

2021 ACBA Bankruptcy Symposium

Title:	Consumer Hodgepodge
Synopsis:	This panel will discuss new and relevant issues in consumer bankruptcy practice. It will address COVID issues including Standing Orders issued in the United States Bankruptcy Court for the Western District of Pennsylvania, application of new subsection 1328(i), and the end of eviction moratoriums and, correspondingly, the role of the Loss Mitigation Program. The panel will also discuss general consumer issues including judicial estoppel in chapter 13 cases, Chapter 13 compensation, and consumer filing rates and predictions, among others.
Sponsor:	 Fox Rothschild <small>LLP</small> ATTORNEYS AT LAW

Program Participant Bios

Organizer and Moderator	<p style="text-align: center;">DAVID VALENCIK, CALAIARO VALENCIK, P.C.</p> <p>David Z. Valencik was born in Pittsburgh, Pa. on March 17, 1983. He received his Undergraduate Degree in Business Administration with a double major in Finance and Investment Management from Duquesne University in 2005. At Duquesne University, David was forward for the Duquesne University ACHA Division I Men’s Ice Hockey team. The Ice Dukes were ranked 9th in the national standings in 2005. David received his Juris Doctor Degree from the Thomas M. Cooley Law School in 2009.</p> <p>David was previously an employee for Parkvale Bank in Fayette County, Pennsylvania. He was a Law Clerk for Davis & Davis, Attorney’s at Law in Uniontown, Pennsylvania. While in Law School he completed an externship with Schiffman & Wojdowski in Pittsburgh, Pennsylvania.</p> <p>Mr. Valencik continued his legal experience as an employee of Calaiaro & Corbett, P.C. in 2009. He was admitted to the Pennsylvania Bar in 2010. Since then he has been involved in the representation of Debtor’s. He is frequently involved in the Chapter 7 (liquidations); Chapter 11 (business reorganizations) and Chapter 13 (individual reorganizations) cases of the firm.</p> <p>David is currently a member of the Allegheny County Bar Association, Bankruptcy section, and the American Bar Association.</p>
Panelist	<p style="text-align: center;">THE HONORABLE PATRICIA M. MAYER, UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA</p> <p>Judge Mayer was appointed on March 11, 2020 to the United States Bankruptcy Court for the Eastern District of Pennsylvania, Reading Division. Prior to joining the bench, Judge Mayer focused her practice on representing individuals and small business owners in consumer bankruptcy cases, IRS Collection matters and mortgage foreclosure defense. Judge Mayer was a member of the National Association of Consumer Bankruptcy Attorneys (NACBA) where she served as the 3rd Circuit Community Leader. She was also a member of the Board of Directors for the Consumer Bankruptcy Assistance Project (CBAP) and served as Chair of the Eastern District of Pennsylvania Bankruptcy Conference. In March of 2014, Ms. Mayer was selected to serve on the Eastern District of Pennsylvania Local Rules Committee and tasked with drafting the new Model Chapter 13 Plan currently being used in the District along with revisions to other local procedures and rules. Judge Mayer is a frequent lecturer and course planner</p>

	<p>for the Pennsylvania Bar Institute and the Eastern District of Pennsylvania Bankruptcy Conference. Judge Mayer graduated, magna cum laude, from De Sales University with a B.A. in Politics in 1991. She earned her J.D. degree from Temple University School of Law in 1997 and was the recipient of the Barrister's Award for Excellence in Trial Advocacy.</p>
<p>Panelist</p>	<p>RONDA J. WINNECOUR, CHAPTER 13 STANDING TRUSTEE FOR THE WESTERN DISTRICT OF PENNSYLVANIA</p> <p>Ronda Winnecour was appointed Chapter 13 Standing Trustee for the Western District of Pennsylvania in October of 1999. A graduate of the University of Pittsburgh and Duquesne University School of Law, she has practiced law since 1979. Prior to appointment as Trustee, she served as an Assistant District Attorney for Allegheny County from 1979-1989 and as the Allegheny County Juvenile Court Master-presiding over thousands of delinquency matters- from 1989-1999.</p> <p>During her tenure as Trustee, Ronda has participated in or chaired hundreds of programs on Chapter 13 bankruptcy including chairing the Eighteenth Annual Allegheny County Bar Association Bankruptcy Symposium in December of 2005. She has served two terms as Chair of the Bankruptcy and Commercial Law Section of the Allegheny County Bar Association; is a member of the Erie Bar Association, the Pennsylvania Bar Association, the Women's Bar of Western Pennsylvania and is a member of the Women in the Law Committee. She is also a member of the American Bankruptcy Institute. In June 2011, Ronda became a faculty member of the Advanced Consumer Practice Institute which provides litigation training, nationwide, for bankruptcy practitioners.</p> <p>Currently, Ronda is the Chair of the Due Process Committee of the National Association of Chapter 13 Trustees, serves as in-house counsel to the association and sits on the Outreach, Legislative, Mortgage and Acceptance and Inclusion Committees. She is a former member of the Board of Directors. Recently, Ronda assisted the American Bankruptcy Institute in providing national training concerning Chapter 12 (family farmers) and the preparation and presentation of Master Classes in Chapter 7, 12 and 13 bankruptcy cases.</p> <p>In the fall of 2020, Ronda Winnecour, became a fellow of the American College of Bankruptcy.</p>
<p>Panelist</p>	<p>KERI P. EBECK, BERNSTEIN BURKLEY, P.C.</p> <p>Keri is a partner and co-manager in the Bankruptcy & Restructuring practice group of Bernstein-Burkley, P.C. in Pittsburgh, Pennsylvania. As a Partner, she handles commercial, consumer, and real estate bankruptcy matters, as</p>

