

**Charles Jordan Tabb**  
*Mildred Van Voorhis Jones Chair in Law*  
**UNIVERSITY OF ILLINOIS COLLEGE OF LAW**

**Curriculum Vitae**

**ACADEMIC EXPERIENCE**

**University of Illinois College of Law**

Mildred Van Voorhis Jones Chair in Law, 2012-present  
Alice Curtis Campbell Professor of Law, 2002-2012  
Interim Dean, 2007-2008  
Associate Dean for Academic Affairs, 2003-2005  
Professor of Law, 1991-2002  
Associate Professor of Law, 1989-1991  
Assistant Professor of Law, 1984-1989

**Teaching awards**

*Best Professor*, voted by the College of Law Class of 1986  
*Outstanding University Teacher*, University of Illinois, 1988-1989  
*Commencement Faculty Hooder*, voted by the College of Law Class of 2010  
*SBA 2L Professor of the Year*, voted by the College of Law Class of 2013

**Courses taught**

Bankruptcy; Contracts; Commercial Law; Bankruptcy Reorganizations; Bankruptcy Seminars; Statutory Interpretation; Trusts and Estates.  
Coach, Bankruptcy National Moot Court Team (2011 team 3<sup>rd</sup> at Nationals)

**Committees**

*University*: Council of Deans, 2007-2008; Campus Promotion and Tenure Committee, 2004-07; Campus Budget Oversight Committee, 2000-04; College of Law senator, UIUC Faculty Senate, Committee on University Statutes, 2001-03

*College*: Faculty Appointments, 1992-93, 1995-97 (chair 1996-97), 2000-05, 2007-08, 2011-12 (chair); Tenure and Promotion, 2001-03 (chair), 2006-07, 2009-10, 2010-11 (chair), 2012-13; Executive, 1992, 2008-09; Chairs and Professorships, 2008-09 (chair), 2012-13; Long Range Planning 1993-95 (chair); Self-Study, 1995-96; Development, 1993-94; Dean Search, 1992-93; Curriculum & Academic Affairs, 1991-93 (chair), 1994-95, 1998-2000; Writing, 1991-92; Admissions, 1988-89 (chair), 1989-90 and 2000-01; Client Counseling, 1985-89; Placement, 1986-88,

2 **Charles Tabb**, curriculum vitae

1989-90; Discipline, 1984-85, 1994-1995; Lectures, 1998-2000 (chair), 2009-10 (chair)

**Católica Global School of Law, Universidade Católica Portuguesa**, Lisbon, Portugal

Faculty, Advanced LL.M. Program in International Business Law, 2011-present  
Course in Transnational Bankruptcy Law

**DIREITO GV, Escola de Direito de São Paulo, FGV (Fundação Getulio Vargas)**, Sao Paulo, Brazil

Visiting faculty, Global Law Program, Spring 2011  
Course in Transnational Bankruptcy Law

**Cambridge University**, Cambridge, England

Visiting Scholar, March 2006

**Nottingham Law School**, Nottingham, England

Visiting Scholar and Lecturer, March 2006

**Macquarie University**, Sydney, Australia

Prepared course materials (337 pages) for intersession course, “*Comparative Consumer Bankruptcy Systems*,” January 2006

**Georgia State University**

Southeastern Bankruptcy Law Institute Distinguished Visiting Professor, Spring and Fall, 1998. Endowed Visiting Professorship

**University of Texas School of Law**

Visiting Professor of Law, Summer 1993 (Secured Transactions)

**University of Colorado School of Law**

Visiting Associate Professor of Law, Fall 1990 (Commercial Law, Trusts & Estates)

Visiting Associate Professor of Law, Summer 1988 (Trusts & Estates)

### LAW PRACTICE

**Carrington, Coleman, Sloman & Blumenthal**, Dallas, Texas

Associate, 1980-1984

*Practice*: bankruptcy and complex chapter 11 reorganizations (including Braniff Airways and Continental Airlines) and commercial law.

Admitted: Texas (1980); all United States District Courts in Texas.

