

BERNSTEIN ■ BURKLEY

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BERNSTEIN-BURKLEY SUMMER NEWSLETTER

AUGUST 2017

WHAT TO EXPECT

In every issue of Bernstein-Burkley's Newsletter, we share the latest firm news, recent blog posts, and upcoming events. We encourage you to share these articles with others who might benefit from the information. [Learn More](#) about our attorneys and services.

FIRM NEWS

KERRI STURM LEADS LITIGATION TEAM

Kerri Sturm has been named Supervising Partner of Bernstein-Burkley's growing Litigation Practice. Kerri joined the firm as a partner last July and has consistently demonstrated her dedication to her clients. She is an accomplished attorney whose practice focuses on high-stakes commercial and civil litigation for plaintiffs and defendants, both at the trial and appellate levels.



Kerri has tried and managed cases in state and federal courts across the country involving a variety of claims, including oil and gas disputes, health care, breach of contract, fraud, Uniform Commercial Code matters, breach of warranties, fraudulent conveyances, and business torts. She derives great satisfaction from exceeding her clients' expectations in terms of the result obtained and the cost of achieving it.

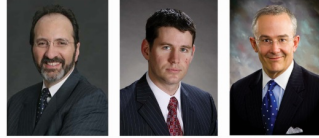
[Learn more about Bernstein-Burkley's litigation practice.](#)

Super Lawyers®
2017

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Five Bernstein-Burkley Partners Named 2017 Super Lawyers or Rising Stars

Bernstein-Burkley is proud to announce that five partners at the firm have been recognized by the 2017 Super Lawyers List: Robert Bernstein, Kirk Burkley, Nicholas Krawec, Arch Riley and Travis Knobbe.

Best Lawyers®
2018

BERNSTEIN | BURKLEY | RILEY

Three Bernstein-Burkley Partners Recognized by Best Lawyers®

Bernstein-Burkley is pleased to announce that partners, Robert Bernstein, Kirk Burkley and Arch Riley, Jr., have been selected by their peers for inclusion in the 24th Edition of The Best Lawyers in America®.

EXCITING VICTORIES

A Recent Bernstein-Burkley Case Made National Headlines

Over the past several weeks, a Bernstein-Burkley case has been featured on various law sites, like the *American Bankruptcy Institute*, *Bankruptcy Law News*, and *Law360* (LexisNexis). The headlines read, "*Third Circuit Defines 'Received' for Section 503(b)(9) of Bankruptcy Code.*"

On July 10, 2017, the Third Circuit found that a company must have **physical possession** of goods before it can be said to have "received" them, opening the way for two Chinese companies to seek payment for shipments to a bankrupt Pennsylvania importer.

Bernstein-Burkley, specifically, Co-Managing Partner, Kirk Burkley, and Associate, Daniel Schimizzi, represented the two Chinese companies mentioned above - Haining Wansheng Sofa Company and Fujian Zhangzhou Foreign Trade Company.

This precedential opinion made by the Third Circuit is incredibly significant because it reversed the decisions of the Bankruptcy and District Courts for the Eastern District of Pennsylvania.

The Honorable Thomas M. Hardiman begins his opinion, "This appeal involves a question of bankruptcy law that has important ramifications for a creditor that sells goods to a debtor soon before the debtor files a Chapter 11 bankruptcy petition."

To learn more about Bernstein-Burkley's involvement in the case or to read the full opinion, click [here](#).



ON THE BLOG



BANKRUPTCY ATTORNEY

An in-depth look into why companies and individuals shouldn't shy away from consulting with a bankruptcy attorney on a regular basis.

[Learn more.](#)



HOME IMPROVEMENT

Tips for home improvement contractors on how to protect themselves from the Home Improvement Consumer Protection Act.

[Learn more.](#)



5 MINUTE LEGAL MASTER

In this episode, Co-Managing Partner [Robert Bernstein](#) discusses the Payment Gap - the distance between a sale and a payment.

[Learn more.](#)

UPCOMING EVENTS

Commercial Law League of America's Webinar Series

[Lawyer as Supervisor: Ethical Considerations](#)

Presenter: Robert Bernstein

Date: August 31, 2017

Time: 3 PM EST

This course will cover the ethical considerations of supervising staff and associates. Throughout the presentation, you'll learn about subordinate conduct, training junior staff, and how to offer professional coaching.

Did you know that Bob has served twice as the CLLA's President and has also previously served as treasurer?



RECENT EVENTS



SMART CREDIT POLICIES IMPROVE COLLECTIONS

Associate [Ray Wendolowski](#) explained different ways for credit and collections professionals to improve their collections process.



COMMERCIAL LEASE TERMINATION

Co-Managing Partner [Kirk Burkley](#) and Associate [Kyle Smith](#) discussed the complex issues associated with the termination of a commercial lease agreement.

WHERE WE'VE BEEN



ABI SPRING MEETING
Partner [Arch Riley](#) and Associate [Allison Carr](#) attended the ABI Spring meeting in Washington D.C. in April.

Legal Forum

May 7-9, 2017 • Don CeSar Hotel • St. Pete Beach, FL

[Click here to View Sessions](#)

ELFA LEGAL FORUM

Co-Managing Partners [Robert Bernstein](#) and [Kirk Burkley](#) attended the ELFA Legal Forum in Florida this May.

The Long Term Care Convention & Expo

May 1 - 4, 2017
Columbus, Ohio

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OHCA CONVENTION

Partner [Kerri Sturm](#) and Associate [Ray Wendolowski](#) attended and exhibited at the OHCA Convention in Columbus in May.

WHERE WE'RE GOING



NCBJ MEETING
Co-Managing Partners [Robert Bernstein](#) and [Kirk Burkley](#) will attend the NCBJ Annual Meeting in Las Vegas this October.



NCBJ NEXTGEN
Associate [Daniel Schimizzi](#) will participate in the NCBJ Next Generation program at the NCBJ Annual Meeting in Las Vegas this October.



STANDING FIRM
Co-Managing Partner [Robert Bernstein](#) will attend the Stand Up for Standing Firm Awards Luncheon in Pittsburgh in November.

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