

## AWARD NOMINATIONS 2012

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### Unsung Hero Award

<http://www.michbar.org/programs/eventsawards.cfm>

This award will be presented to a lawyer who has exhibited the highest standards of practice and commitment for the benefit of others.

- The recipient must be a member in good standing with the State Bar of Michigan.
- The recipient's contribution may have been made during the past year or by virtue of cumulative effort or service.
- The recipient is selected by the State Bar of Michigan Representative Assembly Nominating and Awards Committee. of Michigan Representative Assembly Nominating and Awards Committee.

Apply Online at <http://www.michbar.org/generalinfo/awards.cfm>

1. Name of nominee: Judy B. Calton

Title: Attorney

Firm or organization: Honigman Miller Schwartz & Cohn, LLP

Address: 660 Woodward Avenue, Suite 2290, Detroit, MI 48226

Phone: (313) 465-7344

Fax: (313) 465-7345

E-mail: [jcalton@honigman.com](mailto:jcalton@honigman.com)

Complete the contact and nomination information using this document. Provide supplemental information in additional documents.

Submit applications by e-mail, facsimile, or mail to:

Attention: Ms. Anne Smith  
Representative Assembly Awards  
State Bar of Michigan  
306 Townsend St.  
Lansing, MI 48933-2012  
(517) 346-6374

Fax: (517) 372-2410  
[asmith@mail.michbar.org](mailto:asmith@mail.michbar.org)

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Applications must be received no later than Friday, March 9, 2012.

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Name of nominator: David W. Allard, Tracy M. Clark, James A. Plemmons, Barry Lefkowitz, Hon. Marci B. McIvor, Judith Greenstone Miller; Alesia W. Dobbins, Paul Schwarzenberg, Karen E. Evangelista; Lisa Gretchko, Seymore L. Adler, Wendy Turner Lewis, Leslie Berg

Title: Directors and Officers of Access to Bankruptcy Court; see [www.accesstobankruptcycourt.com](http://www.accesstobankruptcycourt.com)

Firm or organization: Access to Bankruptcy Court

Address: 25925 Telegraph Road, Suite 203, Southfield, MI 48033

Phone: (248) 352-4700

Fax: (248) 352-4488

E-mail: [schwarzenberg@steinbergshapiro.com](mailto:schwarzenberg@steinbergshapiro.com)

THE ADDRESS ON ABC'S WEBSITE IS MS. CALTON'S ADDRESS AT HONIGMAN. FOR PURPOSES OF THIS NOMINATION, PLEASE DIRECT ANY QUESTIONS TO PAUL SCHWARZENBERG AT THE ADDRESS LISTED ABOVE.

2. Explain the merits of your nomination along with all supporting materials for your nominee where possible. Give specific examples. SEE ATTACHED LETTER OF SUPPORT.
3. Please provide a complete resume that includes dates of:

Service to and on behalf of the State Bar of Michigan

Other service to the legal profession

Service to the public

Any awards the nominee may have received

SEE ATTACHED RESUME OR GO TO [WWW.HONIGMAN.COM](http://WWW.HONIGMAN.COM), CLICK PROFESSIONALS, TYPE IN "JUDY CALTON"

## AWARD NOMINATIONS 2012

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4. An optional list of news, magazine, radio, and TV features about the nominee's accomplishments may be submitted (do not submit actual articles or DVDs).

SEE ATTACHED RESUME OR GO TO [WWW.HONIGMAN.COM](http://WWW.HONIGMAN.COM), CLICK PROFESSIONALS, TYPE IN "JUDY CALTON"

5. Please provide a letter written by the nominator explaining why the nominee should be considered for the award. The letter should be signed by the nominator and any additional supporters. One dated and signed letter is required.

SEE ATTACHED LETTER OF SUPPORT.



## ACCESS TO BANKRUPTCY COURT

February 23, 2012

President  
Judy B. Calton

Vice President  
David W. Allard

Second Vice President  
Tracy M. Clark

Secretary  
James A. Plemmons

Treasurer  
Barry Lefkowitz

Director  
Hon. Marci B. McIvor

Director  
Alesia W. Dobbins

Director  
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Ex Officio Member  
Lisa S. Gretchko

Ex Officio Member  
Karen E. Evangelista

Ex Officio Member  
Sy Adler

Ex Officio Member  
Wendy Turner Lewis

Ex Officio Member  
Professor Lauren Rousseau

Ex Officio Member  
Leslie Berg

Access to Bankruptcy Court  
c/o Judy B. Calton

Honigman Miller  
Schwartz and Cohn  
2290 First National Building  
660 Woodward Avenue  
Detroit, MI 48226

Representative Assembly Awards  
Attn: Ms. Anne Smith  
State Bar of Michigan  
306 Townsend Street  
Lansing, MI 48933-2012

*Re: Unsung Hero Nomination for Judy Calton*

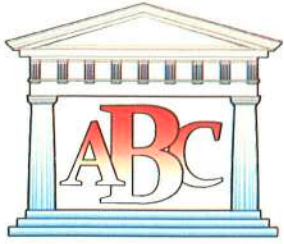
Dear Representative Assembly:

The purpose of this letter is to support the nomination of Judy Calton for the Unsung Hero Award. Ms. Calton is a partner at the law firm of Honigman, Miller, Schwartz & Cohn and her outstanding qualifications as an attorney are represented by the fact that she has been selected as a Michigan Super Lawyer every year since 2006. However, it is Ms. Calton's dedication to assisting debtors who cannot afford legal representation in bankruptcy court which makes her so deserving of the Unsung Hero Award.

