

Introduction on the Presentation of the Distinguished Service Award
by the American College of Bankruptcy to
Jan Baker
(March 15, 2019)

Colleagues, ladies and gentlemen, especially members and friends of the Baker family.

There are some who say that awards are too often undeserved. There are even those who disdainfully speak of them as “social backscratching.” I confess I have been in that chorus. But not this evening, and not for our honoree, whom I have the privilege to introduce.

It is a rare person who is not disliked by anyone. It is even rarer to know such a person with much responsibility and power. Jan Baker is that rare-of-rare person.

Why? It is not because Jan graduated from Harvard on a scholarship. It is not because after graduation he worked in a refugee camp in East Africa aiding those who fled from genocide in Rwanda. It is not because, on returning to his home town of Houston, Texas, he worked for three years in the Harris County Boys School for Delinquent Children, the last two years as its Principal. It is not because he was Editor-in-Chief of the Law Review at the University of Houston Law School. And it is not even because Jan has received so many prestigious awards, including the Lawrence P. King Award of the UJA-Federation and the Catholic Renewal Saint Francis Service Award.

And it is only in part because Jan has had a first chair or leading role in many of the most well-known Chapter 11 cases of our time. Indeed, it is only in part because those cases were successful reorganizations. Though Jan was a senior officer in the American College of Bankruptcy (including its President), even that is not the primary reason we honor Jan this evening.

Well, then, what is it that makes us so proud to know Jan and wish to confer on him the College’s Distinguished Service Award? I give you five reasons.

- 1) Role Model. Jan is a role model for each of us. He has given us and his clients a five-decade example of professionalism and service. He can be tough without raising

his voice, cut to a consensus without being cutting, and both professionally and personally be in the lead of so many *pro bono* works I do not have the time to list them all. I but note that he pushed the College to support *pro bono* programs all over the United States, making it the largest private provider of *pro bono* bankruptcy funding in our country. Jan has also provided substantial support for *pro bono* work through the New York Bankruptcy Assistance Project. And outside his profession he is on the Advisory Board of the Hastings Center, a bioethics institute.

- 2) Teacher. Jan never ceases to teach us how best to live our professional and personal lives, including how to practice in a way that gives people a chance to get their point across and then to resolve a problem collectively. As Caroline Reckler, a partner at Latham & Watkins, writes, Jan “taught me the law, how to conduct myself and how to treat others. [He] makes everyone with whom he interacts feel special.”
- 3) Mentor. Jan has never ceased to be a mentor to those who work under his guidance. As Caroline Reckler also wrote, “Jan is the most patient and considerate mentor—he continues to check in on me in my career even after his retirement, is so gracious with his time and his advice, and he is the best sounding board . . . you could ever ask.” David Turetsky, now a bankruptcy partner at White & Case, noted to me that Jan mentored not only the attorneys but also the staff, and he was always there to say thank you for anything they did. Moreover, Jan selflessly mentored even when it was against his financial interest. Listen to what David wrote to me.

I was heartbroken when Jan left Skadden for Latham, but we kept in close contact and Jan’s friendship and mentorship continued. When Jan departed for Latham, I was in my seventh year of practice and we were working together on a significant matter that had gone on for years and would last several more. My role on the matter had evolved from being the most junior attorney at inception to the one who was running its day-to-day operation, but I expected that Jan would take the matter with him to his new firm. Instead, when Jan called the client to say that he was leaving Skadden, he also told her that it would be in the client’s best interest to have me lead the matter. As a result, I continued on the engagement and do work for the client in question to this day.

How many of us would do that?

- 4) Friend. I ask those of us in this room who have been befriended by Jan Baker to raise your hand. [Pause] An impressive and diverse array of people, some who worked with Jan, some who worked against him, and some over time in both capacities. What is a friend? Though he now writes it a bit differently, I recall former football coach Lou Holtz decades ago saying that, when you meet a person, whether it be for a casual conversation or to consider entering the most intimate of relationships, you intuitively ask yourself three questions: Can I trust you? Do you care about me? Will you do the right thing? Those questions have stuck with me ever since, for if the answer to all three is yes, you have a true friend. Jan Baker is that and more.
- 5) Humility. Every one of us in this room, every single one of us, knows at least several people in our lives of whom it can be said that he or she has an ego that could accommodate a much greater talent. Jan Baker, on the other hand, has talents so vast and varied they could sustain a much bigger ego. David Turetsky thinks of Jan as the point guard who distributes the scoring to others. Caroline Reckler takes it a step further when she notes that “Jan always gave others the credit in good times and never pointed the finger in bad times; instead he took the blame and shouldered the responsibility.”

Role model, teacher, mentor, and friend, all cloaked in humility. Isn't that what we aspire to be in our finest moments? No one I know deserves more the College's Distinguished Service Award than Jan Baker.

Please stand.