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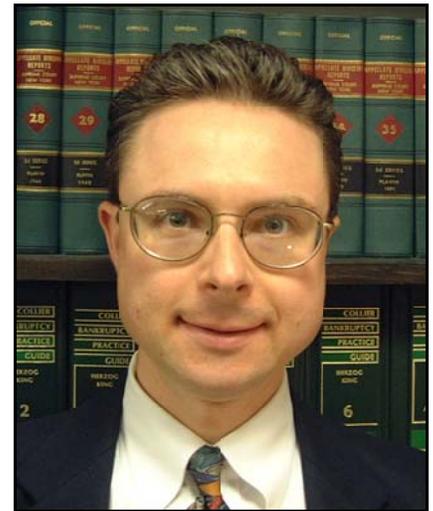
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## CONSUMER BANKRUPTCY

# New Bankruptcy Judges Meet Bankruptcy Bar

*And Former Chief Judge Jumps Firms*

by Craig D. Robins, Esq.



**CRAIG D. ROBINS, ESQ.**

In my column last month, I provided some background information on Judge Alan S. Trust, who was sworn in on April 2, 2008. Two weeks later, Robert E. Grossman was sworn in as our other new bankruptcy judge. He began sitting on the bench on May 1, 2008. These judges replace Judge Melanie Cyganowski and Judge Stan Bernstein, who both retired from the bench last year.

### Association Hosts Meet and Greet

The Suffolk County Bar Association sponsored a "meet and greet" event last month to introduce our two new bankruptcy judges to the bankruptcy bar. Several dozen bankruptcy practitioners attended,

eager to meet and greet the new judges.

### Judge Grossman Just Sworn In

Judge Grossman, like Judge Trust, hails from a practice that concentrates in commercial and corporate bankruptcy matters.

Before ascending to the bench, Judge Grossman was a partner at Duane Morris LLP, a large, national, business-oriented firm with about 650 attorneys. There he practiced in the area of corporate law, business reorganization, financial restructuring and litigation. A significant part of his practice focused on providing advice to

troubled or newly restructured companies and investors, with respect to their financing needs.

He began his legal career as a government lawyer at the Securities & Exchange Commission in Washington, D.C. enforcing laws pertaining to corporate finance. Before joining Duane Morris, Judge Grossman was chair of the restructuring practice group at Arent Fox, another large national firm. A graduate of Rider University, he earned his J.D. in 1973 from Brooklyn Law School.

Judge Grossman was also a recent vice chair of the International Secured Transactions and Insolvency Committee of the

American Bar Association, Section of International law.

### **Judge Grossman Entertains Crowd**

Engaging in informal discussions with the attorneys at the meet and greet, Judge Grossman told stories about his some of his cases, attorneys he had dealt with, and his children.

In discussing his bankruptcy practice, Judge Grossman commented that he truly liked bankruptcy matters and felt totally content working in this field. His practice involved cases primarily in the Southern District, and he believed that "crossing the border" meant going to court in New Jersey.

Addressing some of his philosophies about practicing law, he commented on the importance of treating counsel and adversaries with respect and emphasized that he would expect no less from attorneys appearing before him. "I will treat litigants and those who come before me as I would like to be treated," he said.

He also emphasized that lawyers should be prepared, that they should succinctly explain their case, and that they should keep things moving, noting that "delay doesn't do any good."

He also shared some information about his family – he has twin daughters, one who married five years ago and one who just got married. One of them had twins herself. He joked that he was glad his daughters got married and was now looking forward to spending more time with his large-screen TV.

### **So Does Judge Trust**

Judge Trust also held court with those eager to learn more about him. However, contrary to Judge

Grossman, Judge Trust was slightly more reserved about his personal life, but joked about it saying, "the rest of the info about me is still sealed. You'll have to file a FOIL request to get anything."

A native of Texas since 1984, Judge Trust explained that it was proper protocol in Texas courts for counsel to ask the judge, "may I be excused," at the conclusion of their case. When asked if he expected counsel here to do so, he joked, "it depends how much you want to brownnose."

Judge Trust highlighted his desire to develop a more efficient way of running the Courthouse and how cases there are processed. Citing an example, he said, "we've all paid attention to consumer practitioners by scheduling lift stay motions on dates when we anticipate you'll be in the Courthouse."

He also noted that he posted some very specific chambers rules, which can be viewed on the Court's official website. He drew attention to a new rule that telephone calls to chambers are now prohibited. Saying that, "some people will call and some will not, I want to eliminate the perception that there will be some advantage to calling chambers." He also thought that chamber's staff is too busy to have to deal with calls and would be better off spending time dedicated to moving calendars along. He said that if counsel wanted to make a request, they could do so by e-mail.

Judge Trust also commented that he was hoping to create an open dialogue with the bankruptcy bar and hoped to get around to creating a forum to do so in the near future.

### **Update on Judge Cyganowski**

This past week, Former Chief Bankruptcy Judge Melanie Cyganowski joined the law firm of Otterbourg, Steindler, Houston & Rosen, P.C. as a partner. When she left the bench last year, she had joined the firm Greenberg Traurig . She has now jumped firms to become a member of Otterbourg's creditors' rights and insolvency practice group.

In a statement, Judge Cyganowski remarked, "After being on the bench for fourteen years, I have seen just about every creditors' rights issue from every viewpoint and understand how cases can take different twists and turns. It's a unique perspective that I believe translates well into private practice."

Of her new firm, Cyganowski noted, "Otterbourg has experience and expertise that rivals any large financial law firm and surpasses many. Its focus on the creditors' rights field meant it has been part of most major bankruptcies, whether representing a creditors' committee, secured or unsecured creditors, a lender or a potential buyer of assets. I am greatly looking forward to being able to contribute to the practice."

Incidentally, Judge Cyganowski's predecessor, Chief Judge Conrad B. Duberstein, chaired Otterbourg's creditors' rights and insolvency department before moving to the bench, about twenty-five years ago.

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**Editor's Note:** (revised 2008):  
*Craig D. Robins, Esq., a regular columnist, is a bankruptcy attorney who has represented thousands of consumer and business clients during the past twenty years. He has offices in Medford, Commack, Woodbury and Valley Stream. (516) 496-0800. He can be reached at CraigR@CraigRobinsLaw.com. Please visit his Bankruptcy Website: CraigRobinsLaw.com.*