Highest score of 1,400 successful candidates on July 1980 Texas state bar examination

### PUBLICATIONS

#### BOOKS

**THE LAW OF BANKRUPTCY**, one-volume treatise on bankruptcy law, 1,447 pages (*Second Edition*, Foundation Press 2009)

**THE LAW OF BANKRUPTCY**, one-volume treatise on bankruptcy law, 1050 pages (Foundation Press 1997)

**BANKRUPTCY LAW: PRINCIPLES, POLICIES & PRACTICE**, a casebook on bankruptcy, 882 pages (*Third Edition*, LexisNexis 2010) (with Ralph Brubaker) (2010)

**2011 SUPPLEMENT**, 84 pages

**BANKRUPTCY LAW: PRINCIPLES, POLICIES & PRACTICE**, a casebook on bankruptcy, 870 pages (*Second Edition*, LexisNexis 2006) (with Ralph Brubaker)

**BANKRUPTCY LAW: PRINCIPLES, POLICIES & PRACTICE**, a casebook on bankruptcy, 675 pages (Anderson 2003) (with Ralph Brubaker)

**BANKRUPTCY ANTHOLOGY**, an edited anthology of scholarly articles and books on bankruptcy law, 852 pages (Anderson 2002)

**TRANSNATIONAL BANKRUPTCY**, course materials for class in Transnational Bankruptcy, taught at Católica Global School of Law, Universidade Católica Portuguesa, Lisbon, Portugal, and at DIREITO GV, Escola de Direito de São Paulo, FGV (Fundação Getulio Vargas), Sao Paulo, Brazil in spring 2011 (147 pages)

*Forthcoming*:

**A DEBTOR WORLD: INTERDISCIPLINARY PERSPECTIVES ON DEBT** (Oxford University Press 2012) (ed., with Ralph Brubaker and Robert M. Lawless) (my section of manuscript delivered December, 2009)

**BANKRUPTCY**, a multi-volume treatise (Bloomberg), forthcoming late 2012, or early 2013. My edited contribution will be ~ 1,000 pages.

### **BOOK CHAPTERS**

*The Enron Bankruptcy*, in ENRON: CORPORATE FIASCOS AND LEGAL IMPLICATIONS, 303-356 (Foundation 2004) (invited)

*Obtaining Credit*, chapter 13 (276 pages), in CHAPTER 11 THEORY AND PRACTICE (1994), and 1994 Supplement (invited)

*Priority Claims*, chapter 42 (216 pages), in NORTON BANKRUPTCY LAW AND PRACTICE 2D (1994), and annual supplements 1995-1997 (invited)

### **ARTICLES, MONOGRAPHS, AND REVIEWS**

[1.] *Credit Bidding, Security, and the Obsolescence of Chapter 11*, 68 pages, manuscript, *forthcoming*, UNIVERSITY OF ILLINOIS LAW REVIEW.

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=2019018](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2019018)

On SSRN's Top Ten download list for Bankruptcy, Reorganization & Creditors

[2.] *Ignoring Polonius: A Review of Debtor Nation: The History of America in Red Ink*, 52 CANADIAN BUSINESS LAW JOURNAL 321-328 (2012) (forthcoming)

[3.] *Bankruptcy Reorganizations and the Troubling Legacy of Chrysler and GM*, 2010 UNIVERSITY OF ILLINOIS LAW REVIEW 1375-1410 (with Ralph Brubaker)

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=1549650](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1549650);  
<http://law.bepress.com/uiuclwps/papers/art109/>

Reprinted in the JOURNAL OF LEGAL STUDIES published by the Faculty of Law, University Petre Abdrei, in Iassy, Romania

On SSRN's Top Ten download list for Corporate Governance: Bankruptcy, Financial Distress, & Reorganization

[4.] *Panel Discussion of Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute C-47 and Beyond*, 46 CANADIAN BUSINESS LAW JOURNAL 359-379 (2008) (with Kathryn Feldman, Andrew Kent, and Rosalind Mason)

Invited presentation at 37<sup>th</sup> Annual Workshop on Commercial and Consumer Law, University of Toronto, October 2007

[5.] *Living With the Means Test*, 31 SOUTHERN ILLINOIS LAW JOURNAL 463-515 (2007) (with Jillian K. McClelland)

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=964460](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=964460)

Invited symposium on "Shredding the Safety Net," Southern Illinois University Law School, February 2007

Discussed favorably in *Consumer Bankruptcy News*, vol. 17, # 9 (March 29, 2007), at 4

5 *Charles Tabb*, curriculum vitae

Cited in *In re Quigley*, 391 B.R. 294 (Bankr. N.D.W. Va. 2008) (quoted); *In re Hoffner*, 2007 WL 4868310 (Bankr. D.N.D. 2007)

[6.] *The Top Twenty Issues in the History of Consumer Bankruptcy*, 2007 UNIVERSITY OF ILLINOIS LAW REVIEW 9-29