Economists tell us that we are living through the worst recession since the Great Depression. High unemployment and increased poverty have caused the number of bankruptcy filings to skyrocket, and many of those filings are done *pro se* – without legal representation – because the debtors simply cannot afford a lawyer. *Pro se* bankruptcy filings in the Eastern District of Michigan went from 390 in 2000 to more than 2,100 in 2010 - approximately ten percent of consumer bankruptcy filings that year. *Pro se* filings in 2011 were consistent with 2010, or approximately 2100. The number of needy debtors far outstrips the supply of attorneys able and willing to accept bankruptcy cases on a *pro bono* basis.

Many debtors who represent themselves in bankruptcy are unable to successfully complete a bankruptcy proceeding because of the complexities of a bankruptcy case. Without counsel, debtors often make mistakes that have disastrous consequences, including dismissal of their cases and denial of a bankruptcy discharge. Judy Calton, working with several other attorneys, came up with a novel idea to help address this problem: create a non-profit fund to subsidize attorneys who represent debtors who could otherwise not afford an attorney. With great effort spearheaded by Ms. Calton, Access to Bankruptcy Court was born.

A legal aid program under the State Bar of Michigan Foundation Access to Justice Fund.  
Funded by a grant from the American College of Bankruptcy and American College of Bankruptcy Foundation.



## ACCESS TO BANKRUPTCY COURT

Representative Assembly Awards

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Access to Bankruptcy Court is a non-profit corporation which partially compensates attorneys who are willing to represent debtors who cannot afford an attorney. Because there was no model for this type of organization, it required both time and imagination to set up the corporation. Ms. Calton, together with much assistance from James Plemmons of Dickinson Wright, obtained 501(c)(3) status for the corporation so that all donations are tax deductible. Ms. Calton worked with the State Bar to add Access to Bankruptcy Court to the list of Access to Justice funds to which State Bar members could make donations. Ms. Calton obtained a \$10,000.00 grant to provide start up money for the corporation. Lastly, Ms. Calton's efforts were critical to the success of a fund raiser for Access to Bankruptcy Court held in September, 2011. Ms. Calton obtained many valuable items for the silent auction and donated approximately 50 bottles of wine from her own private collection to the auction. Those donations generated almost \$5,000.00 in proceeds for ABC.

As a result of Ms. Calton's efforts, assisted by other board members, ABC is now a reality. Ms. Calton serves as President of the organization and as Chair of its Board of Directors. To date, ABC has matched 24 debtors, who would otherwise not have been able to afford counsel, with attorneys. Ms. Calton and the rest of the ABC board continue to dedicate their efforts to fund-raising so that ABC will remain a resource for impoverished debtors.

ABC provides a valuable service to the legal community here in Detroit. While the entire ABC board devoted a great deal of time and effort to the creation of ABC, Ms. Calton was always the motivating source behind the project. Without her hard work and fund raising efforts, ABC might not exist. Ms. Calton's dedication to the cause of making sure that people without financial resources are represented by competent counsel certainly makes her an unsung hero. For more information regarding ABC, please visit the organization's web site at: <http://www.accesstobankruptcycourt.com>.

Briefly, it should also be noted that Ms. Calton has been involved in many other volunteer activities. Most importantly, for years she has been an active participant in the Business Law Section of the State Bar. She is a frequent speaker at conferences, and gives freely of her time to provide continuing legal education to attorneys.



## ACCESS TO BANKRUPTCY COURT

Representative Assembly Awards

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In conclusion, the Board of Directors of Access to Bankruptcy Court respectfully requests that the Representative Assembly bestow the Unsung Hero Award on Ms. Calton. Ms. Calton is unquestionably one of the finest bankruptcy and creditors' rights attorneys in the State of Michigan. However, it is her willingness to use her talents to improve the lives of those less fortunate than herself that makes her an unsung hero. Thank you for your consideration of her application.

Sincerely,

David W. Allard  
Vice President

Tracy M. Clark  
Second Vice President

James A. Plemmons  
Secretary

Barry Lefkowitz  
Treasurer

Hon. Marci B. McIvor  
Director

Alesia W. Dobbins  
Director

Judith Greenstone Miller  
Director

Paul Schwarzenberg  
Director

# HONIGMAN

## JUDY B. CALTON

PARTNER



jcalton@honigman.com  
 T 313.465.7344  
 F 313.465.7345  
 vCard

Detroit  
 2290 First National Building  
 660 Woodward Avenue  
 Detroit, Michigan 48226

### RELATED SERVICES

Commercial Law,  
 Bankruptcy and  
 Reorganization

- *Troubled Supplier and Supply Chain Management*
- *Commercial Law*
- *Commercial Bankruptcy and Corporate Reorganization*
- *Commercial and Bankruptcy Litigation*
- *Secured Finance*
- *Creditors' Committees*
- *Landlord and Leasing*

Insurance

### EDUCATION

Wayne State University  
 Law School, J.D.

