

Good evening. Thank you Tom for such a wonderful introduction; if you ever decide to leave your current Circuit Judge gig, perhaps you should consider fiction writing as you have quite the gift of embellishment.

And, of course, thank you to the College and its leadership. I am truly honored to have been chosen as this year's recipient of the Distinguished Service Award. Being recognized for your contributions by your peers is high praise.

For me, tonight is about three things. First, reflecting on the many years that I have been fortunate enough to be a member of this community; second, thanking all that have shown me the way; and third, expressing the hope I feel for the future of our practice area.

First, reflections— when Lisa, now Judge, Beckerman called me with the news that I had been selected to receive this year's Distinguished Service Award, I was surprised. My immediate reaction was to think she had dialed the wrong number, as I felt there were a number of other College fellows who could have been chosen in my stead. I then wondered how I had gotten so old, as awards like this do not usually come to a youngster.

But, over the course of the next day or so, it became clear to me that if I am deserving of this award it is because of all of the people in my life who guided me to become the person I am, and who helped shape the lawyer and judge I became. After all, lawyering is an intense people-oriented business, whether those people are clients, colleagues or adversaries.

And, of course, reflections cannot be had tonight without including the impact the coronavirus has had on so many throughout the world over the last eighteen months or so. I'm sure those of us here tonight are grateful for our health and the opportunity to be together again. Others have not been so fortunate. I ask that we take a moment of silence as we remember friends, family members and others who have been lost to the virus or continue to struggle to regain good health.

My thank you list tonight is quite lengthy (although I will move quickly) and starts with my parents, who died in the mid-1990s, but who would be so proud tonight. To say that my parents shaped my older brother Mark and me is a significant understatement. Neither of my parents completed college, but it was clear to Mark and me that we certainly would, along with professional schools if we so chose, from a relatively early age.

When I was born my Dad was a fertilizer salesman in a small, rural farming community in western Nebraska and my Mom was a stay-at-home mother. My parents wanted more for our family, so after years of my Dad talking about buying a small business where he could be his own boss, an opportunity presented itself when my Dad was 40.

My folks took all the money they could scrape together, which wasn't very much, along with a little money they borrowed from my grandfather, and bought a small business my Dad knew nothing about in another small town — this time in the middle of Nebraska. Although buying

this business was risky for our family, through hard work and dedication, my parents, working together in the business, made it a success. My brother and I helped in the business summers and on weekends during school.

By watching my parents work together to achieve their goals for our family, I learned that hard work and dedication pay off. In short, I learned that you can be whatever you want to be with hard work, some skill, and a healthy dose of good luck. But, as we all know, the harder you work honing your skills the luckier you seem to get.

When I decided to go to law school, I really didn't have an idea of what being a lawyer would be like. The only lawyer I knew was a small town lawyer in my hometown. But, I worked hard in law school and got hired by one of the best and oldest law firms in Dallas — the Locke Purnell law firm (now known to many of you as Locke Lord) — following graduation. When I started at the firm, I wanted to be a litigator, not a bankruptcy lawyer. But, as luck would have it, the litigation partner who was assigned to be my mentor, Larry Lesh, dabbled in bankruptcy and asked me to help him on his bankruptcy cases. I did and quickly realized that I would get more litigation experience as a bankruptcy lawyer than as a big-firm, young litigation associate.

And, I found I loved the Bankruptcy Code, and all that it embodies — the “fresh start” to which the honest but unfortunate debtor is entitled, whether that debtor be an individual or a major business entity that has fallen on hard times. No more Dickens debtor prisons. The ability to successfully reorganize a company, save jobs and return the business to productivity, or to allow an individual debtor to discharge her pre-petition debts and thus get a fresh start is a remarkable experience. Who among us hasn't need a second chance at something over the years??

And, of course, this practice area is like a good game of three dimensional chess — anticipating the moves of the many constituencies, recognizing the shifting alliances from issue to issue, and leading (or perhaps herding) clients and adversaries to business solutions that make sense for all, each of which demands much skill and finesse.