	<p>well as she is the co-manager of the bankruptcy group. Keri is certified by the American Board of Certification in consumer bankruptcy. Keri is the past Chair of the Allegheny County Bar Association Bankruptcy and Commercial Law Section, which is responsible for studying bankruptcy and commercial law and informing its members of proposed changes to related legislation. Keri is currently servicing as the Vice Chair of the Finance and Investment Committees for the Allegheny County Bar Association.</p> <p>A member of the American Legal & Financial Network (ALFN), Keri was awarded the 2017 JPEG: Picture the Future Award, which recognizes stand-out young professionals for their achievements and commitment to the mortgage servicing industry. She is a member of the ALFN's Bankruptcy and Women in Legal Leadership Committees and is a member of Legal League 100.</p> <p>Keri is also a member and the finance committee chair of the Judith K. Fitzgerald Western Pennsylvania Bankruptcy American Inn of Court and a member of the Turnaround Management Association. She is licensed in Pennsylvania and New Jersey, and is admitted to practice before the U.S. District Court for the Eastern, Middle, and Western Districts of Pennsylvania; the U.S. District Court of New Jersey; the U.S. District Court for the Northern District of Ohio; the U.S. District Courts of Northern and Southern Districts of Indiana; the U.S. District Courts for the Eastern, Northern, Southern, and Western Districts of Texas; the Third Circuit Court of Appeals; and the U.S. Supreme Court.</p> <p>Keri has spoken on bankruptcy and collection topics nationally at the ALFN Answers annual conference as well as ALFN's Bankruptcy conference since 2013. Keri also speaks, plans sessions and moderates regularly for the Allegheny County Bar Association, NBI and Pennsylvania Bar Institute on bankruptcy, collections and repossessions. Keri has also presented several on site client seminars as well as hosted webinars for clients, prospective clients and industry representatives on bankruptcy and collections. Keri was recently recognized in the 2020 edition of Pennsylvania Best Lawyers for Bankruptcy and 2020 Lawdragon 500 Leading U.S. Bankruptcy and Restructuring Lawyers List.</p> <p>Keri is an active volunteer with Make-A-Wish Foundation, Greater Pennsylvania and West Virginia Chapter.</p>
<p>Panelist</p>	<p>DONALD R. CALAIARO, CALAIARO VALENCIK, P.C.</p> <p>Donald R. Calaiaro has qualifications that are not equaled in Western Pennsylvania. He is a former Chapter 13 Trustee and a former Chapter 7 Trustee. He is one of only a few lawyers in the United States with a dual certification by the American Board of Certification as a Specialist in both</p>

Consumer Bankruptcy Law and Business Bankruptcy Law.

In practice since 1978, he focuses his practice on representing debtors in bankruptcy, mortgage foreclosure defenses, unfair debt collection litigation and other debtor's rights cases. He is known for his aggressive and dedicated representation of his clients, which include consumers, small businesses, contractors, retailers, restaurateurs and professionals.

Donald R. Calaiaro is a frequent instructor and lecturer in the field of bankruptcy law through his association with the Pennsylvania Bar Institute and the Western Pennsylvania Debtors Bar. He has also appeared as a witness before the Pennsylvania Legislature to advocate for debtor protection laws, as well as an expert witness in bankruptcy litigation.

In addition to his bankruptcy experience, Mr. Calaiaro is also well versed in handling other legal issues that often arise during insolvency proceedings such as real estate issues, IRS matters, criminal law, domestic relations law, personal injury, estate and trusts, contracts, Uniform Commercial Code matters and construction law.

Donald R. Calaiaro has worked on more than 10,000 cases as a trustee or debtor's lawyer. He handles consumer and business cases in Chapter 7 (liquidations), Chapter 11 (business reorganizations), Chapter 13 (individual reorganizations) and Chapter 12 (family farmer reorganization).