and Lawrence, where her practice focused on eviction defense for poor and disabled Massachusetts residents. Previously, Ms. Hayden spent eight years in the Maine Army National Guard as a medic and reached the enlisted rank of sergeant. Prior to going to law school, she worked as a housing advocate at Rosie's Place in Boston. Ms. Hayden is licensed to practice in Maine, New Hampshire and Massachusetts in both state and federal jurisdictions. She has taught legal studies courses at Andover College and Kaplan University, including bankruptcy and debtor/creditor rights, as well as law courses at the North Shore Community College in Danvers, Mass. Ms. Hayden is a member of ABI, the National Association of Consumer Bankruptcy Attorneys, the National Association of Consumer Advocates, the York and Cumberland County Bar Associations and the Maine Bar Association. She received the Katahdin Counsel Pro Bono Legal Service Awards each year from 2012-15. Ms. Hayden received her undergraduate degree from Northeastern University and her J.D. from New England Law in Boston in 2002.

Bruce B. Hochman is a shareholder and member of Eaton Peabody's Business Practice Group in Portland, Maine. For over 35 years, Bruce's practice has focused on a broad range of banking and private business clients in connection with all aspects of bankruptcy proceedings, workouts and com-

mercial restructuring, insolvency, receiverships, foreclosure actions, and other financial distress and insolvency matters. He has represented a wide variety of creditors before the Maine and New Hampshire Bankruptcy Courts and has served as special counsel to the trustee, counsel to unsecured creditors' committees and special counsel in adversary proceedings. Mr. Hochman is a frequent speaker on creditors' rights and obligations, collection and foreclosure law, and bankruptcy issues. In addition, he has substantial trial experience in both federal and state courts, involving a wide range of businesses and individuals in commercial litigation construction disputes, mechanic's liens, arbitrations and contract negotiations. Mr. Hochman is listed in *The Best Lawyers in America* for Bankruptcy and Creditors' Rights and in *Super Lawyers* for Bankruptcy and Creditors' Rights, and he is rated AV-Preeminent by Martindale-Hubbell. He received his B.S. from the University of Northern Colorado in 1978 and his J.D. from Gonzaga University School of Law in 1981.

Hon. Elizabeth D. Katz is a U.S. Bankruptcy Judge for the District of Massachusetts in Springfield, appointed on March 13, 2017, and assigned to the Western and Central Divisions. From 1995-2007, she was an assistant district attorney for the Northwestern District Attorney's Office, and she was chief of the District Court Prosecutors from 2000-07. Judge Katz was an associate at the firm of Katz, Argenio and Powers, PC from 2007-08 and later became an associate at the Ostrander Law Office from 2008-13, where she concentrated her practice on bankruptcy law. At Ostrander Law Office, she represented a chapter 7 trustee in adversary proceedings, counseled individuals and businesses in financial distress, and represented clients in bankruptcy cases. In 2013, she formed and operated The Law Office of Elizabeth D. Katz, focusing on criminal defense and bankruptcy law. Immediately prior to her appointment, she had been a founding partner at Rescia, Katz & Shear, LLP since 2015. An active member of the Hampshire County, Hampden County and Massachusetts Bar Associations, Judge Katz served as president of the Hampshire County Bar Association from 2012-14. She also was co-chair of both the Massachusetts Bar Association's Western Massachusetts Bankruptcy Symposium and the Western Division of the M. Ellen Carpenter Financial Literacy Program. In 2016, Judge Katz was awarded the Massachusetts Bar Association's Community Service Award. In addition, she has been a frequent panelist and lecturer on the topics of both criminal and bankruptcy law. Judge Katz received her undergraduate degree from the University of Vermont in 1991 and her J.D. from Boston University School of Law, where she received the Edward F. Hennessey Award in 1994.

Hon. Enrique S. Lamoutte is Chief U.S. Bankruptcy Judge for the District of Puerto Rico in San Juan, initially appointed in November 1986. He is also a judge for the U.S. Bankruptcy Appellate Panel for the First Circuit, for which he served as chief judge. Judge Lamoutte previously clerked for U.S. District Judge Hernan G. Pesquera of the U.S. Bankruptcy Court for the District of Puerto Rico and was chief of the Civil Division of the U.S. Attorney's Office. He is also a retired colonel of the Puerto Rico Air National Guard. Judge Lamoutte graduated from Boston College and the University of Puerto Rico Law School.

