

Statement of Jack F. Williams

Before the House Judiciary Subcommittee on Commercial and Administrative Law

H.R. 4044

To amend the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 to exempt from the means test in bankruptcy cases, for a limited period, qualifying reserve-component members

April 1, 2008

I. INTRODUCTION

Mr. Chairman and members of the Subcommittee, my name is Jack Williams. I am a Professor of Law at Georgia State University College of Law in Atlanta, Georgia, and currently the Robert M. Zinman Resident Scholar at the American Bankruptcy Institute (ABI). I am pleased to appear today to speak about pending legislation that would amend the Bankruptcy Code (the "Code") to help activated reservists and national guardsmen in the bankruptcy process through an exemption from the application of the means test found at Bankruptcy Code section 707(b).

Founded on Capitol Hill in 1982, the ABI is a non-partisan, non-profit association of over 11,000 professionals involved in bankruptcy and insolvency, representing both debtors and creditors in consumer and business cases. The ABI is not an advocacy group and does not take lobbying positions on legislation before Congress or advocate any particular result in matters pending before the courts. Rather, the ABI is a neutral source for information about the bankruptcy system (such as how courts are interpreting provisions of the Bankruptcy Code) and a resource for members of Congress and their staff considering changes to the Code. As an academic, and as the ABI resident scholar, I am permitted to give my personal views on legislation, but those views should not be taken as the views of the ABI.

At Georgia State, I teach and write primarily in the areas of bankruptcy law (including business and consumer bankruptcies), taxation, homeland security, and military law. My C.V. is Attachment 1 to this written statement, but let me briefly say that after graduating from George Washington University Law School, clerking for Judge William J. Holloway, Jr., of the U.S. Court of Appeals for the Tenth Circuit, and working for four years in the Dallas, Texas office of Hughes and Luce, I joined the faculty of Georgia State University College of Law, where I have taught for the past seventeen years. For calendar year 2008, I am serving as the Scholar in Residence at the ABI in Alexandria, Virginia.

Today's subject is not new to me; for over twenty years I have devoted time to military personnel issues, including debt, payday loans, credit counseling, bankruptcy, and security clearance issues. Along with a colleague of mine, Susan H. Seabury of BDO Seidman, LLP, and several volunteer law students, I have represented on a pro bono basis several Servicemembers with serious and pressing financial issues. Recently, I, along with Ms. Seabury, completed a research project and report on *Debt, Bankruptcy and the Servicemember Civil Relief Act*, which

will be published by Norton's Annual Survey of Bankruptcy Law. I am also co-authoring a book on Bankruptcy and the Servicemembers Civil Relief Act set for publication this summer 2008.

As the Resident Scholar at the ABI, I have studied the pending legislation (and prior related bills) which exempts certain activated reservists and national guardsmen from the means test embodied in section 707 of title 11 of the United State Code, that is, the Bankruptcy Code.

My testimony today will focus on H.R. 4044. That proposed bill seeks to exclude activated reservists and national guardsmen from the means test found in Bankruptcy Code section 707(b).

First, I will discuss the concept and application of means testing as presently framed by Chapter 7 of the Bankruptcy Code. Second, I will discuss the special protections provided military personnel, especially in the areas of debt collection and bankruptcy. I will also address the national security concerns that military debt generates. Third, I will address the specific Bill before this subcommittee, the problem it addresses, the need for such a bill, and its internal harmony with other provisions of the Bankruptcy Code and the Servicemembers Civil Relief Act.

II. MEANS TESTING UNDER THE BANKRUPTCY CODE

On April 20, 2005, President Bush signed into law Senate bill number 256, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA). BAPCPA is the most substantial revision of bankruptcy law since enactment of the Bankruptcy Reform Act of 1978. More specifically, BAPCPA dramatically changed several aspects of individual consumer bankruptcy law and, for the first time, imposed what is commonly known as a "means test" to determine individual consumer debtor eligibility for relief under chapter 7 of the Bankruptcy Code. BAPCPA generally became effective as to cases filed on or after October 17, 2005.

A. Types of Consumer Bankruptcy Cases

Although an individual debtor may commence a case under chapter 11 of the Bankruptcy Code, the vast majority of cases filed by individual consumer debtors are under either chapter 7 or chapter 13.

1. Chapter 7

A bankruptcy case under chapter 7 of the Bankruptcy Code is a liquidation. Often, you hear lawyers refer to chapter 7 cases as "straight" bankruptcies. Generally, all of the debtor's non-exempt assets are collected by the chapter 7 trustee (who is always appointed by the U.S. Trustee) who identifies, collects, liquidates, and distributes them. Importantly, a debtor's postpetition income earned from services personally performed is not property of the estate, that is, most postpetition income remains with the debtor and is not used to satisfy prepetition claims. The proceeds from non-exempt assets are distributed to the various creditors who filed a proof of claim before the deadline known as the bar date.¹ The assets claimed as exempt by the debtor

¹ See 11 U.S.C. § 726 (2006).

are retained by the debtor for a fresh start.² The case is closed once the estate is fully administered.

For the individual debtor, the ultimate goal of a chapter 7 case is an order of discharge, which discharges the debts owed by the debtor to the creditors that arose before the order for relief and enjoins the creditors from ever collecting on their discharged claims from the debtor.³ Chapter 7 discharges are reserved for individuals; partnerships and corporations may not receive a chapter 7 discharge.

For the creditors, the ultimate goal of a chapter 7 case is the efficient collection, liquidation, and distribution of estate property in satisfaction of allowed claims. The distribution of estate property to satisfy allowed secured and unsecured claims is made in accordance with the distributional scheme embodied in the Bankruptcy Code.

2. Chapter 13

Chapter 13 is limited to individuals with regular income who meet certain debt limits.⁴ A chapter 13 case is in some ways similar to a chapter 11 case in that the goal of a chapter 13 case is rehabilitation of the debtor and not liquidation. The debtor keeps all the assets, exempt and non-exempt, and attempts to make payments pursuant to a chapter 13 plan or schedule of payments over three to five years. Further, a chapter 13 trustee operates as the disbursing agent, distributing estate property, including disposable income, in accordance with the terms of the chapter 13 plan. Essentially, the debtor makes one payment to the chapter 13 trustee who then divides that payment by the debtor into many small payments to the creditors. The chapter 13 plan is generally funded through the debtor's postpetition disposable income. The concept behind chapter 13 is that a debtor with significant postpetition income should use a portion of that income over three to five years to pay back a significant portion of his prepetition debt.

B. What does the means test do?

The means test is found in section 707(b) of the Bankruptcy Code.⁵ That section was amended to provide for dismissal of chapter 7 cases or conversion to chapter 13 (with the debtor's consent) upon a *finding of abuse* of the bankruptcy process by an individual debtor with primarily consumer debts. There are two ways to find abuse. First, abuse may be found through an un rebutted presumption of abuse, arising under a new means test. Second, abuse may be found on general grounds, including bad faith, determined, after notice and hearing, under the totality of the circumstances.

The presumption of abuse, set out in new § 707(b)(2), is triggered by a means test, designed to determine the extent of a debtor's ability to repay general unsecured claims. The means test has

² See 11 U.S.C. § 522 (2006).

³ See 11 U.S.C. §§ 727, 524 (2006).

⁴ 11 U.S.C. § 109(e) (2006).

⁵ For an excellent discussion of means testing and some of the present problems in its application, see Eugene R. Wedoff, *Major Consumer Bankruptcy Effects of BAPCPA*, 2007 Illinois L. Rev. 31. I highly recommend Judge Wedoff's writings in the consumer bankruptcy area.

three elements: (a) a definition of “current monthly income,” measuring the total income a debtor is presumed to have available; (b) a list of allowed deductions from current monthly income, for purposes of support and repayment of higher priority debt; and (c) a defined “threshold of abuse,” at which the income remaining after the allowed deductions would result in a presumption of abuse.⁶ Practice under the Bankruptcy Code has established that the application of the means test is a complex process and has increased the costs of chapter 7 bankruptcy representation.

The other basis for a finding of abuse, applicable under § 707(b)(3) where the presumption does not apply or has been rebutted, is that the debtor filed the petition in bad faith, or that the totality of the debtor’s financial circumstances indicates abuse. The U.S. trustee, bankruptcy administrator, or judge can assert this basis for finding abuse in any case; creditors and case trustees are limited to asserting it in cases where the debtor’s income is above the defined state median. The totality of circumstances test is a fact-specific inquiry. Under this approach, a bankruptcy court holds an evidentiary hearing to determine whether, under all the facts and circumstances of the case, a debtor is acting in bad faith or abusing the bankruptcy process and should be denied chapter 7 relief or, with the debtor’s consent, the case should be converted to chapter 13 of the Bankruptcy Code.

C. Who can challenge abuse of the bankruptcy process?

Section 707(b)(2)(C) requires debtors to file a statement of their calculations under the means test as part of the schedule of current income and expenditures under section 521. If the presumption arises, the court is required to notify creditors within ten days of the filing of the petition.⁷ In addition, the U.S. trustee or bankruptcy administrator is required to review the debtor’s materials and file with the court, within “10 days after the first meeting of creditors,” a statement as to whether the presumption of abuse arises. A copy of the statement must be provided to all creditors by the court. If the presumption arises, the U.S. trustee or bankruptcy administrator must file either a motion under §707(b) or a statement explaining why the motion is not being filed.⁸

Section 707(b)(1) generally allows *any party in interest*, as well as the court on its own initiative, to bring a motion seeking dismissal of a chapter 7 case for abuse. However, there are significant limitations to this broad standing provision. Section 707(b)(6) provides that only the judge, U.S. trustee or bankruptcy administrator may bring the motion if defined “current monthly income” or “CMI” does not exceed a defined state median.⁹ Moreover, under section 707(b)(7), the means test presumption is completely inapplicable to debtors if defined CMI is below that median. In addition, section 707(b)(2)(D) makes the means test inapplicable to certain disabled veterans.

⁶ Eugene R. Wedoff, *Major Consumer Bankruptcy Effects of BAPCPA*, 2007 Illinois L. Rev. 31.

⁷ *Id.*

⁸ *Id.*

⁹ *Id.*

D. How is the means test applied?

To apply the means test, courts look at the debtor's current monthly income, which is the average income for the six months prior to filing, and compare it to the median income for that state. Specifically, "Current monthly income" is defined in section 101(10A) as a monthly average of all the income received by the debtor (and the debtor's spouse in a joint case)—including regular contributions to household expenses made by other persons, but excluding benefits under the Social Security Act and certain victim payments—during the six month period ending with the last day of the calendar month preceding the filing, as long as the debtor files a Schedule I (Statement of Current Income). Thus, for example, if a bankruptcy case were filed in March, as long as the debtor filed Schedule I, current monthly income would be the average monthly income received by the debtor during the preceding September through February.¹⁰

For example, the median annual income for a single wage-earner in Georgia is \$36,412. If the income is below the median, then Chapter 7 remains an option. If the income exceeds the median, the remaining parts of the means test are triggered and must be considered.