Honors: *magna cum laude*; with *high honors*;  
 Order of the Coif; Ira  
 Spoon Award  
 Associate Editor, *Wayne Law Review*, 1984-1985

University of Illinois, B.A.  
 History and Pre-Law  
 Studies

Honors: with *high honors*; James Scholar

Michigan State University  
 Best Practices in Local  
 Government Fiscal  
 Management Training  
 Program

### ADMITTED

U.S. Court of Appeals for  
 the Ninth Circuit

U.S. Court of Appeals for  
 the Sixth Circuit

U.S. District Court for the

- Counsels banks, finance companies, manufacturers and other business clients in commercial law, corporate reorganization and transactions, and represents her clients' interests in negotiations, disputes and in insolvency and bankruptcy-related litigation.
- Extensive preference litigation experience having prosecuted and defended hundreds of actions. Tried three preference actions, including a nine day trial defending a \$3.8 million preference claim, achieving dismissal of action. Experienced in forming and leading joint national defense groups for multiple preference actions in Michigan, New York and Delaware bankruptcy courts.
- Represented company whose bank stopped funding and returned payroll in emergency Chapter 11 case which confirmed a plan in less than six months, selling business as a going concern with payment in full to bank and distribution of approximately seventy-five cents on the dollar to unsecured creditors.
- Represented a manufacturer with \$500 million a year in sales as debtor-in-possession.
- Represented the bank group in one of the largest bankruptcy cases filed in the United States in 1994, successfully obtaining repayment in full of over \$100 million in prepetition indebtedness within a year of the commencement of the case.
- Represented the Chapter 7 trustee of a corporate debtor in litigation, recovering over \$15 million from insiders and former professionals of the corporation.
- Represented a Chapter 11 trustee of a timeshare developer with projects in seven states.
- Recognized as having particular knowledge on rules of procedure, testifying twice before the Judicial Conference Advisory Committee on Bankruptcy Rules, Civil Rules and Evidence Rules, writing commentary on the proposed amendments to the Federal Rules of Bankruptcy Procedure on behalf of the Bankruptcy Advisory Committee and other Bar groups.
- Reporter for a subcommittee of the Advisory Committee drafting new local rules for Chapter 11



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| Eastern District of Michigan                                | cases, amending the local rules in 2007 and to be effective December 1, 2009. She was also the reporter for a committee advising the Michigan Legislature on amending the state exemptions, which amendments were adopted into law.  |
| U.S. District Court for the Northern District of Illinois   |  |
| U.S. District Court for the Northern District of Ohio       | ■ Developed creative procedures to resolve construction lien and trust fund claims when owners of projects, general contractors or major subcontractors become debtors.  |
| U.S. District Court for the Northern District of California | ■ Represented a directors and officers insurer, in bringing an interpleader in a bankruptcy case to determine whether the liquidating trustee or the former officers and directors were entitled to the policy. All of the client's legal fees were reimbursed to it out of the policy proceeds.<br><br>■ Represented a Chapter 7 trustee, developed the strategy to obtain a consent judgment for \$1 million against an insolvent former director and then sued a major international insurance company to collect the judgment. Settled case for \$750,000.<br><br>■ Sued a former director who was also the insurance agent for the company for wrongfully canceling the company's excess directors and officers insurance policy without proper corporate authority. Even though he filed a personal bankruptcy, obtained a \$2 million judgment against him and collected \$1.2 million from his errors and omissions insurance policy.<br><br>■ Obtained relief from the stay in bankruptcy cases numerous times so claims against a debtor in bankruptcy could be made against the debtor's insurance.<br><br>■ Prosecuted fraudulent conveyance cases where life insurance in which the debtor had an interest was transferred to the insured, obtaining recoveries from both the insurance companies and the insured.<br><br>■ Representative Cases:<br><br>■ <i>In re Collins &amp; Aikman Corporation</i> , 401 BR 900 (Bankr. E.D. Mich. 2009)<br><br>■ <i>In re Connolly North America</i> , 398 B.R. 564 (Bankr. E.D. Mich. 2008)<br><br>■ <i>In re The Estate of the Assignment for the Benefit of Creditors of Edward Paul May</i> , 405 BR 443 (Bankr. E.D. Mich. 2008)<br><br>■ <i>In re Collins &amp; Aikman Corporation</i> , 368 BR 623 (Bankr. E.D. Mich. 2007)<br><br>■ <i>Riversideworld Inc. v. National City Corp et al</i> , 366 BR 34 (Bankr. N.D. Iowa 2007) |

