

# David Lerner among speakers at Detroit bankruptcy conference

David A. Lerner  
(248) 901-4010  
dlerner@plunkettcooney.com

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Attorney David A. Lerner, a partner from Plunkett Cooney, one of the Midwest's oldest and largest law firms, was among the presenters at the American Bankruptcy Institute's (ABI) Detroit Consumer Bankruptcy Conference on Nov. 12 at the MGM Grand Detroit.

Lerner, who focuses his practice exclusively in the area of bankruptcy, moderated a session, titled: "What you Need to Know About *Stern v. Marshall*." Panel members included John P. Gustafson, a Chapter 13 trustee from Toledo, Ohio and North Carolina Central University School of Law Professor Susan Hauser. Among the topics discussed were the historical background of *Stern v. Marshall* and the bankruptcy court jurisdiction, various courts' interpretation and application of *Stern* and the possible ramifications and responses to the case and the future of the bankruptcy court jurisdiction to adjudicate certain matters.

*Stern v. Marshall* is a U.S. Supreme Court case that found, in certain matters, the bankruptcy court lacks constitutional jurisdiction to adjudicate the matter. The case has spawned hundreds of decisions regarding the extent of the bankruptcy courts jurisdiction over wide ranging areas, including fraudulent transfers and other avoidance actions.

The ABI's Eighth Annual Detroit Consumer Bankruptcy Conference was a day-long program designed especially for Michigan consumer bankruptcy practitioners. This year's program addressed the recent rulings from the Supreme and lower courts, mortgage modifications, individual Chapter 11s, jurisdiction after *Stern*, ethics and Chapter 13 practice. The program concluded with a panel of nine judges representing the U.S. District Court for the Eastern and Western districts.

Lerner is a member of Plunkett Cooney's Bloomfield Hills office and the firm's Banking, Bankruptcy & Creditors' Rights Practice Group. Since 1984, he has represented banks, other financial institutions, creditors and title insurance companies in bankruptcy proceedings in Texas and Michigan. His experience includes enforcement of secured creditors' rights and financing of debtors' operations. Lerner also has extensive experience in the representation of debtors-in-possession, trustees, landlords, purchasers and other secured parties in both bankruptcy and out-of-court proceedings.

DAVID LERNER AMONG SPEAKERS AT DETROIT BANKRUPTCY CONFERENCE Cont.

Licensed to practice in the state courts in New York, Texas and Michigan (as well as federal courts in Michigan), Lerner is a member of the State Bar of Michigan, the New York and Texas bar associations and serves the Co-Chair of the Federal Bar Association's Bankruptcy Committee. In addition to the ABI, he is a member of the Detroit Consumer Bankruptcy Association and of the Bankruptcy Practice Group of ALFA International.

Lerner received his law degree from Syracuse University College of Law in 1983. After attending Hebrew University for one year, he received dual-undergraduate degrees, *cum laude*, from the University of Cincinnati in 1980.

The members of Plunkett Cooney's Banking, Bankruptcy & Creditors' Rights Practice Group have represented banks, savings and loan associations, mortgage companies, credit unions and finance companies for nearly 30 years. Members of the group have approximately 150 years of combined experience as in-house counsel prior to joining the firm.

Established in 1913, Plunkett Cooney employs 160 attorneys in nine Michigan cities, Columbus, Ohio and Indianapolis, Indiana. The firm, which provides a range of transactional and litigation services, has achieved the highest rating (AV) awarded by Martindale-Hubbell and is listed among the U.S. News – Best Lawyers “Best Law Firms” in 2012.

*For more information about Plunkett Cooney partner David A. Lerner's involvement at the ABI Detroit Consumer Bankruptcy Conference, contact the firm's Practice Development Manager John E. Cornwell at (248) 901-4008.*

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