Under section 707(b)(2)(A)(i), two situations exist that may trigger the means test presumption of abuse. First, if the debtor has at least \$166.67 in current monthly income available after the allowed deductions (\$10,000 for five years), abuse is presumed regardless of the amount of the debtor's general unsecured debt. Second, if the debtor has at least \$100 of such income (\$6,000 for five years), abuse is presumed if the income is sufficient to pay at least 25% of the debtor's general unsecured debt over five years.

In summary, under the means test, a Chapter 7 filing is presumed to be abusive if the debtor's monthly income, reduced by numerous allowances and living expenses, and multiplied by 60 (that is, over a five-year period), is greater than \$10,000. If income thus adjusted is less than \$6,000, there is no presumption of abuse, and the debtor is free to choose Chapter 7, unless under the totality of the circumstances, the debtor is nonetheless abusing the bankruptcy process. If adjusted income is between \$6,000 and \$10,000, abuse is presumed only if income exceeds 25% of nonpriority, unsecured debt in the case. An abusive Chapter 7 filing is subject to dismissal or conversion.

E. How is the presumption of abuse rebutted?

A Chapter 7 petition by a debtor who passes the means test is presumed to be abusive. To rebut the presumption, section 707(b)(2)(B) requires that a debtor prove under oath that "special circumstances" exist.¹¹ These special circumstances are such that their existence would decrease income or increase expenses so as to bring the debtor's income after expenses below the trigger points. The law also provides that this presumption may be rebutted by demonstrating other forms of "special circumstances," such as a serious medical condition or a call to active duty in the Armed Forces, which justify additional expenses or adjustments to current monthly income. The emerging view among bankruptcy courts is that "special circumstances" is generally strictly construed.

¹⁰ *Id.* However, if the debtor failed to file Schedule I, then the six-month period would end on the date that the court determines "current monthly income."

¹¹ *Id.*

III. SERVICEMEMBER RELIEF

Great sacrifices are made by the men and women who serve honorably in our armed services protecting this Nation. Along with the sacrifices of military personnel, a servicemember's dependants sacrifice mightily as well. At least since the Civil War, Congress and many states have enacted remedial legislation designed to protect "those who dropped their affairs to answer their country's call."¹² In one of the earliest cases relating to the Soldiers and Sailors Civil Relief Act ("SSCRA"), (amended and renamed the Servicemembers Civil Relief Act ("SCRA") in 2003), the Supreme Court, in *Boone v. Lightner*,¹³ noted: "The Soldiers' and Sailors' Civil Relief Act is always to be liberally construed to protect those who have been obliged to drop their own affairs to take up the burdens of the nation."¹⁴ This allows the servicemember to devote his/her "...entire energy to the defense of the nation"¹⁵ in a manner "...unhampered by obligations incurred prior to their call."¹⁶

In response to the financial distress placed on personnel by the call up of the Reserves and the National Guard in Operation Enduring Freedom (OEF) and Operation Iraqi Freedom (OIF), Congress enacted the SCRA, a broad ranging remedial act designed to protect those who protect the Nation, which in many instances enlarged protections that existed under the SSCRA.

When it comes to servicemember protection or special dispensation, we do not approach a clean canvas. There is a long history of protecting servicemembers that reaches deep into the early years of this country. Moreover, although servicemember protection was heralded as a noble act of a grateful country, even the most ardent advocates recognized that servicemember protection must be balanced against legitimate judicial process.

Protective legislation began in the town that gives us Mardi Gras. During the War of 1812, as the British marched toward New Orleans, Louisiana promulgated its stay law, staying civil actions for four months during hostile activity.¹⁷ During the Civil War, the federal government and some states also enacted legislation staying actions to which a member of the armed forces was a party.¹⁸ These Civil War era provisions were generally tied to times of active combat. The purposes of these early attempts to protect servicemembers centered on building and maintaining an army and navy during time of war, reducing distractions of those who served, and protecting the integrity of the civil judicial process. Thus, the dual purposes of establishing and maintaining a military force whose members may devote their complete attention to protecting this country and of protecting the integrity of the civil judicial process remain stable directional points in our application and understanding of the SCRA to bankruptcy and financial distress issues.

¹² *LeMaistre v. Leffers*, 333 U.S. 1, 6 (1948).

¹³ 319 U.S. 561, 63 S.Ct. 1223, 1231, 87 L.Ed. 1587

¹⁴ *Boone*, 319 U.S. at 575, 63 S.Ct. at 1231.

¹⁵ *Engstrom v. First National Bank of Eagle Lake*, 47 F.3d 1459, 1462 (5th Cir.1995)

¹⁶ *Omega Industries, Inc. v. Raffaele*, 894 F.Supp. 1425, 1434 (D.Nev.1995).

¹⁷ H.R. Rep. 108-81, 2004 U.S.C.C.A.N. 2367, 2377.

¹⁸ *Id.*

The ABI is in the process of developing materials to guide the bankruptcy professional in providing aid to servicemembers who may, or may not, fully understand their rights and protections. Further, the ABI is also in the developmental stages of a program to provide assistance to these servicemembers on a *pro bono* basis.

A. Military Personnel Debt Loads

There is a serious military personnel debt problem that transcends the traditional debtor/creditor issues we regularly face. For example:

- **56%** of enlisted military personnel report difficulty with family finances. (*Military Family Research Institute*)
- **47%** of members say they are in “over their head” with their own expenses. (*Military Family Research Institute*)

The Department of Defense (“DoD”) has been aware of the pressing financial situation of military personnel for over a decade and as taken steps, along with Congress, to help remedy some of the problems and abuses associated with debt shouldered by military personnel. Two DoD surveys conducted in 1997 and 2002, respectively, showed that more than a quarter of service members had financial problems. The 1997 survey found 27 percent of servicemembers had trouble paying their bills and 21 percent reported being called by bill collectors. Nine percent had pawned valuables and 4 percent reported having utilities disconnected, had cars and trucks repossessed, or had to declare bankruptcy. The 2002 study found that one in four junior military members had serious problems making ends meet. Another 4 percent regarded themselves as “in over their heads” financially. About 20 percent of military members reported being pressured by creditors -- about twice the rate of civilians polled in the same survey. Twenty-seven percent of military members said they had trouble paying bills, compared to 19 percent of civilians. The credit problems were worse in the Army and Marine Corps. The Air Force had the fewest problems. The Navy estimated it lost \$250 million in productivity and salary losses because of poor financial management by service members.

The Congress has recognized this problem by providing certain remedies and protections. Congress has capped the interest rate on payday loans to military personnel. Congress has substantially amended the SCRA to cap the interest rate on certain debts, to prevent foreclosure, and to stay administrative and judicial proceedings. And, in the Bankruptcy Code itself, Congress has identified as “special circumstances” activation to active duty of personnel of the Armed Forces and has presently exempted from the means test certain disabled veterans.

B. Security Clearances at Risk

One of the biggest reasons for concern beyond the traditional debtor/creditor scenario is the security risks associated with bad credit. Presently, the military uses 13 guidelines to determine initial and continued eligibility for access to classified information. Any soldier, sailor, marine, or airman with a shaky financial history could be considered unreliable or untrustworthy and therefore a security risk. Thus, indebtedness is a rationale for revocation or denial of a security clearance.

The number of security clearances of Sailors and Marines revoked or denied due to financial problems has soared from 124 in 2000 to 1,999 in 2005. The six-year total was 5,482, a 1512.1% increase in the number of clearances lost. In 2006, the number of clearances lost was approximately 2,654. Easily, the primary reason military personnel lose their security clearance is financial difficulty.¹⁹ Thus, high levels of debt are costing thousands of military personnel their security clearances and preventing them from serving critical duty. Defense officials say the increase in security denials has not undermined the military's fighting ability, even as U.S. troops are stretched thin in Iraq and Afghanistan. They acknowledge, however, that it has complicated the job of assembling some critical combat units.

Because of the consequences of excessive debt, particularly a debt level from about 30% to 40% of income, many servicemembers do not aggressively address their debt issues. For a servicemember, debt is not only a personal financial issue; it may also be a career killer.

IV. THE PROPOSED LANGUAGE AND EFFECT

The stated purpose of the bill before you today is to amend the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 to exempt from the means test in bankruptcy cases, for a limited period, qualifying reserve-component members who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 60 days. The class of potential debtors sought to be protected by this bill is targeted and consists of citizen soldiers who have answered their country's call to service. The new text will read:

- (E)** Subparagraphs (A) through (C) shall not apply, and the court may not dismiss or convert a case filed under this chapter based on any form of means testing--
 - (i)**
 - (I)** while the debtor is on, and during the 180-day period beginning immediately after the debtor is released from, a period of active duty (as defined in section 101(d)(1) of title 10²⁰) of not less than 60 days; or
 - (II)** while the debtor is performing, and during the 180-day period beginning immediately after the debtor is no longer performing, a homeland defense activity (as defined in section 901(1) of title 32²¹) performed for a period of not less than 60 days; and
 - (ii)** if after September 11, 2001, the debtor while a member of a reserve component of the Armed Forces or a member of the National Guard, was called to such active duty or performed such homeland defense activity.²²

¹⁹ *Seapower*, June 2006.

²⁰ The term "active duty" means full-time duty in the active military service of the United States. Such term includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty.

²¹ The term "homeland defense activity" means an activity undertaken for the military protection of the territory or domestic population of the United States, or of infrastructure or other assets of the United States determined by the Secretary of Defense as being critical to national security, from a threat or aggression against the United States.

²² I would re-write this provision by striking current section (ii) and renumbering (i)(I)-(II) and (i) and (ii).

The scope of this bill is limited to include only our “citizen soldiers” – those who had “real lives” they left to answer their country’s call. Many of these brave men and women not only left their families and put their very lives on the line, they took a substantial cut in pay as well. A quick review of the pay tables for the military shows that the annual pay of the rank and file of those who protect us most assuredly cannot be called “highly compensated.” Further, while the SCRA does provide some protections, the suspension of foreclosure and the 6% interest rate cap do little to make up for the loss of gross income. Further, in the case of small businesspersons, these protections do not prevent the failure of a business of which the servicemember is the key if not sole employee. For these men and women, not only do they in fact suffer a substantial cut in pay, they face the loss of a business they may have spent years growing.

In my personal opinion, what this bill does is to tell these servicemembers that they do not have to hold on and deal with the pressures of creditors and the risk to their security clearance until the “taint” of their significantly better paying civilian job is removed from the rolling six month calculation. Further, it says we respect the honor you have shown by your service and give you the benefit of the doubt with regard to whether you would lower yourself to “abuse” the system. Yes, military service is among the “special circumstances” that can rebut the presumption of abuse, but that presumption is still there and the servicemember must pay counsel out of funds he or she does not have to rebut that presumption.