- *Connolly North America, LLC v. Art Leather, Inc.*, 340 BR 829 (Bankr. E.D. Mich 2006)
- *In re John Richard Homes Building Co., LLC*, 439 F.3d 248 (6th Cir. 2006), cert. denied, 75 U.S.L.W. 3164 (U.S. 2006)
- *Marks Management Services, Inc. v. Reliant Manufacturing, Inc.*, 7 Fed Appx 493 (6th Cir. 2006); 268 BR 505 (E.D. Mich 2001)
- *In re Quinn*, 327 B.R. 818 (W.D. Mich. 2005)
- *Jackson Precision Die Casting, Inc. v. Inrecon, LLC*, 291 BR 396 (Bankr. E.D. Mich 2003)
- *In re New Haven Foundry*, 285 B.R. 646 (Bankr. E.D. Mich. 2002)
- *North American Royalties*, 276 BR 594 (Bankr. E.D. Tennessee 2002)
- *Republic Technologies International*, 267 BR 548 (Bankr. N.D. Ohio 2001)
- *General Motors Corporation v. Paramount Metal Products, Co.*, 90 F.Supp 2d 861 (E.D. Mich. 2000)
- *Allard, Trustee for the Debtor Estate of DeLorean Motor Co. v. Weitzman*, 991 F. 2d 1236 (6th Cir. 1993)
- *Allard, Trustee for Debtor Estate of DeLorean Motor Co v. DeLorean*, 884 F. 2d 464 (9th Cir. 1989)
- *In re Advanced Professional Home Health Care, Inc.*, 82 B.R. 837 (Bankr. E.D. Mich. 1988)
- Certified by Michigan State University and the Turnaround Management Association in *Best Practices in Local Government Fiscal Management* (2011)

#### PROFESSIONAL INVOLVEMENT

- State Bar of Michigan
  - Business Law Section, Council Member
  - Business Law Section, Creditor/Debtor Rights Committee, Co-chair
- Bankruptcy Court for the Eastern District of Michigan
  - Advisory Committee Member
  - Rules Subcommittee of the Advisory Committee, Reporter
- Advisory Committee to the Michigan House



Committee on Civil Laws and Judiciary relating to amending exemption statutes, Reporter

- Pro Se Bankruptcy Assistance Project, Inc., a non-profit, funding representation of formerly pro se debtors, President and Director

#### HONORS

- Testified twice before the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States on Amendments to the Federal Rules of Bankruptcy Procedures
- *The Best Lawyers in America*, 2010-2012
- *DBusiness*, Top Lawyers, 2010-2012
- *Michigan Super Lawyers*, 2007-2011
  - Named as one of the *Michigan Super Lawyers* Top 50 Women, 2009
- Martindale-Hubbell AV® Preeminent™ Peer Review Rated

#### PUBLICATIONS

- "Investigate to See if the Lawsuit Against Your Client was Discharged in Bankruptcy," *Michigan Lawyers Weekly* (August 12, 2011)
- "Working with a Chapter 11 Business Can Be Tricky," *Michigan Lawyers Weekly* (August 9, 2010)
- "Proof of Claim: Whether to File, and if so, How to File," *Michigan Business Law Journal*, Vol. 30, Issue 1, p. 10 (Spring 2010)
- "New Challenges to a Successful Bankruptcy Reorganization," *Bankruptcy and Financial Restructuring Law 2009*, Aspatore Books (2009)
- "Current and Future Trends and Strategies," *Bankruptcy and Financial Restructuring Law 2008*, Aspatore Books (2008)
- "Using the Power of Bankruptcy to Solve Litigation Disputes," *Bankruptcy Litigation and Dispute Resolution*, Aspatore Books (2008)
- "What You Should Know About Single Asset Real Estate Bankruptcy Cases," *Michigan Real Property Review* 82 (Summer 2008), co-author
- "Statute of Frauds" and "Specific Performance," chapters, *Michigan Contract Law*, ICLE
- "Jury Trial Rights of Trustees in Bankruptcy

Proceedings," *Michigan Business Law Journal*, Vol. 15, Issue 4 (1993)

- "Defending a Preference Action," *Michigan Bar Journal* (July 1993), co-author
- "Survey of Torts Law," *Wayne Law Review* (1985), co-author
- "1984 Annual Survey of Tort Law," *Wayne Law Review*, co-author

#### SPEECHES AND CONFERENCES

- "Section 363 Bankruptcy Sales," Institute of Continuing Legal Education, Business Law Institute (March 2011)
- "Purchasing Assets from Bankrupt Estates: What You and Your Clients Need to Know," Institute of Continuing Legal Education, Business Law Institute (May 2010)
- "When and How to File a Proof of Claim," 2009 'Groundbreakers' Breakfast Roundtables, Real Property Law Section of the State Bar of Michigan, Birmingham, Michigan (October 2009)
- "Practice Strategies for a Down Economy Series: Dealing with the Financially Distressed Customer or Supplier," Institute of Continuing Legal Education (July 2009)
- "Complex Issues In Preference Litigation – Maneuvering The Thicket, Central States Bankruptcy Workshop," American Bankruptcy Institute (June 2008)
- "What Commercial Litigants Need to Know About Bankruptcy," presented to the Commercial Litigation Committee of the Business Law Section of the State Bar of Michigan (April 2008), presenter
- "Alternatives to Bankruptcy," presented to the Debtor/Creditor Rights Committee of the Business Law Section of the State Bar of Michigan (February 11, 2008), presenter
- "The Impact of Bankruptcy on Inter-Creditor Claims: Ability of Bankruptcy to Preempt, Release or Enjoin Creditors' Claims Against Non-Debtor Third Parties" (April 2007), presented for Lorman Educational Services
- "Changes in Utility Service Requirements," BAPCPA: One Year Later/A Columbus Day Seminar (October 9, 2006)
- "Customer Insolvencies and Bankruptcy Under the Newly Amended Bankruptcy Code in