So, for me, the decision to switch practice areas from litigation to bankruptcy was easy when Locke Purnell established a formal bankruptcy section and retiring Bankruptcy Judge John Flowers was hired to lead the section.

As my experience and reputation grew, I came to the attention of a well-known bankruptcy lawyer from Houston - Mickey Sheinfeld — who approached me and asked me to join his insolvency focused law firm — Sheinfeld, Maley & Kay — as the partner in charge of the Dallas office of the firm. After some agonizing, as I was very happy at Locke Purnell, I decided to accept Mickey's offer and make the change in what turned out to be one of the best decisions of my legal career. Both Mickey and Joel Kay are College fellows who became dear friends and mentors to me over the years. I owe them much.

To my good fortune, almost all of the past recipients of this award either inspired me or were mentors to me over the years and it is such an honor to join their ranks tonight. While singling out any individual is risky for fear of offending another, I want to acknowledge, in particular, Professor Larry King (who was kind enough to come to Dallas and speak at my judicial investiture to my great delight), Leon Forman, Gerry Smith, Barney Shapiro, Leonard Rosen, Harvey Miller, Ron Trost, and Professors Alan Resnick and Jay Westbrook. I learned much from listening to them talk at College meetings, meetings of the National Bankruptcy Conference, client meetings or more informal dinners.

I had the pleasure of working closely with and becoming good friends with other past award recipients including Ken Klee, Rich Levin and Jan Baker. I am grateful to each of them for what I learned from them and for the impact they had on my professional career.

I also had the privilege of appearing in front of, or working closely with, a number of wonderful judges – bankruptcy, district and circuit judges. When I became a bankruptcy judge in the NDTX, I aspired to be like the best of them, if possible. They include the likes of Circuit Judges Carolyn King, Pat Higginbotham, and Tom Ambro; Bankruptcy Judges Bob Ginsberg, Bob Martin, Mary Scott, Tom Small, Burt Lifland, and Liz Perris. Most anything that I have done well I borrowed from their playbooks; my mistakes were all my own.

Finally, I would like to thank my brother, who has always been a great supporter of my career, for his love and friendship over the years; and, of course, my wife Sarah, who is *the* charter member of the Barbara Houser Fan Club. While Sarah and I met just a few years ago, and married last year, I have often wondered what my life and career might have been like if only we had met sooner and I had had her love and support throughout my career. And, by the way, today is Sarah's birthday, so please wish her a happy birthday when you meet her.

Hope—I only have to look to the resumes of the two classes of fellows being inducted into the College tonight to know that the future of my chosen profession and field of law are in good hands. Individually, you are so talented and dedicated. Collectively, you inspire me and others to be better than we currently are. And, candidly, you make me glad I was admitted into the College years ago when the standards must have been lower.

I expect your selection as a College fellow similarly caused you to reflect on all that you have done in order to be invited to become a College fellow and all that you will continue to do for the betterment of our insolvency community and our broader communities. I also expect that, like me, you recognize that you succeeded because those who went before you lent you a helping hand. Thank them please and tell them what they mean to you. If we have learned anything from the last eighteen months we know that we cannot take anything for granted.

Finally, I ask that you continue to instill hope in others and inspire them to be better than they currently are. This is particularly important now, as we continue to work remotely and our younger colleagues do not have the same opportunities to physically be present in the room with their seniors and mentors as each of us did. In this people-oriented business of ours, I

cannot emphasize how important being “in the room” or at the conference or dinner table was for my career development and I assume yours as well. And, yes, our mentees can still be “in the zoom room” with us, but it is different and time will tell of the longer term career impact our younger colleagues will experience. But, if each of us remains cognizant of the importance of mentoring those around us, in whatever way we can, I trust their careers will be as fulfilling as ours have been.

Tonight is a wonderful night in celebration of your many accomplishments. I know your families are proud of you, as are all of your new College fellow colleagues. Work hard to continue to earn their love and support of all that you do.

Thank you all; I am truly grateful to be here with you tonight.