There are those who say, but what about the servicemember who can afford to repay a portion of his or her debts through a chapter 13? This bill does not foreclose a finding of abuse that would require a debtor to convert from a chapter 7 to a chapter 13 through section 707’s other provisions. Rather, it simply says in appreciation for your honorable service, we are not going to ask you to jump through these additional hoops and bear the burden of being presumptively abusive, rather we are going to give you the benefit of the doubt and require the United States Trustee or the court on its own motion to bring up the issue of abuse only if it is warranted by the facts and circumstances of each individual case.

V. CLOSING REMARKS

This Country asks much of its military personnel and their dependents. In order to protect those who protect this Country, while simultaneously protecting the integrity of the bankruptcy system, the bill is designed to provide procedural protections to servicemembers who seek relief under chapter 7 of the Bankruptcy Code. The bill presumes that activated reservists and national guardsmen that file a chapter 7 petition have filed their petitions in good faith. It would then be incumbent upon certain parties in interest, including the U.S. trustee, and the bankruptcy court, to object to chapter 7 relief. A court could then determine in an individualized manner whether, under the totality of the circumstances, a reservist or national guardsmen has engaged in abuse of the bankruptcy process. The bill appears to strike a pragmatic balance to ensure that the bankruptcy process does not unfairly disadvantage our Nation’s citizen soldiers.

* * *

Thank you again for the opportunity to appear today. Please do not hesitate to call upon me or the ABI if we can be of further assistance on this or any other bankruptcy policy issue.

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PROFESSIONAL EXPERIENCE

ACADEMIA

TEACHING

PROFESSOR	August 1999 - Present
ASSOCIATE PROFESSOR	August 1994 - August 1999
ASSISTANT PROFESSOR	August 1991 - August 1994

**Georgia State University College of Law
Middle East Institute, Atlanta, Georgia**

Subjects: Admiralty; Advanced Bankruptcy Seminar; Bankruptcy and Insolvency Taxation; Business Bankruptcy; Civil Procedure I and II; Commercial Law (Lending and Payment Systems); Corporations; Federal and State & Local Income Taxation; Islamic Law and Custom; Law & Anthropology; Law & Statistics; Mergers and Acquisitions; Reorganizations; Sports Law; Science, Technology & Law; Terrorism and Threat Assessment.

Honors: Honored by graduating class as a faculty participant in Hooding Ceremony (Spring 1992, Spring 1993, Fall 1994, Spring 1997, Spring 2007). Selected as one of the Top Ten Bankruptcy Academics in the United States and one of the Top Ten Bankruptcy Accounting & Taxation Specialists in the United States.

INAUGURAL ROBERT M. ZINMAN SCHOLAR IN RESIDENCE American Bankruptcy Institute, Alexandria, Virginia.	January 2008 - Present May 2001 - December 2001
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ADJUNCT LECTURER FEDERAL LAW ENFORCEMENT TRAINING CENTER	JULY 2007 - Present
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SPECIAL ADVISOR, THREAT ASSESSMENT & TERRORISM STUDIES The MITRE Corporation (contractor, supporting various government agencies) McLean, Virginia	JULY 2004 - Present
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Intelligence, Terrorism (Domestic and International) and Counter-Terrorism, Radicalization of Religiously-Motivated Terrorist Groups, Homeland Security, Border and Port Protection, Prediction Models, Statistical Modeling, Threat Matrix and Scoring, Tactical and Strategic Threat Assessment, Forensic Accounting and Terrorist Financing, National Security Law.

INAUGURAL SCHOLAR IN RESIDENCE
Association of Insolvency and Restructuring Advisors
Medford, Oregon.

March 2004 - Present

INSTRUCTOR
NATIONAL ASSOCIATION OF CREDIT MANAGERS

JULY 2003 - Present

VISITING PROFESSOR
University of Georgia Law School
Athens, Georgia

AUGUST 2006 – Present

Subjects: Bankruptcy.

VISITING PROFESSOR
New York Law School
LL.M. Program in Taxation
New York, New York

JUNE 2004 – Present

Subjects: Bankruptcy Tax and Accounting, Federal Income Tax Law.

ADJUNCT PROFESSOR
New York University School of Law
New York, New York

September 1992 - Present

Subjects: Basic and Advanced Bankruptcy and Insolvency Taxation, Internal Revenue Service/NYU Continuing Professional Education Program, Washington, D.C. Selected to teach the first Chief Counsel Tax Law Course via the IRS Satellite network to over 250 participants at over forty sites across the country.

ADJUNCT PROFESSOR
Georgia State University
Graduate Sports Administration Department
College of Education, Atlanta, Georgia.

January 1994 – August 2001

Subjects: Sports Law and Business; Governance and Ethics in Sports.

VISITING PROFESSOR
St. John's University School of Law
LL.M. Program in Bankruptcy
New York, New York

September 1999 - August 2000

Subjects: Advanced Bankruptcy Reorganization; Advanced Partnership Bankruptcy and Taxation; Bankruptcy Accounting; Bankruptcy Ethics, Fraud, and Malpractice; Bankruptcy Theory Seminar; Bankruptcy and Insolvency Taxation; Bankruptcy and Insolvency Research Seminar; Law and Statistics (Measuring Commercial Damages); Sports Law and Business.

VISITING ASSOCIATE PROFESSOR
Yeshiva University
Benjamin N. Cardozo School of Law
New York, New York

Summer 1995

Subject: Property

ADVISORY AND HONORARY

FELLOW & 11TH CIRCUIT REGENT
AMERICAN COLLEGE OF BANKRUPTCY

March 2004 - Present

ADVISORY BOARD
LL.M Program in Bankruptcy
St. John's University School of Law.

August 1999 - Present

ACADEMIC BOARD
Journal of Corporate Renewal
Turnaround Managers Association
Boston, Massachusetts

November 2001 – Present

ADVISOR
USDLC Board of Directors
Non-Profit Multi-State Educational Consortium
Flowery Branch, Georgia

January 2006 – Present

BOARD MEMBER-AT-LARGE
Georgia Governor's Office for Children and Families
(*Gubernatorial Appointee*)
Atlanta, Georgia

May 2005 – Present

ADVISORY BOARD
American Bankruptcy Institute Law Review
St. John's University School of Law.

August 1993 - Present

EDITORIAL BOARD
Asset Protection Journal
Panel Publishers
New York, New York

August 1993 – December 2002

DEAN OF FACULTY
American Board of Certification
Alexandria, Virginia

January 1998 - December 1999

TAX CONSULTANT/RUSSIAN FEDERATION
Georgia State University Consortium
Georgia State University
Atlanta, Georgia

April 1998 - August 1999

Draft Tax and Regulatory Codes for the Russian Federation with emphasis on Energy and Natural Resource (Electricity, Oil & Gas, Minerals, Timber, and Transportation).

TAX ADVISER **February 1997 - October 1997**
National Bankruptcy Review Commission

CHAIRMAN **February 1997 - October 1997**
Tax Advisory Committee
National Bankruptcy Review Commission

COMMENTARY

LEGAL COMMENTATOR **2002 - 2003**
American Bar Association Central and Eastern European Bar Initiative

Draft Bankruptcy Law for Bulgaria. Served as Official Commentator on Bankruptcy Laws.

LEGAL COMMENTATOR **1995 - 1996**
American Bar Association Central and Eastern European Bar Initiative

Draft Bankruptcy Law for the Republic of Croatia. Served as Official Commentator on Bankruptcy Laws.

REPORTER (BANKRUPTCY TAXATION) **1994 - 1996**
American Bankruptcy Institute Bankruptcy Code Review Project.

PROFESSIONAL

DIRECTOR **May 1999 - Present**
BDO Seidman, LLP, New York

Financial Recovery Services (Business Reorganizations, Accounting, Valuations, and Bankruptcy Fraud), Fraud Investigation and Recovery Services (Financial Fraud, Fraudulent Transfers, and Money-Laundering), Litigation Support Services, and Tax Services.

CONSULTANT **August 1991 - May 1999**
Atlanta, Georgia.

Counter-Terrorism & Homeland Security, Antiquities & Money Laundering Detection, Forensic Accounting, Bankruptcy Accounting, Litigation Support, Taxation, Fraud Investigation, and Damages and Statistical Modeling.

GRAND JURY CONSULTANT **April 1998 - August 1999**

Georgia Jury Commission
Fulton County, Georgia

Provide consultation and recommendations for the selection and qualifications of grand jurors.
Constructed a statistical model to explore racial makeup of grand juries.

ARBITRATOR

January 1998 - February 1998
July 1996 - August 1996

United States Olympic Committee Olympic Arbitration Panel

Served as arbitrator in the Winter 1998 Olympics in Nagano, Japan, and in the Summer 1996 Olympics in Atlanta, Georgia.

ASSOCIATE

November 1987 - August 1991

Hughes & Luce, Dallas, Texas.

JUDICIAL LAW CLERK

August 1985 - September 1987

The Honorable William J. Holloway, Jr.
Chief Judge, United States Court of Appeals for the Tenth Circuit.

EDITORIAL ASSISTANT

August 1983 - May 1985

Food and Drug Law Journal
Washington, D.C.

MEDIATOR

August 1983 - May 1985

National Law Center, George Washington University.
Washington, D.C.

HONORS, GRANTS AND AWARDS

Research Funding, Carleton University Critical Infrastructure Protection Center, **Religious Justification for Al Qaida Attacks on Petroleum Related Industries** (2008).

Association of Insolvency and Restructuring Advisors, Certification in Distressed Business Valuations (CDBV).

Association of Insolvency and Restructuring Advisors, Certified Insolvency and Restructuring Advisor (CIRA), **Kroll Zolfo Cooper Randy Waits Award -- Gold Medal**, Highest Grade on 2004 Certification Examination.

Faculty Development Institute, **Connecting Teaching With Technology**, University Systems of Georgia, 1998-1999.

National Housewares Manufacturers Association, **Comparative Analysis of German Insolvency Law**, 1998.

Case Financial, **Empirical Study of Collateral Dispositions under Article 9 of the Uniform Commercial Code**, 1998.

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PUBLICATIONS

WORKS IN PROGRESS

Essential of Business Bankruptcies (American Bar Association tent. pub. date Dec. 2008).

Manipulating and Hiding Terrorist Content on the Internet: Legal and Tradecraft Issues (tent. pub. date 2008).

A Reference Guide to Open Source Intelligence (work in progress).

Within The Shadow of Islam: The Illegitimacy of Terror Movements in the Name of Islam (work in progress).

BOOKS AND CHAPTERS

McQueen & Williams on Tax Aspects of Bankruptcy Law and Practice (3d ed.) (Two Volumes)(West Group 1997)(with C. Richard McQueen).

Cumulative Supplements 2008 - 1997

Bankruptcy and The Servicemember Civil Relief Act (ABI 2008)(with Susan H. Seabury).

Volumes 1 and 2: Kennedy, Countryman, and Williams on Partnerships, Limited Liability Entities, and S Corporations in Bankruptcy (Aspen Law & Business *formerly* Little, Brown & Company) (with Vern Countryman & Frank R. Kennedy).