Michigan" (April 6, 2006), presented for Lorman Educational Services

- "Changes In The Cost of A Chapter 11 Case Imposed By The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005," presented to the Debtor/Creditor Rights Committee of the Business Law Section of the State Bar of Michigan (September 2005), presenter
- New Bankruptcy Code Seminar, Cobo Hall, Detroit, Michigan (2005)
- "Representing a Corporation When Its Supplier or Customer Enters Bankruptcy," presented to the In-House Counsel Committee of the Business Law Section of the State Bar of Michigan and the Michigan Chapter of the American Corporate Counsel Association (2002)
- "Current Chapter 11 Topics," Western District of Michigan Federal Bar Association (2002)
- "Using Expert Witnesses in the Bankruptcy Court" (1999), instructor
- Conducted Business Seminars on Bankruptcy Valuations and What Companies Benefit From Chapter 11
- "Subcontractor Bankruptcies," General Contractors' Association, addressee

#### **PRIOR EMPLOYMENT EXPERIENCE**

- Internal Revenue Service

## AWARD NOMINATIONS 2011

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### Michael Franck Award

[www.michbar.org/programs/eventsawards.cfm](http://www.michbar.org/programs/eventsawards.cfm)

This award will be presented to a lawyer who has made an outstanding contribution to the improvement of the profession.

- The recipient must be a member in good standing with the State Bar of Michigan.
- The recipient's contribution may have been made during the past year or by virtue of cumulative effort or service.
- The recipient is selected by the State Bar of Michigan Representative Assembly Nominating and Awards Committee.

**Apply Online** [www.michbar.org/generalinfo/awards.cfm](http://www.michbar.org/generalinfo/awards.cfm)

1. Name of nominee: Jeffrey S. Kopp

Title: Partner

Firm or organization: Foley & Lardner LLP

Address: Suite 2700, 500 Woodward Avenue; Detroit, MI 48226

Phone: 313-234-7140

Fax: 313-234-2800

E-mail: [jkopp@foley.com](mailto:jkopp@foley.com)

Name of nominator: Daljit Doogal

Title: Office Managing Partner

Firm or organization: Foley & Lardner LLP

Address: One Detroit Center – Suite 2700, 500 Woodward Avenue; Detroit, MI 48226

Phone: 313-234-7122

Fax: 313-234-2800

E-mail: [ddoogal@foley.com](mailto:ddoogal@foley.com)

2. Explain the merits of your nomination along with all supporting materials for your nominee where possible. Give specific examples.

### Introduction

Jeff Kopp has committed his entire legal career to advancing the profession by embodying the finest traditional values of the law. Although he is a highly successful and effective commercial litigator, who has obtained numerous summary judgments, verdicts and favorable settlements on behalf of his business clients, his true contributions to the profession come through using his legal skills in the service of human rights, his country and its military veterans, and the public good in Southeast Michigan.

In his legal assignments with the U.S. Army as a member of the Judge Advocate General (JAG) Corps, Jeff carried out the difficult and challenging task of protecting the rights of detainees in Iraq by displaying the best qualities of any lawyer. As he told the *Michigan Lawyers Weekly* in 2009 about this Iraq assignment, "You want to make sure justice gets done. If I thought there was a detainee who ... wasn't getting a fair crack at the legal process, I would try to influence the process and ensure that the person was given adequate due process as best as I could." There is no finer statement than this relating to the advancement of the profession.

Complete the contact and nomination information using this document. Provide supplemental information in additional documents.

Submit applications by e-mail, facsimile, or mail to:

Attention: Ms. Anne Smith  
Representative Assembly Awards  
State Bar of Michigan  
306 Townsend St.  
Lansing, MI 48933-2012  
(517) 346-6374

Fax: (517) 372-2410

[asmith@mail.michbar.org](mailto:asmith@mail.michbar.org)

## AWARD NOMINATIONS 2011

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Jeff's advancement and improvement of the profession encompasses far more than his work in Iraq. He provides legal services to Army reservists and their families and devotes more than 100 hours a year to *pro bono* legal service on behalf of veterans and social service organizations throughout Metro Detroit. His current term as President of the Detroit Metropolitan Bar Association culminates a decade of leadership in that organization, involving everything from legal guidance for youth at risk to interface with the State Bar of Michigan on numerous service programs. And he is deeply involved in ongoing education programs for young lawyers and other young people at the start of their careers.

Jeff's extensive public and *pro bono* service embody a comprehensive philosophy of advancing the profession that he eloquently expresses this way: "When you represent someone *pro bono* and take out the financial interest, the entire process becomes more pure. The number one focus is to get a good result for people who need it, and that grounding in why I handle a case carries over into my regular practice. In labor and employment matters I usually represent employers, but because of my *pro bono* work I'm focused in ways that help me see where the plaintiff is coming from. That helps me get a better resolution for everyone, including my client." The following submission details how Jeff applies this approach to advance the ideals and professionalism of the law, in the best tradition of recipients of the Michael Franck Award.