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=859725](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=859725);  
<http://law.bepress.com/uiuclwps/papers/art48>

Published in Conference Proceedings of the 79<sup>th</sup> Annual Meeting of the National Conference of Bankruptcy Judges (November 2005) (invited)

Published in Conference Proceedings of the University of Illinois Conference, “Consumer Credit and Bankruptcy in the Wake of the 2005 Act” (April 2006)

Republished in CONSUMER PROTECTION: DISPUTES AND RESOLUTIONS, at 53-76 (Icfai Univ. Press 2008)

Republished in Chinese in China’s *Commercial Law Review*

[7.] *Consumer Bankruptcy Filings: Trends and Indicators*, (lead article), 25 AMERICAN BANKRUPTCY INSTITUTE JOURNAL, (part I): No. 9, Nov. 2006, at 1; (part II): No. 10, Dec. 2006/Jan. 2007, at 42

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=931172](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=931172);  
<http://law.bepress.com/uiuclwps/papers/art67>

Published in Conference Proceedings of the ABI One-Year Anniversary Program on BAPCPA (October 16, 2006), Georgetown University Law Center

Invited presentation to Risk Managers Roundtable, Chicago, Illinois, Sept. 2006

[8.] *Courting Controversy*, 54 BUFFALO LAW REVIEW 467-502 (2006)

Available at: <http://law.bepress.com/uiuclwps/papers/art43>

Invited paper at symposium at University of Wisconsin in Sept. 2005 on Lynn M. Lopucki’s book, COURTING FAILURE

[9.] *The Importance of a Bankruptcy Law to Economic Development and Implications for China*, 3 INSOLVENCY LAW & PRACTICE 98-102 (2006)

Refereed journal in the United Kingdom

Paper presented at Conference, “The Role of Law in Economic Development—Implications for China and the World,” University of Illinois College of Law and the Law Faculty of Sun Yat-sen University, Guangzhou, China, December 2005

[10.] *Consumer Bankruptcy After the Fall: U.S. Law Under S. 256*, 43 CANADIAN BUSINESS LAW JOURNAL 28-75 (2006)

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=859645](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=859645);  
<http://law.bepress.com/uiuclwps/papers/art47>

6 *Charles Tabb*, curriculum vitae

Invited presentation at 35<sup>th</sup> Annual Workshop on Commercial and Consumer Law, University of Toronto, October 2005

[11.] *The Brave New World of Bankruptcy Preferences*, 13 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 225-256 (2005) (Invited symposium article on 2005 Bankruptcy Act)

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=859626](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=859626);  
<http://law.bepress.com/uiuclwps/papers/art46>

Cited in *In re Ahaza Systems, Inc.*, 482 F.3d 1118 (9<sup>th</sup> Cir. 2007); *In re Bayonne Medical Center*, 429 B.R. 152 (Bankr. D.N.J. 2010) (quoted); *Dynamerica Mfg. LLC v. Johnson Oil Co.*, 2010 WL 1930269 (Bankr. D. Del. 2010) (quoted); discussed favorably at length and quoted in *In re National Gas Distributors*, 346 B.R. 394 (Bankr. E.D.N.C. 2006)

[12.] *Lessons from the Globalization of Consumer Bankruptcy*, 30 LAW & SOCIAL INQUIRY 763-782 (2005)

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=726510](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=726510);  
<http://law.bepress.com/uiuclwps/papers/art29>

Invited review essay on CONSUMER BANKRUPTCY IN GLOBAL PERSPECTIVE, Niemi-Kiesiläinen, Ramsay, and Whitford, eds., and COMPARATIVE CONSUMER INSOLVENCY REGIMES – A CANADIAN PERSPECTIVE, by Jacob S. Ziegel

Quoted in *In re Kane*, 336 B.R. 477 (Bankr. D. Nev. 2006).

[13.] *Of Contractarians and Bankruptcy Reform: A Skeptical View*, 12 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 259-271 (2004)

Invited symposium article, part of American Bankruptcy Institute's 25<sup>th</sup> Anniversary Symposium on the Bankruptcy Code

[14.] *The Death of Consumer Bankruptcy in the United States?*, in INTERNATIONAL PERSPECTIVES ON CONSUMERS' ACCESS TO JUSTICE, 264-299 (Cambridge University Press 2003, Ricketts & Telfer, eds.)