Cumulative Supplements 2003 - 2001

Terrorist Threat Analysis: Sharpening the Traditional Threat Formula, collected in **Wiley Handbook of Science and Technology for Homeland Security** (John G. Voeller ed. 2008).

Norton Bankruptcy Law and Practice 2nd (contributing author [four chapters] – William L. Norton, III and Hon. William L. Norton, Jr. eds. 2008).

2005 Bankruptcy Revisions: Implications for Business and Financial Advisors (contributing author [three chapters] – Grant Newton ed. 2005).

The Tax Man Cometh: New York Yankees and Taxes, collected in **Courting the Yankees: Legal Essays on the Bronx Bombers** (Ettie Ward ed. 2003).

Tax Aspects of Bankruptcy Law and Practice (2d ed.) (Two Volumes)(Shepard's/McGraw-Hill 1994)(with C. Richard McQueen).

Cumulative Supplements 1997 - 1995

Creditors' Rights and Bankruptcy (Matthew Bender 1993)(with Pamela Williams).

ARTICLES

Debt, Bankruptcy, Taxes and The Servicemember Civil Relief Act, 2008 Norton Annual Review ___ (tent. pub. date 2008)(with Susan H. Seabury).

A Tribute to Professor Frank R. Kennedy, ___ Am. Bankr. Inst. J. ___ (March 2008).

Squaring Bankruptcy Valuations with Daubert Demands, ___Am. Bankr. Inst. L. Rev. ___ (2008)(with Hon. Stan Bernstein and Susan H. Seabury).

Understanding Terrorism Risk and Its Possible Impacts, ___ Oil & Gas Journal 2008 (with David Weinberg and Glenn Coplton).

The Home Mortgage Meltdown: Some Relief for Borrowers, 22 AIRA Journal 4-5 (Mar./Apr. 2008).

Independent Examiners and Internal Investigations, Director's Monthly 11-12 (Feb. 2008) (with Bill Lenhart).

The Myths of Going Concern Valuations, 22 AIRA Journal 4-5 (Jan./Feb. 2008).

American Classic as a “Classic” on Insolvency and Preferences, 22 AIRA Journal (Oct./Nov. 2007).

Daubert and Financial Expert Testimony in Bankruptcy Courts, 22 AIRA Journal (Aug./Sep. 2007).

The Empowerment of Bankruptcy Courts in Addressing Financial Expert Testimony, 80 Am. Bankr. L.J. 101-190 (2007)(with Hon. Stan Bernstein and Susan H. Seabury).

The Challenges of Limited Liability Companies in Bankruptcy: Part II, 21 AIRA Journal 4-9 (June/July 2007).

The Challenges of Limited Liability Companies in Bankruptcy: Part I, 21 AIRA Journal 4-7 (Apr./May 2007)

Preference Defenses, 21 AIRA Journal 4-5 (Feb./Mar. 2007).

State and Local Tax Issues in Bankruptcy Under BAPCPA, 20 AIRA Journal 4-7 (Aug./Sep. 2006).

Tax Consequences of Postpetition Income as Property of the Estate in an Individual Debtor Chapter 11 Case and Tax Disclosure in Chapter 11, 13 Am. Bankr. Inst. L. Rev. 701-731 (2006)(with Jacob L. Todres)(symposium).

The Coming Revenue Revolution in Sports, 42 Willamette L. Rev. 101-139 (2006)(symposium).

The Case of the Missing Punctuation Mark, 20 AIRA Journal 4-5 (Aug./Sep. 2006).

Director and Officer Liability in the Zone of Insolvency, 14 The Corporate Governance Advisor 28-32 (May/June 2006)(with William K. Lenhart).

Assessing the Liability of Officers, Directors of Corporate Debtors, Dow Jones Daily Bankruptcy Review (October 26, 2005)(with William K. Lenhart).

Aggressive Tactics Required to Combat Fraud: Top Down Commitment is Essential, Journal of Corporate Renewal (August 2005)(with William K. Lenhart)

Managing Preference Claims, National Association of Bankruptcy Trustees Journal (2004).

Caution: You are Now Entering the Zone of Insolvency, J. Turnaround Management 77-80 (Spring 2004)(with William K. Lenhart).

Who Owns the Back of a Baseball Card? Rights of Publicity in a World of Broadcasting, 23 Cardozo L. Rev. 1705-1718 (2002) (symposium).

Debunking the Myth Engulfing Article 9 Collateral Dispositions, 9 Am. Bankr. Inst. L. Rev. 703-735 (2001).

Bifurcation for Claim Filing Purposes of a Corporate Tax Year That Straddles the Petition Date, 9 Am. Bankr. Inst. L. Rev. 463-466 (2001).

Integrating American Indian Law into the Commercial Law and Bankruptcy Curriculum, 37 Tulsa L. Rev. 557-571 (2001) (symposium).

The Truth About The New Value Exception to the Absolute Priority Rule in Bankruptcy Reorganization, 22 Cardozo L. Rev. 1303-1334 (2000) (with David Gray Carlson).

Distrust: The Rhetoric and Reality of Means-Testing, 7 Am. Bankr. Inst. L. Rev. 105-131 (1999)(symposium).

A Collision of Policy: Chapter 13 and Taxes, 50 S.C. L. Rev. 313-342 (1999)(symposium)(with Tamara Ogier).

Bankruptcy Implications of Member and Member-Manager Interests in Limited Liability Companies, 1 Asset Protection J. 33-51 (1999).

Does All the Glitter Really Protect the Gold?, 1 Asset Protection J. 59-63 (1999)(with Alexander A. Bove, Jr.).

Bankruptcy Crimes and Bankruptcy Practice, 6 Am. Bankr. Inst. L. Rev. 317-358 (1998)(symposium)(with Tamara Ogier).

National Bankruptcy Review Commission Recommendations on Tax Policy: Corporate and Partnership Debtors, 14 Bankr. Dev. J. 261-309 (1998).

Title VII and the Reserve Clause: A Statistical Analysis of Salary Discrimination in Major League Baseball, 52 U. Miami L. Rev.461-528 (1998)(with Jack C. Chambless).

Charitable Contributions as Fraudulent Transfers, 3 J. Asset Protection 49-53 (1998).

A Comment on the Tax Provisions of the National Bankruptcy Review Commission Report: The Good, The Bad, and The Ugly, 5 Am. Bankr. Inst. L. Rev. 445-462 (1997)(symposium).

National Bankruptcy Review Commission Recommendations on Tax Policy: Individual Debtors, Discharge, and Priority of Claims, 14 Bankr. Dev. J. 101-171 (1997).

An Empirical Study of the Disposition of Quality of Life Crimes in Atlanta Municipal Courts (Georgia State University 1997).

A Statistical Approach to Claims Estimation in Bankruptcy, 32 Wake Forest L. Rev. 1119-1155 (1997)(with David S. Salsburg).

Canning the Chapter 13 Super Discharge, 4 Am. Bankr. Inst. L. Rev. 553-55 (1996).

Moving as a Fraudulent Transfer, 1 J. Asset Protection 62-66 (1996).

The Duty of a Bankruptcy Trustee to File Federal Information Returns on Behalf of a Debtor-Partnership, 3 Am. Bankr. Inst. L. Rev. 295-328 (1995)(symposium)(with James I. Shepard).

The Federal Tax Consequences of Individual Debtor Chapter 11 Cases, 46 S.C. L. Rev. 1203-1244 (1995)(symposium), reprinted in 47 Digest of Tax Articles 23-43 (1996).

Rethinking Bankruptcy and Tax Policy, 3 Am. Bankr. Inst. L. Rev. 153-206 (1995)(symposium).

Disclaiming an Inheritance as Fraudulent Transfer, 1 J. Asset Protection 63-66 (1995).

Process and Prediction: A Return to a Fuzzy Model of Pretrial Detention, 79 Minn. L. Rev. 325-90 (1994).

The Tax Consequences of Abandonment Under the Bankruptcy Code, 67 Temp. L. Rev. 301-53 (1994).

The Fallacies of Contemporary Fraudulent Transfer Models as Applied to Intercorporate Guaranties: Fraudulent Transfer Law as a Fuzzy System, 15 Cardozo L. Rev. 1403-73 (1994).

Classifying Pretrial Detention Decisions Under the Bail Reform Act of 1984: A Statistical Approach, 30 Am. Crim. L. Rev. 255-336 (1993).

Counting Creditors Under Code § 303(b): The Tale of the Ubiquitous "Such," Norton Bankr. L. Advisor 7-9 (June 1992).

Revisiting the Proper Limits of Fraudulent Transfer Law, 8 Bankr. Dev. J. 55-130 (1991).

Application of the Cash Collateral Paradigm to the Preservation of the Right to Setoff in Bankruptcy, 7 Bankr. Dev. J. 27-63 (1990).

A Regulatory Model for Genetic Testing in Employment, 40 Okla. L. Rev. 181-208 (1987), reprinted in 2 **Employment Testing** 251-53 (Aug. 1, 1988).

The Differential Treatment of Men and Women by Artificial Reproduction Statutes, 21 Tulsa L.J. 463-484 (1986), reprinted in **Legislating Morality: Private Choices on the Public Agenda** 63-88 (Shienbaum ed. 1987).

Blood Transfusions and AIDS: A Legal Perspective, 1986 Med. Trial Tech. Q. 267-300.

SEMINAR/BREIFING MATERIALS/OP-ED PIECES

Bankruptcy as Civil Remedy (Northern Virginia Bankruptcy Bar Association March 2008).

Chapter 13 and Home Mortgages: Subprime Mortgages Through the Lens of Bankruptcy (Northern Virginia Bankruptcy Bar Association March 2008).

Threat Assessment: A Robust Approach in the Nature of Non-State Actors (MITRE February 2008).

The Myths of Open Source Intelligence (MITRE February 20-08).

Analysis of Open Source (DHS December 2007)

Director and Officer Liability in Failing Businesses (Oklahoma Bankruptcy Bar Association Annual Meeting December 2007).

Limited Liability Companies in Bankruptcy (Oklahoma Bankruptcy Bar Association Annual Meeting December 2007).

The Nature of the Terrorist Threat (Conference Board of Canada – Targeting the World’s Transportation Systems: November 2007).

Human Terrain: Cultural Awareness in OEF and OIF (CENTCOM Tampa October 2007).

Project Jericho: Collection, Management, and Understanding of OSI (DHS July 2007).

An Hour + of Tax with Professor Jack Williams & Friends (Association of Insolvency and Restructuring Advisory, June 2007)

The Detection of Antiquities Laundering (DHS June 2007).

Jihadist Use of Media (DHS May 2007).

Authority and the Role of Perceived Religious Authorities Under Islamic Law in Terrorist Operations (CIA April 2007).

Emerging Threats to US Energy Infrastructure (Department of Energy April 2007).

Al-Qaida Strategic Threats to the International Energy Infrastructure (Carleton University – Ottawa Center for Infrastructure Protection March 2007).

Threats to the Oil and Gas Industry and the Legal and Regulatory Response (National Petro-Chemical and Refinery Association March 2007).