Christopher M. Lefebvre is an attorney with Claude Lefebvre, Christopher Lefebvre, P.C in Pawtucket, R.I., where he practices consumer bankruptcy law with an emphasis on mortgage litigation and foreclosure defense. He testified at a congressional hearing regarding loan modifications in the bankruptcy process and was co-counsel in the Sears multi-district class action bankruptcy litigation, which eventually became one of the largest bankruptcy scandals of the 1990s, involving more than 187,000 unfiled reaffirmation agreements. A former member of the Debtor/Creditor Committee of

the Rhode Island Bar Association and a frequent speaker on consumer bankruptcy issues at seminars sponsored by the Rhode Island Bar Association, ABI, the National Association of Consumer Advocates and the National Association of Consumer Bankruptcy Attorneys, Mr. Lefebvre was the 2000 recipient of the Distinguished Champion of The Order of Protectors of Consumer Debtors from the National Association of Consumer Bankruptcy Attorneys and twice received the Rhode Island Bar Association's Pro Bono Publico Award for his commitment to equal access to justice for the poor. Mr. Lefebvre also received the "Award of Merit" from the Rhode Island Bar Association in 2008 for his contributions in the areas of bankruptcy and consumer protection. Previously, he clerked for the Rhode Island Superior Court. Mr. Lefebvre is admitted to the state and federal bars of Rhode Island and Massachusetts and the U.S. Circuit Court of Appeals for the First Circuit, and he is a member of the bar of the U.S. Supreme Court. He received his B.S. from Boston College in 1985 and his J.D. from Suffolk University Law School in 1988.

Charles A. Maglieri is a sole practitioner with Advanced Bankruptcy Legal Services in Bloomfield, Conn., and concentrates his areas of practice in bankruptcy and bankruptcy related cases, loan workouts, common law compositions, and arrangements and business organizations. He has represented both creditors and debtors in all chapters of bankruptcy law; however, since 1986, he has limited his practice to representing debtors in both consumer and commercial cases. Mr. Maglieri is a member of the Connecticut Bar Association's Commercial Law and Bankruptcy Section, the Hartford County Bar Association's Commercial Law and Bankruptcy Section, ABI, the National Association of Chapter 13 Trustees and the National Association Consumer Bankruptcy Attorneys, and he is a volunteer mediator for the Bankruptcy Court Mediation Program at Hartford, as well as the moderator for its Consumer Bankruptcy Roundtable Discussions. He has held prior teaching positions at Western New England College School of Law and Tunxis Community College, lecturing on the code of professional responsibility, criminal law, constitutional law, evidence and court procedure. Mr. Maglieri is admitted to practice law in the State of Connecticut and its trial and appellate courts, the U.S. District Court for the District of Connecticut, the U.S. Court of Appeals for the Second Circuit and the U.S. Supreme Court. He is currently working on revisions of the Local Bankruptcy Rules of Court for the Connecticut Bankruptcy Court and is drafting the District of Connecticut Standard Form Chapter 13 Plan. Mr. Maglieri received his B.A. from Central Connecticut State College and his J.D. from Western New England College School of Law.

John S. McNicholas is a creditor's rights attorney with Korde & Associates, P.C. in Lowell, Mass., and has more than 25 years of experience representing institutional lenders and national mortgage-loan servicers in judicial and nonjudicial foreclosure actions, evictions, bankruptcy proceedings, title clearance and litigation defense. He regularly represents lenders and loan servicers in the state and federal courts of Massachusetts, New Hampshire and Rhode Island in a variety of litigated matters. Mr. McNicholas is a member of the Massachusetts, New Hampshire, Rhode Island and Wisconsin State Bars. He is also admitted to practice before the federal districts courts of Massachusetts, New Hampshire and Rhode Island and before the First Circuit Court of Appeals. He recently concluded a five-year rotation on the Local Bankruptcy Rules Committee for the District of Massachusetts, and he has served on several professional-development panels sponsored by the Massachusetts Continuing Legal Education, Inc., the Boston Bar Association and ABI concerning foreclosure and bankruptcy-related topics. Mr. McNicholas received his B.A. *cum laude* in 1981 from Tufts University and his J.D. in 1985 from Marquette University Law School.

Kate E. Nicholson is a founding partner of the firm of Nicholson Herrick LLP in Cambridge, Mass., where she specializes in representing individuals, small businesses and trustees in all variety of bankruptcy matters. She is a member of ABI and is currently serving on the Chapter 7 Committee of its Consumer Bankruptcy Commission. She is also a member of the Boston Bar Association, for which she serves as co-chair of its Bankruptcy Section's Public Service Committee and as a member of its Strategic Planning and Steering Committees. Ms. Nicholson has presented on a wide range of bankruptcy issues at events such as the Federal Judicial Center's training for bankruptcy judges and the National Consumer Law Center's consumer rights litigation conference. She has written articles and educational materials for the *Norton Annual Survey of Bankruptcy Law*, the Boston Bar Association, Massachusetts Continuing Legal Education and ABI, and is co-editor for Consumer Bankruptcy Law for the *Norton Annual Survey of Bankruptcy Law*. In addition to practicing as an attorney, Ms. Nicholson teaches legal research and writing at Boston University School of Law. She received her B.A. from the University of Pittsburgh and her J.D. from Harvard Law School.