Available at: [http://papers.ssrn.com/sol3/papers.cfm?abstract\\_id=285760](http://papers.ssrn.com/sol3/papers.cfm?abstract_id=285760)

This paper also was published at 18 BANKRUPTCY DEVELOPMENTS JOURNAL 1-49 (2001)

A shorter version of this paper was published at NORTON BANKRUPTCY LAW ADVISER, June 2002

Principal paper presented at and published in materials for the International Consumer Law Conference, Auckland, New Zealand, April 2001

Circulated to European Economic and Social Committee, advisor to European Commission, Council & Parliament, in Stockholm, Sweden, June 2001

Cited in *In re Turner*, 384 B.R. 537 (Bankr. S.D. Ind. 2008); *In re Virissimo*, 332 B.R. 201 (Bankr. D. Nev. 2005)

**[15.] *A Century of Regress or Progress?: A Political History of Bankruptcy Legislation in 1898 and 1998*, 15 BANKRUPTCY DEVELOPMENTS JOURNAL 343-381 (1999)**

Invited symposium article (Presented at the Association of American Law Schools annual meeting in January, 1999, and at Georgia State University and Emory University, November 1998)

**[16.] AMERICAN BANKRUPTCY INSTITUTE PREFERENCE SURVEY REPORT 1-30 (1997)**

The American Bankruptcy Institute, the largest organization of insolvency professionals in the country, conducted two nationwide surveys on the operation of the bankruptcy preference laws. At their invitation, I wrote the official Report on those surveys, which was published and also submitted to the National Bankruptcy Review Commission.

***Recommendations from the Report were enacted into law as part of Pub. L. No. 109-8, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005***

Discussed favorably at length in *In re National Gas Distributors, LLC*, 346 B.R. 394 (Bankr. E.D.N.C. 2006)

**[17.] *Panglossian Preference Paradigm?*, 5 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 407-422 (1997)**

Invited symposium article on National Bankruptcy Review Commission Report

**[18.] *The History of the Bankruptcy Laws in the United States*, 3 AMERICAN BANKRUPTCY INSTITUTE LAW REVIEW 5-51 (1995)**

Invited symposium article

Reprinted and excerpted in BANKRUPTCY ANTHOLOGY (Anderson 2002))

Republished in Chinese in China's *Commercial Law Review*

**Quoted by Justice Thomas in dissent in United States Supreme Court case, *Central Va. Community College v. Katz*, 546 U.S. 356, 386 (2006)**

Cited in nine briefs in the following four Supreme Court cases:

*The Travelers Indemnity Co. v. Bailey* (2009) (at 2009 WL 2841180)

*Central Virginia Community College v. Katz* (2006) (Cited in two briefs, at 2005 WL 2043043 and 2005 WL 1486670)

*Tennessee Student Assistance Corp. v. Hood* (2004) (Cited in five different briefs, at 2004 WL 220705; 2003 WL 23112948; 2003 WL 23138390; 2003 WL 22766732; and 2003 WL 22873082)

*Hartford Underwriters Ins. Co. v. Union Planters Bank* (2000) (at 1999 WL 1259997)

Cited in *In re Castillo*, 297 F.3d 940 (9th Cir. 2002); *In re Fernandez*, 2011 WL 238442; *In re Washington Mut., Inc.*, 419 B.R. 271 (Bankr. D. Del. 2009); *In re Urban*, 361 B.R. 910 (Bankr. D. Mont. 2007) (quoted); *In re Delhon*, 327 B.R. 38 (Bankr. D. Mass. 2005);

8 *Charles Tabb*, curriculum vitae

*In re King*, 280 B.R. 767 (Bankr. S.D. Ga. 2002); *In re Hood*, 262 B.R. 412 (Bankr. 6<sup>th</sup> Cir. 2001) (quoted); *In re Nelson*, 254 B.R. 436 (Bankr. W.D. Wis. 2000) (quoted); *In re Newport Offshore Ltd.*,

[19.] ***Expanding the Reach of Alternative Dispute Resolution in Bankruptcy: The Legal and Practical Bases for the Use of Mediation and the other Forms of ADR***, 46 SOUTH CAROLINA LAW REVIEW 1259-1328 (1995), with Ralph Mabey & Ira Dizengoff

Invited symposium article

[20.] ***The Future of Chapter 11***, 44 SOUTH CAROLINA LAW REVIEW 791-862 (1993)

Invited symposium article; Reprinted and excerpted in BANKRUPTCY ANTHOLOGY (Anderson 2002)