Special Tax Issues of LLC under Bankruptcy Court Jurisdiction (National Association of Bankruptcy Trustees Annual Conference March 2007).

Judicial Activism and Authority Under Islamic Law (Department of Homeland Security March 2007).

Project Jericho: Threat Assessment and the Role of Fatwas (Department of Homeland Security January 2007).

Who Owns the Back of a Baseball Card, Los Angeles Times Op-Ed Page, August 21, 2006.

Al-Qa’ida and Terror Threat Profiles: A Bayesian Analysis (CIA 2006).

Hezbollah and the Iranian Strategic Threat (Department of Homeland Security 2006).

Open Source Intelligence Analysis (The MITRE Corporation 2006).

Constitutional Issues Posed by the 2005 Amendments: Peonage and Involuntary Chapter 11 Cases (New York American Bankruptcy Institute 2006).

Bankruptcy Cases and the Supreme Court (Southeastern American Bankruptcy Institute 2006).

Trading Orders and NOLs (Association of Insolvency and Restructuring Advisors 2006).

One Year Under the New Bankruptcy Act: A Business Appraisal (Southeastern American Bankruptcy Institute 2006).

Tax-Free Spin-Offs (BDO Seidman, LLP Continuing Education Conference 2006).

Cancellation of Indebtedness Income: Current Issues Under Section 108 (BDO Seidman, LLP Continuing Education Conference 2006).

Preservation of NOLs in Bankruptcy Cases (BDO Seidman, LLP Continuing Education Conference 2006).

Project Jericho: A Process-Sensitive Approach to Intelligence Analysis (Department of Homeland Security 2006).

A Cultural and Religious Assessment of Islamist Terrorist Groups (CIA 2006).

Terrorist Money-Laundering and Financing (Department of Homeland Security 2006).

A Threat Assessment of Petroleum-Related Targets (Department of Homeland Security 2006).

Religious Authority and Targeting Petroleum-Related Interests (The MITRE Corporation 2006).

A Convergence of Threats on Petroleum-Related Interests (American Petroleum Institute 2006).

Religious Authority and the Use of CBRNE (Department of Homeland Security 2006).

Statistical Analysis of Threat: A Probabilistic Approach (Department of Homeland Security 2006).

Pipeline Threats (Department of Homeland Security 2006).

Development of Radicalization Metrics: When Movements Go Hot (Department of Homeland Security 2006).

Project Jericho: Open Source Intelligence Platform (Department of Homeland Security 2006).

Project Jericho: A Process-Sensitive Approach to Intelligence Analysis (Department of Homeland Security 2005).

Manipulating Terror-Content on the Internet: How Terrorist Groups Use and Hide Information on the Internet (Department of Homeland Security 2005).

Risk, Targeting Strategies and Attack Means (Upstate South Carolina Environmental Safety and Health Conference 2005).

Tactical and Operational Responses (Near Term) to IED's in OIF (Defense Science Board IED Task Force 2005).

Strategic Responses to Insurgencies in Iraq: An Assessment of IED Issues Posed by OIF (Defense Science Board IED Task Force 2005).

The Morphing of al-Qaida (CIA 2005).

Radicalization of Movements Within Islam and the Development of Threats Both to the US and Abroad (CIA 2005).

An Analysis of al-Qaida's Threat to the United States (CIA 2005).

The "Americanization" of Radical Islam and the Courageous Response of Moderate and Reformist Muslims (MITRE Corporation and Georgia State University 2005).

The Radicalization of Islam and its Influence in the Middle East and the South Pacific (MCIA 2005).

The Radicalization of Islam in Europe: An Analysis of Influences and Clusters (MITRE Corporation and MCIA 2005).

The Radicalization of Islam in the United States: Trends and Developments Over the Last Twenty Years (MITRE Corporation and Emory University 2005).

Al-Qaida Targeting Strategies: An Open Source Assessment (Department of Homeland Security 2005).

A Comparative Approach to the Use of OSI: A Critique of How Our Allies in the War on Terror Use and Abuse It (MITRE Corporation and Georgia State University 2005).

The Use of Emerging and Existing Information Technologies by Terrorist Groups (MITRE Corporation 2005).

Radical Islamist Movements in the United States and the Courageous Response of Moderate and Reformist Muslims (Department of Homeland Security 2005).

How Terrorist Use Publicly Available Documents and Information to Assess Targets and Vulnerabilities: Studies in the Chemical and Energy Sectors (MITRE Corporation 2005).

Your Plant May be Someone's Target: Physical Security and Terrorist Threat (ASIS September Meeting – D.C. Chapter 2005).

Terrorist Threats to the Chemical Industry (American Chemistry Council Annual Meeting 2005)(Keynote Address).

Tension Points in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 for Consumer Debtors (ABI Southeast Bankruptcy Workshop 2005)(with Susan Seabury).

Tax Issues Under the 2005 Amendments to the Bankruptcy Code (Oklahoma Bar Association – Bankruptcy Section 2005).

The Battle Within Islam I-IV (MITRE 2005).

The Battle Within Islam V-VIII (MITRE 2005).

Historical, Tribal, and Legal Influences on Terror in the Name of Islam (MITRE 2005).

Terror in Motion: A Study of Al-Qaida and a Reasoned Strategic Response (MITRE 2005).

An Analysis of al-Qaida Media Communications: 2002-2004 (Department of Homeland Security 2004).

An Analysis of Fatwas as Rules of Engagement (Department of Homeland Security 2004).

Strategic Threat Assessment (Department of Homeland Security 2004).

Role of Islamic Clerics and Religious Scholars in Setting Rules of Engagement (The MITRE Corporation 2004).

Red Cell Activity: Threat Assessment of and Countermeasures for the G-8 Summit (Department of Homeland Security 2004).

Red Cell Activity: Threat Assessment of and Countermeasures for the Super Bowl (Department of Homeland Security 2004).

Red Cell Activity: Using Computer Simulation Models to Test Counter-Terrorist Techniques (Department of Homeland Security 2004).

The Misuse of Women and Children In Terrorist Activity Under Islamic Law (Department of Homeland Security 2004).

Strategic Threat Assessment (Department of Homeland Security 2004).

The Morphing of Al-Qaida (Department of Homeland Security 2004).

Perfection of Liens (Region 21 Bankruptcy Trustee Training Session)(January 2004).

Piercing the Corporate Veil and Adequate Capitalization Requirements (AICPA Meeting October 2003)(with Glenn Pomerantz).

Hot Issues in Bankruptcy and Commercial Lending (Association of Commercial and Finance Attorneys May 2003)(with Susan H. Seabury).

Ethical Issues Faced by In-House Counsel in the Commercial Lending Practice (Association of Commercial and Finance Attorneys May 2003).

Excessive Compensation: A Critique (Society of Business Editors and Writers April 2003).

Tax Issues in Bankruptcy (American Bankruptcy Institute Annual Meeting April 2003).

Consumer Bankruptcy Nuts and Bolts (American Bankruptcy Institute Annual Meeting April 2003).

Sovereign Immunity in Bankruptcy (American Bankruptcy Institute Annual Meeting April 2003).

Life Just Got Worse: The Interface of Domestic Relations with Bankruptcy Law (Southeastern Bankruptcy Law Institute March 2003)(with Susan H. Seabury).

Bankruptcy and Taxes (Southeastern Bankruptcy Law Institute March 2003).

Business Bankruptcy Hot Topics (American Bankruptcy Institute March 2003) (with Susan H. Seabury).

Consumer Issues: Year in Review (American Bankruptcy Institute March 2003) (with Susan H. Seabury).

The Year in Review: Professional Responsibility and Ethics (American Bankruptcy Institute March 2003) (with Susan H. Seabury).

Financial Testimony in Bankruptcy After Daubert (Georgia Bankruptcy Bar Association February 2003) (with Susan H. Seabury).

Sarbanes-Oxley: A Policy Critique (The Seminar Group February 2003) (with Susan H. Seabury).

Bankruptcy Year in Review – 2002 (Atlanta Bankruptcy Bar Association January 2003) (with Susan H. Seabury).

Bankruptcy and Taxes: COD Income (Southeastern Tax Institute December 2002).

What Did Congress Have in Mind in Enacting Sarbanes-Oxley? (Federalist Society -- Atlanta Lawyers Chapter November 2002).

The Use and Abuse of Islamic Law in Terrorism (Ohio Bankruptcy Bar Association October 2002).

Economic Consequences of Terrorism: A Bankruptcy Lawyer's Response (Georgia Bar Association January 2002).

Bankruptcy Year in Review – 2001 (Atlanta Bankruptcy Bar Association January 2002).

Tracking the Finances of Terrorist Organizations (Oklahoma Bar Association December 2001).

The Economic Consequences of Terrorist Attacks (American Bankruptcy Institute Winter Leadership Conference November 2001).

Al-Qaeda: Its Logistical, Financial and Operational Arms (Federalist Society – Georgia State University 2001).

Homeland Security: A Systems Approach (Federalist Society – Georgia State University 2001).

Project Jericho: The Use of Computer Models to Predict Future Terrorist Activity (Federalist Society – Georgia State University 2001).

Daubert and Kumho Tire: The Bankruptcy Court's Role in Assessing Expert Financial Testimony (American Bankruptcy Institute Winter Leadership Conference 2001).

Bankruptcy Tax Provisions in the New Bankruptcy Bill (ABI Teleseminar 2001).

Bankruptcy Ethics, Disinterestedness, and Indemnifications (ABI New York Conference 2001).

Pitfalls and Lessons in the New Bankruptcy Tax Bill (American Bankruptcy Institute Annual Meeting 2001).

The Use of Statistical Techniques in Constructing Damages Models (Georgia State University College of Law – Federalist Society 2001).

Emerging Issues of Liability of Officers, Directors, And Professionals of Corporate Debtors Operating in the Zone of Insolvency (Southeastern Bankruptcy Law Institute 2001).

Current Preference Issues (Southeastern Bankruptcy Law Institute 2001).

Bankruptcy Year in Review – 2000 (Atlanta Bar Association 2001).

The Use of Classification and Regression Tree Analysis to Identify Islamist Terrorists (Federalist Society – Georgia State University 2000).

Project Jericho: The Use of Computer Models to Predict Future Terrorist Activity (Federalist Society – Georgia State University 2000).

Law, Duties, and Damages Methodologies in Insolvent Corporation Scenarios (Long Island Chapter of Turnaround Managers Association 2000).

A Primer on Bankruptcy Taxation (Nassau and Suffolk County Bar Associations, Long Island, New York 1999).

The Growing Threat of Islamic Terrorism: Al-Qaeda, Egyptian Islamic Jihad, and Others (St. John's University School of Law 1999).

S Corporations in Bankruptcy (BDO Seidman, LLP CPE Program, New York 1999).

Ethical Duties of Insolvent Corporation to Creditors (Georgia Bar and Georgia State University College of Law 1999).

Food Distribution: Failure of Integration in a Merger Frenzy (Georgia State University Law and Business Schools 1999).