### **Service to the Public**

As a member of the U.S. military and as a lawyer in private practice who is committed to the public good, Jeff has advanced and improved the legal profession by his conscientious service in a wide range of activities.

#### Judge Advocate General (JAG) Corps

Jeff graduated from the U.S. Military Academy at West Point, 1990 and following three years of active duty in Germany and Oklahoma he entered the U.S. Army Reserves, in which he became a member of the Judge Advocate General (JAG) Corps after his 1996 graduation from Notre Dame Law School. In November 2007 Jeff was notified that he would be sent to Iraq as part of the Army Reserves Unit of the 300<sup>th</sup> Military Police Brigade based in Inkster for a nine-month assignment, from which he returned in September 2008. In Iraq he served as an operations counsel in various detention facilities, acting as in-house attorney for the military commanders operating the facilities.

His role was to safeguard the rights of detainees and to assure officials from the International Committee of the Red Cross that captives were receiving humane treatment under the Geneva Convention. His assignments included:

- Camp Bucca in Southern Iraq near Kuwait, the largest internment camp in the world containing 20,000 detainees who included insurgents and Al-Qaeda members. It was Jeff's job to ensure that all detainees were treated with dignity and respect, a high profile challenge after the revelations about the Abu Gharib detainment center.
- Camp Cropper Theater Internment Facility near Baghdad International Airport. There he not only had similar responsibilities, but also headed the panel that reviewed individual detainees for release. This required dealing with men and women aged 14 to 70, most of whom argued they were not involved in terrorism.

At both assignments one of Jeff's responsibilities was to host the 15-member committee of the International Committee of the Red Cross, who were allowed by the U.S. government to interview the detainees. Jeff escorted Committee members and at the end of the day met with the Committee to discuss whether there were any violations of treatment standards. He had to respond verbally and in writing to any issues raised, using exceptional conflict resolution skills that helped him prepare a legal justification for military treatment of the detainees while still ensuring that this treatment was correct. Jeff called his work for the detainees "a conscience issue, of 'What can I do to try to help this person without really being an advocate for them?'" That he did so effectively helped erase the stain of Abu Gharib. His summary is simple but eloquent: "I was proud to have served my country in an important legal role."

#### U.S. Army Reserves Legal Services

Following his return from active duty in Iraq, Jeff remains a Lieutenant Colonel in the U.S. Army Reserves, and he currently is responsible for a major legal services program to reserve members and their families in Michigan and Ohio. As the Director of Legal Services in the JAG Corps, Jeff is in charge of the legal support team of the 9th Legal Support Organization, which includes four lawyers and related paralegals, and is based in Southfield, Michigan. Team members offer advice and assistance with such everyday legal issues as landlord/tenant disputes, wills and disputes with financial institutions.

Jeff works at this assignment one weekend a month and conducts regular follow-up on all legal matters handled for the reservists. Being personally familiar with the challenges that reservists face before and after being called to active duty, and with the stresses

## AWARD NOMINATIONS 2011

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their families undergo during time of service, Jeff offers insightful and supportive counsel through his own efforts and those in which he leads his legal team.

### Project Salute

Since 2008 Jeff has been a volunteer lawyer for Project Salute, a *pro bono* program of the University of Detroit Mercy Law School. He and other lawyer volunteers offer free legal advice to low-income veterans on their federal veterans' disability and pension benefits claims, a process that involves intensive review of military and health records to build support for claims, particularly those involving health conditions that can be attributed to military service.

Jeff, along with other Project Salute lawyers, regularly travels across Michigan in a mobile law office to provide legal advice outside the Metro Detroit area. Both the matters and the logistics are demanding, but just as he offers help to active reservists, Jeff is a knowledgeable and supportive counselor of veterans who have no one else to turn to.

### Detroit Legal Services Clinic

Since 1998, almost since the program's inception, Jeff has handled pro bono matters on an ongoing basis for indigent clients in the Metro Detroit area served by the Detroit Legal Services Clinic (DLSC). The Clinic is a collaborative effort between the Detroit Metropolitan Bar Association, corporate legal staffs and lawyers from major law firms, including Foley & Lardner. As a *pro bono* lawyer, Jeff works directly with qualifying clients in a one-on-one relationship that provides internal and external support and representation. Matters that he handles include civil issues that can range from a dispute over a window installation to a disagreement about a will. The monetary stakes may not be major in the absolute but they are vitally important to DLSC clients, and Jeff serves them with the same diligence and effectiveness that he brings to his major corporate clients.

### Arkay, Inc.

In January 2011 Jeff joined the board of Arkay Inc. in Southgate MI. This non-profit organization provides job opportunities and training for people who have mental health disabilities. It is an excellent application of his skills as a labor and employment lawyer, and reflects his local service commitment as a graduate of Leadership Detroit XXVIII.

### **Service to the Legal Profession**

For nearly a decade Jeff has been engaged in a wide range of service and leadership activities as a member of one of the most prominent professional bar associations in Michigan. He has also leveraged this involvement both outside of and within Foley to undertake numerous activities related to the early career education of young lawyers and other professionals.