Cited and quoted in *Provident Bank v. Tennessee Farmers Mut. Ins. Co.*, 2006 WL 565921 (W.D. Tenn. 2006)

[21.] ***Requiem for Cross-Collateralization***, 2 JOURNAL OF BANKRUPTCY LAW & PRACTICE 109-162 (1993)

[22.] ***Rethinking Preferences***, 43 SOUTH CAROLINA LAW REVIEW 981-1035 (1992)

Invited symposium article; Reprinted and excerpted in BANKRUPTCY ANTHOLOGY (Anderson 2002)

[23.] ***Of Commas, Gerunds, and Conjunctions: The Bankruptcy Jurisprudence of the Rehnquist Court***, 42 SYRACUSE LAW REVIEW 823-892 (1991), with Robert Lawless

Invited symposium article

Quoted in *In re Brentwood Outpatient, Ltd.*, 43 F.3d 256 (6th Cir. 1994); cited in *In re Slosberg*, 225 B.R. 9 (Bankr. D. Me. 1998)

[24.] ***Emergency Preferential Orders in Bankruptcy Reorganizations***, 65 AMERICAN BANKRUPTCY LAW JOURNAL 75-115 (1991)

**Winner of the Editor's Prize for the most outstanding article in volume 65 of the American Bankruptcy Law Journal**, sponsored by the National Conference of Bankruptcy Judges.

Relied on by District Court in *Capital Factors, Inc. v. Kmart*, 291 B.R. 818 (N.D. Ill. 2003), ordering return of \$227 million in payments; ruling affirmed by Seventh Circuit

[25.] ***The Historical Evolution of the Bankruptcy Discharge***, 65 AMERICAN BANKRUPTCY LAW JOURNAL 325-371 (1991)

Reprinted and excerpted in BANKRUPTCY ANTHOLOGY (Anderson 2002))

Cited in nine briefs in the following five Supreme Court cases:

*Central Virginia Community College v. Katz* (2006) (Cited in two briefs, at 2005 WL 2043043 and 2005 WL 1486670)

9 **Charles Tabb**, curriculum vitae

*Tennessee Student Assistance Corp. v. Hood* (2004) (Cited in four briefs, at 2003 WL 23112948; 2003 WL 23138390; 2003 WL 22766732; and 2003 WL 22873082)

*Lamie v. U.S. Trustee* (2004) (at 2003 WL 21295241)

*Archer v. Warner* (2003) (at 2002 WL 1885044)

*Kawaauhau v. Geiger* (1998) (at 1997 WL 695469)

Cited in *In re Hayes*, 183 F.3d 162 (2d Cir. 1999); *In re Sasse*, 438 B.R. 631 (Bankr. W.D. Wis. 2010); *In re Walker*, 406 B.R. 840 (Bankr. D. Minn. 2009) (quoted); *In re Marshall*, 300 B.R. 507 (Bankr. C.D. Cal. 2003); *In re Ball*, 257 B.R. 309 (Bankr. D. Ariz. 2001) (quoted); *In re Bliemeister*, 251 B.R. 383 (Bankr. D. Ariz. 2000)

**[26.] *The Scope of the Fresh Start in Bankruptcy: Collateral Conversions and the Dischargeability Debate***, 59 GEORGE WASHINGTON LAW REVIEW 56-113 (1990)

Reprinted and excerpted in BANKRUPTCY ANTHOLOGY (Anderson 2002))

Cited in Petitioner's brief in Supreme Court case of *Kawaauhau v. Geiger* (1998)

Cited in Petition for Certiorari in *Goldblatt v. A&W Industries, Inc.*, 2005

Cited in *In re Hayes*, 183 F.3d 162 (2d Cir. 1999); *In re Miller*, 156 F.3d 198 (5th Cir. 1998); *In re Slosberg*, 225 B.R. 9 (Bankr. D. Me. 1998)

**[27.] *Lender Preference Clauses and the Destruction of Appealability and Finality: Resolving a Chapter 11 Dilemma***, 50 OHIO STATE LAW JOURNAL 109-162 (1989).