Indian Gaming (Federalist Society, Georgia State University and Emory University 1999)

Defenses to Preferences (Georgia Bar and Georgia State University 1998).

“But-For” and Other Commercial Damages Calculations (Georgia State University Law and Business School 1998).

Proving Insolvency Under the Bankruptcy Code (Federalist Society, Georgia State University 1998).

Indian Tribal Customs and Their Influence on Tribal Law: The Choctaw Perspective (Georgia State University 1998).

A History of Food and Drug Distribution in America (Federalist Society, Georgia State University 1998).

Why Al-Qaeda is Not Through with the World Trade Center Just Yet (Georgia State University College of Law 1998).

Intermodal Transportation and Food Distribution Systems (Federalist Society, Georgia State University College of Law 1997).

Student Handbook on Law and Statistics (Georgia State University 1997).

Safety/Risk Management Manual (Georgia State University Recreation Services 1997).

Gender Equity for Women’s Sports Coaches (Georgia State University Sports Administration Graduate Program 1996).

Freezing Funds to Preserve a Right to Setoff, 12-5-95 WLN 12231.

Title IX: An Introduction (Georgia State University Sports Administration Graduate Program 1995).

Handbook on Tax Aspects of Bankruptcy (Georgia State University College of Law Tax Clinic 1994).

Tax Issues in Bankruptcy Law & Procedure (Advanced Federal Tax Symposium 1993)(with C. Richard McQueen).

The Tax Consequences of Abandonment, collected in Hot Spots in Bankruptcy Tax (American Bankruptcy Institute 1993).

A Concise History of Islamic Terrorist Movements and Why That is Important to America (Emory University 1993).

The Separate Entity Rules: A Section 1398 Primer, collected in Hot Spots in Bankruptcy Tax (American Bankruptcy Institute 1993).

Insolvency Issues Generated By The Application of Fraudulent Transfer Law To Intercorporate Guaranties (ABA Section of Business Law, David R. Weinstein and Jack F. Williams eds. 1992).

Application of Fraudulent Transfer Laws To Intercorporate Guaranties (ABA Section of Business Law, David R. Weinstein and Jack F. Williams eds. 1991).

The Recurrence of Prebankruptcy Transfers in the Computer Industry: Fraudulent Transfer and Preference Risks Revisited*, collected in **Computer Industry Bankruptcy Issues: Trends In The Law* (ABA Section of Science & Technology, Brinson ed. 1990).

Homeland Defense: A Need for Critical Thought (Southern Methodist University 1989).

The Legal Issues Associated with International Terrorism (George Washington University School of Law 1985).

Profiling Terrorists: A CART Approach to the Problem (George Washington University School of Law 1984).

The Palestinian Liberation Organization (PLO): A Study in Terror (University of Oklahoma 1982).

The Vulnerability of Ports and Harbors to Terrorist Attacks (United States Coast Guard Academy 1980).

The History and Politics of Islamic Terrorism (United States Coast Guard Academy 1979).

PRESENTATIONS

Exit Financing and Chapter 11 Bankruptcy Cases (ABI Webinar March 2008).

Bankruptcy as Civil Remedy (Northern Virginia Bankruptcy Bar Association March 2008).

Chapter 13 and Home Mortgages: Subprime Mortgages Through the Lens of Bankruptcy (Northern Virginia Bankruptcy Bar Association March 2008).

Threat Assessment: A Robust Approach in the Nature of Non-State Actors (MITRE February 2008).

The Myths of Open Source Intelligence (MITRE February 20-08).

Presenter, Analysis of Open Source Intelligence (DHS December 2007).

Presenter, Director and Officer Liability in Failing Businesses (Oklahoma Bankruptcy Bar Association Annual Meeting December 2007).

Presenter, Limited Liability Companies in Bankruptcy (Oklahoma Bankruptcy Bar Association Annual Meeting December 2007).

Keynote Speaker, The Nature of the Terrorist Threat (Conference Board of Canada – Targeting the World’s Transportation Systems: November 2007).

Presenter, Human Terrain Assessments: Iraqi and Afghani Cultural Awareness (USCENTCOM November 2007).

Panelist, Hot Button Chapter 13 Issues (National Conference of Bankruptcy Judges – ABI Workshop November 2007).

Moderator, Daubert and Expert Financial Testimony in Bankruptcy (National Conference of Bankruptcy Judges – AIRA Breakfast November 2007).

Moderator, Update on Distressed Business Valuation Cases in Bankruptcy (AIRA – NYC September 2007).

Presenter, Insolvency (BDO Seidman, LLP Advanced Workshop July 2007).

Presenter, Distressed Business Valuations (BDO Seidman, LLP Advanced Workshop July 2007).

Keynote Speaker, Daubert Requirements in Bankruptcy Trials (AIRA Annual Meeting June 2007).

Panelist, Bankruptcy Taxation (AIRA Annual Meeting June 2007).

Presenter, Terrorism Threats to Petroleum Industry: A Strategic Look at the Problem (ConocoPhillips Security Summit June 2007).

Presenter, Statistical Techniques and Best Practices in Credit Management (NACM April 2007).

Presenter, Authority and the Role of Perceived Religious Authorities Under Islamic Law in Terrorist Operations (CIA April 2007).

Presenter, Emerging Threats to US Energy Infrastructure (Department of Energy April 2007).

Presenter, Al-Qaida Strategic Threats to the International Energy Infrastructure (Carlton University – Ottawa Center for Infrastructure Protection March 2007).

Presenter, Threats to the Oil and Gas Industry and the Legal and Regulatory Response (National Petro-Chemical and Refinery Association March 2007).

Presenter, Special Tax Issues of LLC under Bankruptcy Court Jurisdiction (National Association of Bankruptcy Attorneys Annual Conference March 2007).

Presenter, Judicial Activism and Authority Under Islamic Law (Department of Homeland Security March 2007).

Presenter, Project Jericho: Threat Assessment and the Role of Fatwas (Department of Homeland Security January 2007).

Presenter, *Coming Revenue Revolution in Sports*, Willamette Law Review Sports Law Symposium (2006).

Presenter, *Al-Qai'da and Terror Threat Profiles: A Bayesian Analysis* (CIA 2006).

Presenter, *Hezbollah and the Iranian Strategic Threat* (Department of Homeland Security 2006).

Presenter, *Open Source Intelligence Analysis* (The MITRE Corporation 2006).

Presenter, *Constitutional Issues Posed by the 2005 Amendments: Peonage and Involuntary Chapter 11 Cases* (New York American Bankruptcy Institute 2006).

Panelist, *Bankruptcy Cases and the Supreme Court* (Southeastern American Bankruptcy Institute 2006).

Moderator, *Trading Orders and NOLs* (Association of Insolvency and Restructuring Advisors 2006).

Panelist, *One Year Under the New Bankruptcy Act: A Business Appraisal* (Southeastern American Bankruptcy Institute 2006).

Presenter, *Tax-Free Spin-Offs* (BDO Seidman, LLP Continuing Education Conference 2006).

Presenter, *Cancellation of Indebtedness Income: Current Issues Under Section 108* (BDO Seidman, LLP Continuing Education Conference 2006).

Presenter, *Preservation of NOLs in Bankruptcy Cases* (BDO Seidman, LLP Continuing Education Conference 2006).

Presenter, *Project Jericho: A Process-Sensitive Approach to Intelligence Analysis* (Department of Homeland Security 2006).

Presenter, *A Cultural and Religious Assessment of Islamist Terrorist Groups* (CIA 2006).

Presenter, *Terrorist Money-Laundering and Financing* (Department of Homeland Security 2006).

Presenter, *A Threat Assessment of Petroleum-Related Targets* (Department of Homeland Security 2006).

Presenter, *Religious Authority and Targeting Petroleum-Related Interests* (The MITRE Corporation 2006).

Presenter, *A Convergence of Threats on Petroleum-Related Interests* (American Petroleum Institute 2006).

Presenter, *Religious Authority and the Use of CBRNE* (Department of Homeland Security 2006).

Presenter, *Statistical Analysis of Threat: A Probabilistic Approach* (Department of Homeland Security 2006).

Presenter, *Pipeline Threats* (Department of Homeland Security 2006).

Presenter, *Development of Radicalization Metrics: When Movements Go Hot* (Department of Homeland Security 2006).

Presenter, *Project Jericho: Open Source Intelligence Platform* (Department of Homeland Security 2006).

Lecturer, *Managing Open Accounts When Faced with Financial Distress or Bankruptcy* (National Association of Credit Managers 2006).

Presenter, *Project Jericho: A Process-Sensitive Approach to Intelligence Analysis* (Department of Homeland Security 2005).

Presenter, *Manipulating Terror-Content on the Internet: How Terrorist Groups Use and Hide Information on the Internet* (Department of Homeland Security 2005).

Key Note Speaker, *Risk, Targeting Strategies and Attack Means* (Upstate South Carolina Environmental Safety and Health Conference 2005).

Panelist, *Tactical and Operational Responses (Near Term) to IED's in OIF* (Defense Science Board IED Task Force 2005).

Presenter, *Strategic Responses to Insurgencies in Iraq: An Assessment of IED Issues Posed by OIF* (Defense Science Board IED Task Force 2005).

Presenter, *The Morphing of al-Qaida* (CIA 2005).

Presenter, *Radicalization of Movements in the Name of Islam and the Development of Threats Both to the US and Abroad* (CIA 2005).

Lecturer, *An Analysis of al-Qaida's Threat to the United States* (CIA 2005).

Lecturer, *The "Americanization" of Radical Islam the Courageous Response of Moderate and Reformist Muslims* (MITRE Corporation and Georgia State University 2005).

Lecturer, *The Radicalization of Islam and its Influence in the Middle East and the South Pacific* (MCIA 2005).

Lecturer, *The Radicalization of Islam in Europe: An Analysis of Influences and Clusters* (MITRE Corporation and MCIA 2005).

Lecturer, *The Radicalization of Islam in the United States: Trends and Developments Over the Last Twenty Years* (MITRE Corporation and Emory University 2005).

Presenter, *Al-Qaida Targeting Strategies: An Open Source Assessment* (Department of Homeland Security 2005).

Lecturer, *A Comparative Approach to the Use of OSI: A Critique of How Our Allies in the War on Terror Use and Abuse It* (MITRE Corporation and Georgia State University 2005).

Presenter, *The Use of Emerging and Existing Information Technologies by Terrorist Groups* (MITRE Corporation 2005).

Lecturer, *Radical Islamist Movements in the United States and the Courageous Response of Moderate and Reformist Muslims* (Department of Homeland Security 2005).

Lecturer, *How Terrorist Use Publicly Available Documents and Information to Assess Targets and Vulnerabilities: Studies in the Chemical and Energy Sectors* (MITRE Corporation 2005).

Speaker, *Your Plant May be Someone's Target: Physical Security and Terrorist Threat* (ASIS September Meeting – D.C. Chapter 2005).