Jeffrey T. Piampiano practices law out of the Portland, Maine, office of Drummond Woodsum, where he is a member of firm's Bankruptcy, Restructuring & Creditors' Rights and Trial Services groups and his practice focuses on bankruptcy matters and debtor/creditor litigation. He also currently serves as a private panel chapter 7 trustee in the District of Maine and has administered hundreds of cases, including cases for businesses and individuals. In this role, as well as in connection with representation of other trustees, he has sold distressed assets and avoided recovering fraudulent and preferential transfers. When he is not serving as a trustee, Mr. Piampiano regularly represents secured and unsecured creditors, debtors and other trustees in bankruptcy cases in Maine, New Hampshire and Vermont. Notably, he has twice served as counsel to the bankruptcy trustees for Great Northern Paper Co., helping them recover millions of dollars to distribute to creditors. He also is experienced in representing parties in commercial disputes before federal and state courts involving receiverships, mechanics' liens and other statutory liens, and collection matters. Mr. Piampiano has served on the board of directors of the Cleaves Law Library for over a decade, and he regularly contributes articles and presents at seminars and conferences on bankruptcy law and civil litigation. He is listed in *Chambers USA*, *The Best Lawyers in America* and *New England Super Lawyers*. Mr. Piampiano received his M.S. in 1996 from the University of Maine and his J.D. in 2000 from Northwestern University School of Law.

John Rao is an attorney with the National Consumer Law Center, Inc. in Boston, where he focuses on consumer credit, mortgage servicing and bankruptcy issues, and he has served as a panelist and instructor at numerous bankruptcy and consumer law trainings and conferences. He is a contributing author and editor of *NCLC's Consumer Bankruptcy Law and Practice*, co-author of *NCLC's Foreclosures*, and author of *Bankruptcy Basics*, *Guide to Surviving Debt* and *NCLC Reports: Bankruptcy and Foreclosures Edition*. He is also a contributing author to *Collier on Bankruptcy* and a member of its editorial board, as well as a contributing author to the *Collier Bankruptcy Practice Guide*, and has authored articles for the *ABI Journal*. Mr. Rao served as a member of the federal Judicial Conference Advisory Committee on Bankruptcy Rules from 2006-12, appointed by Chief Justice John Roberts, and has served as an expert witness and testified before Congress on consumer matters. He is a conferee of the National Bankruptcy Conference, a Fellow of the American College of Bankruptcy, board member of the National Association of Consumer Bankruptcy Attorneys and the National Consumer Bankruptcy Rights Center, and is a former ABI Board member. He has also served as an adjunct

faculty member at Boston College School of Law. Mr. Rao is a graduate of Boston University and received his J.D. from the University of California.

William H. Sandstead has been the staff attorney for Peter Fessenden, the Chapter 13 Trustee for the District of Maine in Brunswick since 2007. Previously, he operated a solo law practice in Portland, Maine. Mr. Sandstead is a member of the bars of Maine (active) and Massachusetts (inactive). He has served as a public member on the Maine regulatory boards for pharmacy and cosmetology and on the boards of nonprofit organizations in Maine. Mr. Sandstead received his undergraduate degree in philosophy from Oberlin College in 1990 and his J.D. from the University of Maine School of Law in 1993.

Peter N. Tamposi is a practitioner with Tamposi Law Group, P.C. in Nashua, N.H., and represents debtors, debtors in possession and trustees in all aspects of reorganization and liquidation, including pre-petition negotiations with secured creditors, prepackaged plans, workouts, restructuring, § 363 sales and forbearance agreements. He specializes in small business reorganization under chapter 11 and has litigation experience, including conducting and coordinating all aspects of general commercial litigation in both state and federal courts representing plaintiffs and defendants. Mr. Tamposi also represents creditors in areas including involuntary bankruptcies, litigation in bankruptcy court involving stay relief, foreclosure and secured party sales, creditor committee representation, negotiation of cash collateral and debtor-in-possession financing arrangements, negotiation, documentation and restructuring of loan obligations, defense of avoidance claims and lien-termination actions, objections to discharge and dischargeability, and third-party plans. Prior to opening his own firm, he was a partner in the Financial Restructuring Group of Nixon Peabody, LLP. A member of the American Bar Association, ABI and the New Hampshire Bar Association, Mr. Tamposi also serves on the boards of directors of the Nashua Children's Home, the Nashua Education Foundation and the Nashua Chamber of Commerce. In addition, *Business New Hampshire Magazine* named him the top bankruptcy lawyer in New Hampshire in 2012 and 2014. Mr. Tamposi received his B.A. from the University of New Hampshire and his J.D. in 1995 from Suffolk University Law School.