Relied on for holding in *In re Saybrook Manufacturing Co.*, 963 F.2d 1490 (11th Cir. 1992)

**[28.] *The Bankruptcy Reform Act in the Supreme Court***, 49 UNIVERSITY OF PITTSBURGH LAW REVIEW 477-589 (1988)

**[29.] *A Critical Reappraisal of Cross-Collateralization in Bankruptcy***, 60 SOUTHERN CALIFORNIA LAW REVIEW 109-175 (1986)

Reprinted and excerpted in BANKRUPTCY ANTHOLOGY (Anderson 2002))

Relied on for holding in *In re Saybrook Manufacturing Co.*, 963 F.2d 1490 (11th Cir. 1992)

Quoted in Petition for Certiorari, *In re Ellingsen MacLean Oil Co.*, 1988

**PROFESSIONAL WRITING**

Author, *Bankruptcy Law Letter*, March 1992–April 2000 (98 issues) (Eight-page analysis of current developments in bankruptcy, published nationally each month)

## **PROFESSIONAL ACTIVITIES**

### **Conference**

Along with my colleague Ralph Brubaker, I organized a conference, *Consumer Bankruptcy and Credit in the Wake of the 2005 Act*,” on behalf of the University of Illinois College of Law. The conference was held on April 7, 2006, in Chicago, Illinois. There were a dozen speakers. The papers will be published in the 2006 UNIVERSITY OF ILLINOIS LAW REVIEW. I served as a Moderator on two of the panels.

### **Bar examination**

Beginning in 2011, I have been invited to draft Contracts questions for the Multistate Essay Examination for the National Conference of Bar Examiners.

## **LAW REFORM WORK**

1. Advisory Committee on Executory Contracts, American Bankruptcy Institute Commission to Study the Reform of Chapter 11, beginning April 2012
2. Advisor to National People’s Congress, Finance and Economic Committee, People’s Republic of China, regarding draft of China’s Enterprise and Bankruptcy Law. The law was enacted in August 2006, with an effective date of June 1, 2007
3. *Commissioner, National Conference of Commissioners on Uniform State Laws, 1997-2001*  
Appointed by Governor Jim Edgar to represent the State of Illinois  
Drafting Committee, Revision to Uniform Commercial Code Article 7  
Drafting Committee, Uniform Consumer Leases Act (adopted by NCCUSL 2001)  
Study Committee, Uniform Service Contracts Act
4. Principal author, two letters to United States Senate regarding bankruptcy reform, 1999. These letters were signed, respectively, by 82 and 60 professors from across the country.
5. *Advisory Committee on the Federal Rules of Bankruptcy Procedure, 1993-1998*  
Appointed by Chief Justice William H. Rehnquist for three-year term; reappointed by Chief Justice Rehnquist for a second three-year term  
Chair, Subcommittee on Alternate Dispute Resolution  
Subcommittee on Forms (participated in redrafting of Official Bankruptcy Forms)
6. *Reporter, American Bankruptcy Institute's national bankruptcy preference survey, 1997*  
As described above, some of the recommendations in this Report were enacted by Congress in Pub. L. No. 109-8

11 **Charles Tabb**, curriculum vitae

7. National Bankruptcy Review Commission  
Testified before Working Group on Preferences, May 1997 (presenting American Bankruptcy Institute Preference Survey Report)  
Member, Working Groups on: Executory Contracts; Small Business, Partnership, and Single Asset Real Estate Reorganizations.
8. *American Law Institute*. Elected to membership 1994  
Members Consultative Groups: UCC Article 2; UCC Article 9; Transnational Insolvency.
9. Commentator, draft of 1993 Romanian Law on the Reorganization of Enterprises and Bankruptcy Management, request of Central and East European Law Initiative of the American Bar Association
10. Testified before the United States Senate, Subcommittee on Courts and Administrative Practice of the Committee on the Judiciary: June 27, 1991 hearings on *The Bankruptcy Code and Individual Debtors*, and submitted written response to questions from that Subcommittee

#### **HONORS, BOARDS**

*Fellow, American College of Bankruptcy* (this is the highest honor bestowed on a bankruptcy professional in the United States), 2005-present

- **Board of Regents**, 2011-present (named as the only academic to the governing board of the College, the Board of Regents)

Member, American Law Institute, 1994-present

Inaugural member, Editorial Advisory Board, LexisNexis, 2005-2009

Referee, *Journal of Institutional Economics*

Referee, *American Bankruptcy Law Journal*

Editorial Advisory Board, *American Bankruptcy Institute Law Review*, 2004-2008

Editorial Advisory Board, *American Bankruptcy Law Journal* (the official journal sponsored by the National Conference of Bankruptcy Judges), 1992-1995

Editorial Advisory Board, *Journal of Bankruptcy Law & Practice*, 1991-1992

American Bankruptcy Board of Certification, Faculty and Board of Directors, 1992-1996