Keynote Speaker, *Terrorist Threats to the Chemical Industry* (American Chemical Council Annual Meeting 2005)(Keynote Address).

Panelist, *Tension Points in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 for Consumer Debtors* (ABI Southeast Bankruptcy Workshop 2005).

Panelist, *Tension Points in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 for Business Debtors* (ABI Southeast Bankruptcy Workshop 2005).

Presenter, *Tax Issues Under the 2005 Amendments to the Bankruptcy Code* (Oklahoma Bar Association – Bankruptcy Section 2005).

Lecturer, *Insurgency Within: The Battle Within Islam I-VIII* (MITRE 2005).

Lecturer, *Historical, Tribal, and Legal Influences on Terror in the Name of Islam* (MITRE 2005).

Lecturer, *Terror in Motion: A Study of Al-Qaida and a Reasoned Strategic Response* (MITRE 2005).

Lecturer, *Fraud in Credit* (National Association of Credit Managers 2005).

Lecturer, *Collection Policies and Practices – Best Practices* (National Association of Credit Managers 2005).

Lecturer, *Managing Accounts Receivable in the Shadow of Bankruptcy* (National Association of Credit Managers 2005).

Lecturer, *Financial Fraud and Money Laundering* (BDO Seidman, LLP CPE Program 2005).

Panelist, *Hot Topics in Business Bankruptcy After the 2005 Amendments to the Bankruptcy Code* (Association of Insolvency and Restructuring Advisors 2005).

Panelist, *Hot Topics in Bankruptcy Taxation After the 2005 Amendments to the Bankruptcy Code* (Association of Insolvency and Restructuring Advisors 2005).

Panelist, *Hot Topics in Executory Contracts and Unexpired Leases in Bankruptcy* (American Bar Association Bankruptcy Committee 2005).

Lecturer, *Emerging Issues for Chief Restructuring Officers* (National Bankruptcy Judges Conference, Nashville, Tennessee 2004).

Lecturer, *Identifying Terrorists and Predicting Terror Events* (El Grupo, Atlanta, Georgia 2004).

Lecturer, *Religious-Motivated Terrorism in a World of WMD's* (ASIS and Metropolitan Law Enforcement Association, Birmingham, Alabama 2004).

Lecturer, *Threat Assessment* (Southern Company Corporate Security Summit: Partnering for the Future, Sandestin, Florida 2004).

Lecturer, *Threats to Energy Infrastructure* (Southern Company Corporate Security Summit: Partnering for the Future, Sandestin, Florida 2004).

Lecturer, *Credit Management Best Practices* (Georgia State University Continuing Professional Education Program 2004).

Lecturer, *Perfection of Liens* (Region 21 Bankruptcy Trustee Training Session January 2004).

Lecturer, *Active Credit Management and Distressed Accounts* (Georgia Credit Managers October 2003).

Lecturer, *Creative Techniques in Assessing Ordinary Course Transactions* (Georgia Credit Managers October 2003).

Lecturer, *Hot Issues in Bankruptcy and Commercial Lending* (Association of Commercial and Finance Attorneys May 2003).

Panelist, *Ethical Issues in the Commercial Lending Practice* (Association of Commercial and Finance Attorneys May 2003).

Panelist, *Excessive Compensation* (Society of Business Editors and Writers April 2003).

Lecturer, *Tax Issues in Bankruptcy* (American Bankruptcy Institute Annual Meeting April 2003).

Panelist, *Consumer Bankruptcy Nuts and Bolts* (American Bankruptcy Institute Annual Meeting April 2003).

Lecturer, *Sovereign Immunity in Bankruptcy* (American Bankruptcy Institute Annual Meeting April 2003).

Lecturer, *Life Just Got Worse: The Interface of Domestic Relations with Bankruptcy Law* (Southeastern Bankruptcy Law Institute March 2003).

Lecturer, *Bankruptcy and Taxes* (Southeastern Bankruptcy Law Institute March 2003).

Lecturer, *Financial Testimony in Bankruptcy After Daubert* (Georgia Bankruptcy Bar Association February 2003).

Panelist, *Sarbanes-Oxley: A Policy Critique* (The Seminar Group February 2003).

Panelist, *Bankruptcy Year in Review – 2002* (Atlanta Bankruptcy Bar Association January 2003).

Lecturer, *Bankruptcy and Taxes: COD Income* (Southeastern Tax Institute December 2002).

Lecturer, *What Did Congress Have in Mind in Enacting Sarbanes-Oxley?* (Federalist Society - Atlanta Lawyers Chapter November 2002).

Lecturer, *The Role of Islamic Law in Terrorism* (Ohio Bankruptcy Bar Association October 2002).

Lecturer and Coordinator, *Homeland Security and Counter Terrorism Symposium* (Georgia State University College of Law, Atlanta, Georgia November 2002)

Lecturer, *America's Response to Islamist Terrorism* (Sixth Circuit – U.S. Court of Appeals Judicial Conference, Cleveland, Ohio June 2002).

Lecturer, *Business Bankruptcy Review* (Association of Insolvency and Restructuring Advisors Annual Convention May 2002).

Lecturer, *Commercial Law Reform: Bankruptcy Taxation and Predatory Lending* (American Bankruptcy Institute Annual Meeting April 2002).

Lecturer, *Islamist Terrorism: Threat and Threat Assessment* (Atlanta Scholars Kolllel, Atlanta, Georgia, April 2002).

Lecturer, *Economic Consequences of Terrorism: A Bankruptcy Lawyer's Response* (Georgia Bar Association January 2002).

Panelist, *Integrating American Indian Law in the Traditional Commercial Law Curriculum* (American Association of Law Schools – Section on American Indians and Indigenous Peoples January 2002).

Panelist, *Bankruptcy Year in Review* (Atlanta Bar Association 2002).

Lecturer, *Tracking the Finances of Islamist Terrorist Organizations* (Oklahoma Bar Association December 2001).

Lecturer, *Georgia's Response to Predatory Lending* (Georgia Federalist Society December 2001).

Lecturer, *The Economic Consequences of Terrorist Attacks* (American Bankruptcy Institute Winter Leadership Conference November 2001).

Lecturer, *An Introduction to Classical Islam and the History of Islamist Terrorism* (Beth Jacob Synagogue Speaker's Series October 2001).

Lecturer, *Al-Qaeda: Its Logistical, Financial and Operational Arms* (Federalist Society – Georgia State University 2001).

Lecturer, *Homeland Security: A Systems Approach* (Federalist Society – Georgia State University 2001).

Presenter, *Project Jericho: The Use of Computer Models to Predict Future Terrorist Activity* (Federalist Society – Georgia State University 2001).

Moderator, *Daubert and Kumho Tire: The Bankruptcy Court's Role in Assessing Expert Financial Testimony* (American Bankruptcy Institute Winter Leadership Conference 2001).

Panelist, *Bankruptcy Tax Provisions in the New Bankruptcy Bill* (ABI Teleseminar 2001).

Lecturer, *Islamist Terrorism: Its Structure, Operations, and Intelligence* (Broken Bow, Oklahoma Kiwanis and Lions Club 2001).

Lecturer, *Islamist Terrorism: How Targets are Defined and Operations Funded* (Billy Mitchell American Legion Post, Arlington, Virginia, 2001).

Lecturer, *A Geo-Political Look at Terrorism in the United States* (Atlanta, Georgia 2001).

Lecturer, *Homeland Defense for the Non-Expert: What Every American Can Do to Aid Her Country* (Atlanta, Georgia 2001).

Lecturer, *Environmental Issues in Business Reorganizations* (U.S. Environmental Protection Agency 2001).

Panelist, *Bankruptcy Tax Provisions in the New Bankruptcy Bill* (ABI Teleseminar 2001).

Panelist, *Bankruptcy Ethics, Disinterestedness, and Indemnifications* (ABI New York Conference 2001).

Lecturer, *Pitfalls and Lessons in the New Bankruptcy Tax Bill* (American Bankruptcy Institute Annual Meeting 2001).

Lecturer, *The Use of Statistical Techniques in Constructing Damages Models* (Georgia State University College of Law – Federalist Society 2001).

Lecturer, *Emerging Issues of Liability of Officers, Directors, And Professionals of Corporate Debtors Operating in the Zone of Insolvency* (Southeastern Bankruptcy Law Institute 2001).

Lecturer, *Current Preference Issues* (Southeastern Bankruptcy Law Institute 2001).

Panelist, *Bankruptcy Year in Review* (Atlanta Bar Association 2001).

Lecturer, *Tax Fraud!* (ABI Southeastern Bankruptcy Institute Workshop 2000).

Lecturer, *The Use of Classification and Regression Tree Analysis to Identify Islamist Terrorists* (Federalist Society – Georgia State University 2000).

Lecturer, *Project Jericho: The Use of Computer Models to Predict Future Terrorist Activity* (Federalist Society – Georgia State University 2000).

Lecturer, *Separate Entity Rules in Bankruptcy: Prebankruptcy Planning in the Consumer Case* (ABI Southeastern Bankruptcy Institute Workshop 2000).

Lecturer, *Financial Analysis of Troubled Companies: What Ratios and Trends Can Tell a Turnaround Manager* (BDO CPE Program 2000).

Lecturer, *Special Accounting Rules Regarding Insolvent or Bankrupt Companies* (BDO CPE Program 2000).

Lecturer, *Insolvency Tax Considerations for Troubled Companies* (BDO CPE Program 2000).

Lecturer, *Management Theories and Duties of Managers of Insolvent Corporations* (BDO CPE Program 2000).

Lecturer, *Law, Duties, and Damages Methodologies in Insolvent Corporation Scenarios* (Long Island Chapter of Turnaround Managers Association 2000).

Lecturer, *Calculating Damages for Breach of Duty Cases in the Context of Insolvent Corporations*, New York State Society of Certified Public Accountants (2000).

Lecturer, *Statistical and Econometric Models in the Law: Proof of Damages*, St. John's University (2000).

Lecturer, *Ethical Duties of the Insolvent Corporation*, St. John's University School of Law (2000).

Lecturer, *Measuring Commercial Damages*, St. John's University School of Law (2000).

Lecturer, *Time Value of Money*, St. John's University School of Law (2000).

Lecturer, *The Morality of Debt Forgiveness*, St. John's University Founder's Day Luncheon (2000).

Lecturer, *Section 382 Limitations with Corporations in Bankruptcy*, BDO Seidman, LLP CPE Program, New York (1999).

Lecturer, *Calculating Insolvency Under the Bankruptcy Code*, New York State Society of Certified Public Accountants (1999).

Lecturer, *S Corporation and COD Income*, BDO Seidman, LLP CPE Program, New York (1999).

Lecturer, *S Corporations in Bankruptcy*, BDO Seidman, LLP CPE Program, New York (1999).

Lecturer, *The Use of Statistical Techniques to Detect Fraud*, (New York State Society of Certified Public Accountants (1999).

Lecturer, *Information Management and Supply Chains*, BDO Seidman, LLP CPE Program, New York (1999).