### Detroit Metropolitan Bar Association Barristers

In July 2010 Jeff was elected President of the Detroit Metropolitan Bar Association (DMBA) Barristers division for its 2010-2011 term. He had served on the Barristers' Board of Directors since 2003, and assumed the position of President following his nomination, election and service as President-Elect and Secretary/Treasurer. As President, Jeff oversees all of the Barristers' activities, including its new lawyer admission ceremonies, school partnership program with Detroit high schools, Law Day events and other charitable programming. He also serves as the principal liaison between the Barristers and the Detroit Metropolitan Bar Association's Board of Directors, on which he sits *ex officio*.

Jeff himself has worked in numerous charitable activities, such as a soup kitchen at a Presbyterian Church and a Salvation Army summer day camp aimed at keeping siblings together in a foster care setting. He has also chaired the Barristers' Race for Kids to benefit the Salvation Army and related programs. As part of the School Partnership Program he has been extremely involved in activities that provide Detroit high school students with valuable mentorship and contacts with successful professionals in the legal community. That includes the annual Law Day program of visits to a high school to participate in an interactive program designed to teach high school students about the law.

One of Jeff's most important Barrister accomplishments came in 2008, when he served as Editor in Chief of *Teenagers and the Law Handbook*. He oversaw a team of 20 lawyers that developed this document (based on an earlier publication done by lawyers in California) as a guide for teens and young people to deal with legal issues they face involving alcohol, motor vehicles, curfews, drugs, gangs employment law Internet privacy school rules smoking; dealing with the juvenile court system. The *Handbook* is made available free of charge to schools throughout Southeast Michigan, and is a valuable tool in helping to keep young people out of the juvenile justice system.

## AWARD NOMINATIONS 2011

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### Professional Education Activities

During the last five years, through the Barristers, Jeff has gone to the law schools at Wayne State and University of Detroit Mercy and conducted mock interviews with the students to help them understand what it's like to work at a big firm, or to get involved in a big firm's summer program. This reflects his active law school recruitment work for Foley at the University of Chicago, Notre Dame and Michigan, among other schools. Foley has both formal and informal mentoring programs for new summer associates and new lawyers and Jeff is involved with mentoring young associates in both. He also is responsible for training in the Labor and Employment group at Foley. Every other month Jeff coordinates one nationwide education program for the entire group, in which attendance is open to all lawyers.

A broader education involvement for Jeff is the West Point Society, a 501(c)3 organization that advances the educational agenda of the U.S. Military Academy to recruit quality candidates. For the past three years Jeff has sat on the Academy selection recruiting committee for both of Michigan's U.S. Senators, spending one weekend in December to interview high school students seeking West Point admission. As a West Point Society member he also has opportunities to speak in schools to answer questions about the Military Academy educational experience.

In all these activities, Jeff contributes to the advancement and improvement of the profession by his extensive work to enhance the education process for new generations of lawyers.

### **Service Involving the State Bar of Michigan**

By virtue of his involvement with and leadership of the DMBA Barristers, Jeff has for years worked closely with the Young Lawyers Division of the State Bar of Michigan. That has involved coordinating co-sponsorship of events focused on issues such as diversity and opportunities in the law (for high school students). Two years ago, representing the DMBA Barristers, Jeff worked with members of the Young Lawyers Division to co-sponsor a grant proposal for supporting the State Bar agenda for Law Day, including a school essay contest and a hotline in lawyers answered questions about how to prepare for a career in the law.

3. Please provide a complete resume that includes dates of:

The resume for Jeff Kopp follows the information below. The dates and services referenced in this information all relate to the detailed discussion presented in Section 2 of this submission.

1) Service to and on behalf of the State Bar of Michigan: Jeff has worked in collaboration with the State Bar of Michigan Young Lawyers Division on various projects since joining the DMBA Barristers in 2003. Since becoming Barristers President in 2010 he is the formal liaison for that organization with the State Bar.

2) Other service to the legal profession: As noted above, Jeff has worked with and through the DMBA Barristers since 2003. He has been actively involved in lawyer training since joining the firm in 2002.

3) Service to the public: Jeff became a member of the JAG Corps in 1996 and has headed the 9th Legal Support Organization since 2008, when he also became a volunteer lawyer for Project Salute. His work with the Detroit Legal Services Clinic began in 1998, and he joined the board of Arkay, Inc. in 2011.

4) Any awards the nominee may have received: Among other awards, Jeff is a recipient of the Bronze Star Medal.

### Resume for Jeffrey S. Kopp

Jeffrey S. Kopp is a partner with Foley & Lardner LLP and is a member of the Litigation Department, the Labor & Employment Practice, the Automotive Industry Team and the Trade Secret/Non-Compete Task Force.

Mr. Kopp is an experienced litigator, handling a wide variety of civil litigation matters in federal and state courts in Michigan, Ohio, Indiana, and California. He has successfully defended clients before the Sixth Circuit and the Michigan Court of Appeals. Mr. Kopp has represented clients in various labor and employment, OFCCP and EEO compliance, and non-compete and trade secret cases. He has arbitrated traditional labor grievances and regularly provides employers with proactive employment counseling techniques to minimize the risk of litigation. He also represents lenders in commercial foreclosure cases in Michigan.