Association of American Law Schools, 1984-present: Sections on Creditors' and Debtors' Rights (chair 1991-1992); Contracts; Commercial and Related Consumer Law

American Bar Association, 1980-present: Sections on Business Law, Legal Education

State Bar of Texas, 1980-present

Who's Who in the Midwest

Who's Who in American Law

### PRESENTATIONS

1. 5<sup>th</sup> Annual Frank W. Koger Bankruptcy Symposium, “*The Future of Consumer Bankruptcy After Lanning, Ransom, and Schwab*,” Western District of Missouri, June 2012.
2. American Bankruptcy Institute, national podcast, “*Credit Bidding in the Supreme Court: Analyzing RadLAX*,” April 2012.
3. “Theoretical and Interdisciplinary Perspectives on Law, Lawyering, and Judging” (A Federal Judicial Center Program for Bankruptcy Judges), “*Bankruptcy Reorganizations and the Troubling Legacy of Chrysler and GM*,” University of Illinois College of Law, September 2010.
4. University of Illinois College of Law Faculty Retreat, “*Bankruptcy Reorganizations and the Troubling Legacy of Chrysler and GM*,” May 2010.
5. American Bankruptcy Institute, “Legislative Symposium: Chapter 11 at the Crossroads,” Washington, D.C., “*Revisiting the Idea of a Mandatory Trustee*,” November 2009.
6. National Association of Consumer Bankruptcy Attorneys, annual meeting (over 1,400 attendees), Chicago, Illinois “*Exemptions*,” June 2009.
7. 37<sup>th</sup> Annual Workshop on Commercial and Consumer Law, “Panel Discussion of S. Ben-Ishai & A.J. Duggan (eds.), *Canadian Bankruptcy and Insolvency Law: Bill C-55, Statute c.47 and Beyond* (Lexis Nexis, Toronto, 2007),” Toronto, Canada, October 2007.
8. Southern Illinois University College of Law, Carbondale, Illinois, Conference, “Shredding the Safety Net,” “*Living With the Means Test*,” February 2007
9. Risk Managers Roundtable, Chicago, Illinois, “*Consumer Bankruptcy Filings: Trends and Indicators*,” September 2006
10. Nottingham Law School, Nottingham, England, “*Consumer Debt and Consumer Bankruptcy – An American Perspective*,” March 2006
11. Conference, “The Role of Law in Economic Development—Implications for China and the World,” “*The Importance of a Bankruptcy Law to Economic Development*,” University of Illinois College of Law and the Law Faculty of Sun Yat-sen University, Guangzhou, China, December 2005
12. National Conference of Bankruptcy Judges, 79<sup>th</sup> Annual Meeting, San Antonio, Texas; “Big Issues in Bankruptcy History – Consumer Bankruptcy,” “*The Top Twenty Issues in the History of Consumer Bankruptcy*,” November 2005
13. 35<sup>th</sup> Annual Workshop on Commercial and Consumer Law, “Bill C-55: Key Issues and Comparative Bankruptcy Developments,” “*Consumer Bankruptcy After the Fall: United States Law Under S. 256*,” Toronto, Canada, October 2005

13 **Charles Tabb**, curriculum vitae

14. Principal Paper, "Conference on LoPucki's COURTING FAILURE," "*Courting Controversy*," Madison, Wisconsin, September 2005

15. American Bankruptcy Institute, Summer Conference, Hawaii, *Taking it to (or From) Secured Creditors in Bankruptcy*, June 2004

16. Turnaround Management Association, Chicago, "Holding Court: A Bankruptcy Judges Forum," Moderator for Panel on "*Corporate Governance Matters*," May 2004

17. University of Alabama, "*Of Contractarians and Bankruptcy Reform: A Skeptical View*," November 2003

18. American Bankruptcy Institute, "25<sup>th</sup> Anniversary Symposium on the Bankruptcy Code," Washington, D.C., "*The Reluctant Contractarian*," October 2003

19. National Conference of Bankruptcy Judges, 76th annual meeting, Chicago, Illinois; "*The Doctrine of Necessity as the Mother of Invention*," October 2002

20. International Conference on Insolvency Law, Beijing, China, regarding the draft Bankruptcy Law of the People's Republic of China, met with Finance and Economic Committee, National People's Congress, April 2002

21. International Consumer Law Conference, Auckland, New Zealand, "*The Death of Consumer Bankruptcy in the United States*," April 2001