Lecturer, *Merger and Acquisition Activity in the Food Distribution Sector*, BDO Seidman, LLP CPE Program, New York (1999).

Lecturer, *Ethical Duties of Insolvent Corporation to Creditors*, Georgia Bar and Georgia State University College of Law (1999).

Lecturer, *Food Distribution: Failure of Integration in a Merger Frenzy*, Georgia State University Law and Business Schools (1999).

Lecturer, *Statistical Techniques in the Discovery of Fraud*, St. John's University School of Law (1999).

Lecturer, *Compliance Issues in Bankruptcy: Section 1398 of the IRC and Prompt Determination of Taxes*, BDO Seidman, LLP CPE Program, New York (1999).

Lecturer, *The Dischargeability of Tax Claims Under the Bankruptcy Code*, Association of Recovery and Insolvency Accountants, Los Angeles, California (1999).

Lecturer, *Liquidating Trusts in Bankruptcy*, Association of Recovery and Insolvency Accountants, Los Angeles, California (1999).

Lecturer, *A Collision of Policies: The Bankruptcy Code Meets the Internal Revenue Code*, Nassau and Suffolk County Bar Associations, Long Island, New York (1999).

Lecturer, *S Corporations in Bankruptcy*, BDO Seidman, LLP CPE Program, New York (1999).

Lecturer, *Indian Gaming*, Federalist Society, Georgia State University and Emory University (1999).

Witness, *The Bankruptcy Reform Act of 1999*, Testimony Before the United States Senate and House of Representatives (1999).

Lecturer, *The Enforcement of Arbitration Clauses in Bankruptcy*, American Bar Association Section on Litigation, Atlanta, Georgia (August 1999).

Lecturer, *Personal Bankruptcies and Tax Claims: The Role of the Super-Discharge Under Chapter 13 of the Bankruptcy Code*, American Bar Association Section on Taxation, Atlanta, Georgia (August 1999)

Lecturer, *Electronic Commerce and the Global Economy and Deregulation of the Telecommunications Market*, Israel Bar Association and Goldennet (Zahav-Bezek), Tel Aviv, Israel (February 1999).

Lecturer, *Why Al-Qaeda is not Through with the World Trade Center Just Yet* (Georgia State University College of Law 1998).

Lecturer, *Defenses to Preferences*, Georgia Bar and Georgia State University (1998).

Lecturer, “*But-For*” and Other Commercial Damages Calculations , Georgia State University Law and Business School (1998).

Lecturer, *Proving Insolvency Under the Bankruptcy Code*, Federalist Society, Georgia State University (1998).

Lecturer, *Indian Tribal Customs and Their Influence on Tribal Law: The Choctaw Perspective*, Georgia State University (1998).

Lecturer, *A History of Food Distribution in America*, Federalist Society, Georgia State University (1998).

Lecturer, *Fraud!*, Federalist Society, Georgia State University (1998).

Lecturer, *Defenses to Preferences* (Georgia Bar and Georgia State University 1998).

Lecturer, *Proving Insolvency Under the Bankruptcy Code*, Federalist Society, Georgia State University (1998).

Lecturer, *Rights of Disabled Students in Academic Settings Under the ADA*, Emory University, Atlanta, Georgia (October 1998).

Lecturer, *Salary Discrimination in Major League Baseball*, Federalist Society, Georgia State University, Atlanta, Georgia (April 1998).

Lecturer, *Tax Issues in Bankruptcy*, American Bankruptcy Institute Winter Leadership Conference, Tucson, Arizona (December 1998).

Lecturer, *Intellectual Property Issues in Sports*, Georgia State University College of Law (February 1997).

Lecturer, *Intermodal Transportation and Food Distribution Systems* (Federalist Society, Georgia State University College of Law 1997).

Lecturer, *Law and Statistics* (Georgia State University 1997).

Lecturer, *Government Claims in Bankruptcy: The Empire Strikes Back*, American Bankruptcy Institute Winter Leadership Conference, La Costa, California (December 1997).

Speaker, *Interplay Between Quality of Life Crimes and Inner-City Economic Development*, Greater Atlanta Electric League, Atlanta, Georgia (November 1997).

Lecturer, *National Bankruptcy Review Commission Tax Proposals*, ABA Section of Business Law, Philadelphia, Pennsylvania (October 1997).

Lecturer, *Legal Issues Posed by Emerging Information Technologies*, Georgia Bar Association, Atlanta, Georgia (April 1997).

Lecturer, *The Need for a Uniform Act Regulating Sports Agents*, Georgia State University College of Law (February 1997).

Lecturer, *Regulation of Sports Agents*, Emory University School of Law (January 1997).

Lecturer, *American Indian Tribal Law and Culture*, Atlanta Jewish Community Center Forum (January 1997).

Lecturer, *The Use of Statistics in the Law: A Biostatistical Case Study*, Georgia State University (October 1996).

Lecturer, *Gender Equity and Coaching Salaries*, Georgia Bar Association (October 1996).

Panelist, *World Conference on Women and Sport*, International Olympic Committee, Switzerland (October 1996).

Lecturer, *Gender Equity and Grassroots Support for Women's Sports*, Georgia State University Sports Administration Graduate Program (May 1996).

Lecturer, *Sports Ethics: Shoe Contracts and Team Names*, Georgia State Sports Administration Graduate Program (April 1996).

Lecturer, *Fallacies in the Internal Revenue Code's Treatment of Nonrecourse Debt*, Tau Alpha Chi, Honorary Tax Fraternity at Georgia State (April 1996).

Lecturer, *The Bankruptcy Reform Act of 1994*, State Bar of Georgia Mid-Year Meeting (January 1995).

Lecturer, *Tax Aspects of Bankruptcy Reorganizations and Pitfalls in the Bankruptcy Reform Act of 1994*, Georgia Bankruptcy Bar Section (October 1994).

Lecturer, *Gender Equity in College Sports Programs*, International Conference on World Sports Management, Georgia Institute of Technology (October 1994).

Lecturer, *The Tax Politics of Single-Asset Cases*, University of South Carolina College of Law Bankruptcy Symposium (August 1994).

Lecturer, *A Concise History of Islamic Terrorist Movements and Why That is Important to America* (Emory University 1993).

Lecturer, *Sports Ethics and Governance*, Georgia State University Sports Administration Graduate Program (November 1993).

Lecturer, *Hot Topics in Sports Law*, Georgia State University Sports Administration Graduate Program (November 1993).

Lecturer, *Taxable Abandonment*, Tau Alpha Chi, Honorary Tax Fraternity at Georgia State (November 1993).

Lecturer, *Hot Spots in Bankruptcy and Tax*, American Bankruptcy Institute Annual Meeting, Washington, D.C. (May 1993).

Lecturer, *Intercorporate Guaranties*, American Bar Association Business Bankruptcy Committee Section Meeting, Orlando, FL (April 1992).

Lecturer, *The Economics of Bankruptcy*, Valencia Community College, Orlando, FL (April 1992).

Lecturer, *Intercorporate Guaranties*, American Bar Association Business Bankruptcy Committee Section Meeting, San Francisco, CA (October 1991).

MEDIA APPEARANCES

- Appeared as a Commentator on CNN, NBC Nightly News, ABC Evening News, Dateline, The Today Show, CNBC, MSNBC, C-SPAN, ESPN, NPR, Bloomberg, FoxNews, and numerous Local News Broadcasts.
- Quoted in over 150 articles in newspapers and magazines of general circulation.

PROFESSIONAL SERVICE

- Member, Texas Indian Bar Association Indian Gaming Committee
- Member, Texas Indian Bar Association Legislative Committee
- Member (Chair 1992-94), American Bankruptcy Institute Bankruptcy and Taxation Committee
- Participant, Electronic Document Processing Project for the United States Courts under the auspices of the Judicial Conference of the United States (March 1992)

UNIVERSITY SERVICE

COLLEGE

- Co-coordinator, Southeastern Bankruptcy Law Institute (1991-present)
- Chair, Academic Enrichment Committee (2002-present)
- Member, Technology Committee (1998-2003; 2005-present)
- Member (Chair 1998-1999), Continuing Education Committee (1998-2003)
- Member, Faculty Recruitment Committee -- SPS Joint Appt. (1998-1999)
- Member, Faculty Recruitment Committee (1996-1998)
- Chair, Faculty Library Committee (1997-1998)
- Member, Faculty Scholarship Committee (1997-1998)
- Member, Faculty Development Committee (1996-1999)
- Chair, Educational Technology Advisory Committee (1993-1996)
- Member, Admissions Committee (1994-1996)
- Member, Dean Search Committee (1995-1996)
- Member, Ad Hoc Committee on the Order of the Coif (1995-1996)
- Member, Library Committee (1993-1995)
- Member, Ad Hoc Continuing Education Committee (1994-1995)
- Member, Curriculum Committee (1993-1994)

- Member, Ad Hoc Faculty Teaching Committee (1992-1994)
- Member, Ad Hoc Atlanta Project Committee (1993-1994)
- Member, Ad Hoc Academic Assistance Committee (1991-1993)
- Advisor, The Federalist Society
- Advisor, Phi Delta Phi
- Advisor, Sports Law Club

UNIVERSITY

- Faculty Member, Georgia State University Middle East Institute (2008-present)
- Faculty Advisor, Georgia State University Chapter of Theta Chi Fraternity (2007-present)
- Faculty Member, Georgia State University International Law Enforcement Enterprise (2006-present)
- Member, Athletic Department Risk Management Committee (1995-2006)
- Senator, Faculty Senate (1995-1997)
- Member, Faculty Senate Planning and Development Committee (1995-1997)
- Member, Faculty Senate Athletics Committee (1996-1997)
- Member, Faculty Senate Statutes and Bylaws Committee (1996-1997)
- Member, Faculty Senate Research Committee (1995-1996)
- Member, Sports Administration Department Faculty Recruitment Committee (1993-1996)

COMMUNITY SERVICE

- Guest Speaker on Native American customs, language, and folklore at private and public schools in Atlanta.
- Guest Speaker on Islam and Customs in Arab Nations.
- Middle Eastern and Native American Storyteller

AFFILIATIONS

- State Bar of Texas
- American Bar Association/Section of Business Law
- American Bar Association/Section of Science & Technology
- American Bar Association/Section of Taxation
- American Bar Association/Business Bankruptcy Law Committee
- American Bar Association/Forum Committee on the Entertainment & Sports Industries
- Native American Bar Association
- Texas Indian Bar Association
- American Bankruptcy Institute
- Association of Insolvency and Restructuring Advisors
- American Statistical Association
- Society for American Baseball Research
- National Association of Credit Managers
- Commercial Law League of America

BAR MEMBERSHIPS

- State of Texas, 1988
- Commonwealth of Pennsylvania, 1985
- United States Court of Appeals, Tenth Circuit, 1986
- United States Court of Appeals, Fifth Circuit, 1988
- United States District Court, W.D. Oklahoma, 1987
- United States District Court, N.D. Texas, 1988
- United States District Court, E.D. Texas, 1990