## AWARD NOMINATIONS 2011

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Representative matters include:

- Obtained numerous summary judgment victories for clients in age, sex, disability and race discrimination lawsuits
- Advises clients regarding military leave and benefits issues under USERRA
- Obtained favorable results in OFCCP desk and on-site audits, and Service Contract Act audits
- Successfully obtained and defeated restraining orders to enjoin employees from breaching non-competition obligations and disclosing trade secrets
- Obtained a favorable settlement in a multi-million dollar warranty dispute for an automotive supplier
- Successfully represented lenders in numerous commercial foreclosure matters resulting in obtaining receivers, foreclosing mortgages, and obtaining deeds-in-lieu of foreclosure

Mr. Kopp received his J.D., *cum laude*, in 1996 from the University of Notre Dame Law School, where he was Symposium Editor of the *Journal of College and University Law*. He graduated from the United States Military Academy at West Point in 1990 and served on active duty in the U.S. Army in Germany, Oklahoma, Texas and Iraq.

Mr. Kopp is a lieutenant colonel in the U.S. Army Reserves, where he currently serves as the director of legal services in the JAG Corps. He is responsible for a team of attorneys that provide legal services for soldiers and their families in Michigan and Ohio. Mr. Kopp served in Iraq in 2008 as the detainee operations counsel at Camp Cropper in Bagdad. Among other awards, Mr. Kopp is a recipient of the Bronze Star Medal.

Mr. Kopp is a member of the state bars of Michigan and California. His professional affiliations include the Detroit Metropolitan Bar Association, where he is the president of the Barristers Organization. Mr. Kopp also is on the board of governors of the West Point Society of Michigan. He also provides pro bono volunteer services for the Detroit Legal Services Clinic and Project Salute. Mr. Kopp is a recent graduate of Leadership Detroit XXVIII.

Mr. Kopp's recent presentations and publications include:

- *Teenagers and the Law Handbook*, 2008 (editor in chief)
- "When Johnny (or Joanna) Comes Marching Home Again: Are You on Top of USERRA," Foley & Lardner LLP Web conference, June 2009
- "Labor and Employment Year in Review," Fourth Annual State of the Law Update, Association of Corporate Counsel (ACCA) – Michigan, April 2009

4. An optional list of news, magazine, radio and TV features about the nominee's accomplishments may be submitted (do not submit actual articles or DVDs).

*Michigan Lawyers Weekly*

"On Duty in Iraq, Detroit Attorney Toiled to Assure Abu Ghraib Wouldn't Happen Again"

By Douglas J. Levy; January 12, 2009

*Detroit Legal News*

"Battle Tested: Detroit attorney knows full well the cost of war"

Authored by Tom Kirvan; November 13, 2008

*Labor and Employment Law (State Bar of Michigan)*

"Notes From a Deployed Jag Attorney"

Authored by Jeffrey S. Kopp LLP and U.S. Army; Spring 2008 issue

*Michigan Lawyers Weekly*

"To Iraq With Love: Litigator ready for duty as he's deployed overseas for a yearlong assignment as legal advisor"

Authored by Douglas J. Levy; December 17, 2007

## **AWARD NOMINATIONS 2011**

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5. Please provide a letter written by the nominator explaining why the nominee should be considered for the award. The letter should be signed by the nominator and any additional supporters. One dated and signed letter is required.

Please see addendum.

February 25, 2011

WRITER'S DIRECT LINE  
313.234.7122  
ddoogal@foley.com EMAIL

Representative Assembly Awards  
State Bar of Michigan  
306 Townsend St.  
Lansing, MI 48933-2012

Attn: Anne M. Smith

Re: Jeffrey S. Kopp Nomination for Michael Franck Award

Dear Ms. Smith:

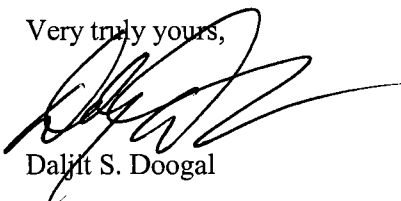
Jeff Kopp and I have been colleagues, partners and friends for nearly 7 years. It is my pleasure to now have the opportunity to nominate him for the State Bar of Michigan Michael Franck Award.

Jeff has committed his entire legal career to advancing the profession by embodying the finest traditional values of the law. Although he is a highly successful and effective commercial litigator, who has obtained numerous summary judgments, verdicts and favorable settlements on behalf of his business clients, his true contributions to the profession come through using his legal skills in the service of human rights, his country, its military veterans, and the public good in Southeast Michigan.

Over the years, I have first hand observed Jeff's commitment to improving the profession. He provides legal services to Army reservists and their families and devotes more than 100 hours a year to *pro bono* legal service on behalf of veterans and social service organizations throughout Metro Detroit. Jeff is the President of the Detroit Metropolitan Bar Association and devotes a substantial amount of time to providing legal guidance for youth at risk to interface with the State Bar of Michigan on numerous service programs. He is deeply involved in ongoing education programs for young lawyers and other young people at the start of their careers.

I have the utmost respect for Jeff. He is a selfless individual who commits countless hours to serving the community, the legal profession and the State Bar of Michigan. Jeff, in my humble opinion, deserves to be the recipient of the 2011 State Bar of Michigan Michael Franck Award.

Very truly yours,



Daljit S. Doogal