22. American Bankruptcy Institute, "*The Coming New Bankruptcy Code*," December 1999

23. Association of American Law Schools, Annual meeting, Section on Creditors' and Debtors' Rights, "*The Political Economy of the Bankruptcy Act of 1898*," January 1999

24. Emory University, Georgia State University, "*Reflections on the Comparative Political Economy of Bankruptcy Reform in 1898 and 1998*," November 1998

25. Emory University, Georgia State University, "*Consumer Bankruptcy at the Crossroads*," April 1998

26. Southern Illinois Bankruptcy Institute, "*Reflections on the National Bankruptcy Review Commission*," September 1997

27. American Bankruptcy Institute, Annual Spring Meeting, "*ABI Preference Survey Report*," Washington, D.C., May 1997

28. Southeastern Bankruptcy Law Institute, "*General Partners and Members of Limited Liability Companies in Bankruptcy; Litigating Discharge of Tax Debt*," Atlanta, April 1997

29. State Bar of Wisconsin mid-winter meeting, "*History of Bankruptcy*," January 1996

30. Bank of China delegation, University of Illinois, "*The Bankruptcy Law in the United States*," September 1995

31. Wisconsin Supreme Court, "1995 Civil Law Seminar;" "*History of Bankruptcy*," September 1995

32. Thirteenth Annual Pacific Bankruptcy Law Institute, Advanced Course; San Francisco, "*Obscure Claims*," "*Avoidance Actions*," July 1995

14 *Charles Tabb*, curriculum vitae

33. American Bankruptcy Institute, Midwest Regional Conference for State Trial Court Judges, "*Bankruptcy*," St. Louis, January 1995

34. "1994 Symposium on Bankruptcy," sponsored by the South Carolina Law Review and the South Carolina Bankruptcy Lawyers Association, Charleston, South Carolina, "*Alternative Dispute Resolution in Bankruptcy*," August 1994

35. Twelfth Annual Pacific Bankruptcy Law Institute, Advanced Course; San Francisco; "*Executory Contracts in Bankruptcy*," May 1994

36. Twelfth Annual Pacific Bankruptcy Law Institute, Basic Course; San Francisco; "*Executory Contracts in Bankruptcy*," May 1994

37. Fourth Annual Midwestern Bankruptcy Conference; Chicago Indian Lakes Resort, Illinois, "*Legislative Changes: Landlord-Tenant*," May 1994

38. Seventh Circuit Bankruptcy Judges Educational Seminar, University of Chicago Law School, Chicago, Illinois; "*Bankruptcy in the Rehnquist Supreme Court*," December 1993

39. "1993 Symposium on Chapter 11 Bankruptcy Reorganizations," sponsored by the University of South Carolina School of Law and the South Carolina Law Review, in Charleston, South Carolina; "*The Future of Chapter 11*," March 1993

40. American Bar Association, Section of Business Law, San Antonio, Texas; "*Cross-Collateralization After Saybrook Manufacturing*," October 1992

41. American Bar Association, Section of Business Law, Spring meeting, in Orlando, Florida; "*Business Bankruptcy in the Supreme Court*," April 1992

42. "1992 Symposium on the Trustee's Avoiding Powers in Bankruptcy," sponsored by the University of South Carolina School of Law and the South Carolina Law Review, in Columbia, South Carolina; "*Rethinking Preferences*," March 1992. This paper also was presented at a faculty workshop at Washington University in St. Louis

43. "*Agenda for Bankruptcy Reform*," Annual meeting, Creditors' and Debtors' Rights Section, Association of American Law Schools, Jan. 7, 1992 (Organized as chair)

44. "5th Biennial MidSouth/Midwest Bankruptcy Institute," University of Kentucky College of Law; "*Emergency Preferential Orders in Bankruptcy Reorganizations*," December 1991

45. National Conference of Bankruptcy Judges, 64th annual meeting, Chicago, Illinois; "*Cross-Collateralization and Other § 364 Issues*," November 1990

**EDUCATION**

**UNIVERSITY OF VIRGINIA SCHOOL OF LAW**

Juris Doctor, 1980

Order of the Coif

*Virginia Law Review*, 1978-1980

Trial Advocacy Award, Virginia Trial Lawyers Association

**VANDERBILT UNIVERSITY**

Bachelor of Arts in Economics, *summa cum laude*, 1977

Ranked # 6 in class of 754

Phi Beta Kappa Honorary Society; Phi Eta Sigma Honorary Society

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