



Hon. Meredith Grabill

Bankruptcy Judge, Eastern District of Louisiana

by Cherie Dessauer Nobles, Benjamin W. Kadden, and Coleman L. Torrans



Cherie Dessauer Nobles is a member of Heller, Draper, Patrick, Horn & Manthey, L.L.C. She works in the bankruptcy practice group of the firm and concentrates on debtor and creditor rights. Benjamin Kadden is a shareholder with the firm of Lugenbuhl, Wheaton, Peck, Rankin & Hubbard. He is the current chair of the Bankruptcy Section of the Louisiana State Bar Association. Coleman L. Torrans is an associate of Lugenbuhl, Wheaton, Peck, Rankin & Hubbard, working chiefly in the firm's bankruptcy practice. He previously served as a law clerk to the Honorable Carl J. Barbier of the U.S. District Court for the Eastern District of Louisiana.

It is no easy task to write a brief profile of Meredith Grabill, who recently became Hon. Meredith Grabill when she was sworn in as the new bankruptcy judge for the Eastern District of Louisiana on Sept. 9, 2019, joining Judge Jerry Brown on the bench. There is too much to say and too little space in which to say it.

After all, Judge Grabill's professional life spans two careers and stretches coast to coast. She is well known to the bankruptcy bar over which she now presides because of her extensive experience as a commercial bankruptcy practitioner, but her reputation extends well beyond this domain because of her active engagement with various charities and nonprofits. Indeed, while Judge Grabill worked as a full-time bankruptcy attorney before donning the robe, she also taught (and continues to teach) a chapter 11 corporate bankruptcy class as an adjunct professor of law at Tulane University Law School. She served for years as treasurer of the vestry at St. George's Episcopal Church and is a founding member of the *Tulane Law Review's* alumni association. Meanwhile, those duties did not prevent her from donating hundreds of hours of her time to various pro bono causes and mentoring young lawyers. She did all this while raising two young boys with her husband, Jeremy Grabill, himself an accomplished attorney.

The most obvious conclusion one draws from a review of Judge Grabill's career is that she must enjoy a 30-hour day to everyone else's measly 24. The truth is less fantastical but no less awing: Judge Grabill has the same small amount of spare time as the rest of us; she simply chooses to donate hers, driven by a strong sense of duty to help the less fortunate. Judge Grabill's legal experience undoubtedly qualifies her for the position of bankruptcy judge, but her experiences outside the practice of law may help her to become a great judge for our district.

To the uninitiated layman (and perhaps even some attorneys), bankruptcy is a mysterious procedural world where a judge applies an assemblage of arcane rules to divide up a debtor's property in accordance with mathematical formulae. Under that oversimplification, a bankruptcy judge is an accountant with an imposing rulebook, the Bankruptcy Code, and



she needs nothing more than a good head for figures and a copy of the book to do the job. But in actuality, efficiently distributing assets is just one component of the job. Bankruptcy courts are often called "courts of equity," and bankruptcy judges are granted broad and substantial powers to ensure justice is done for the sake of honest but unfortunate debtors, their creditors, and other stakeholders, such as employees and shareholders.

Bankruptcy judges are called upon to hear the competing claims of a diverse collection of parties and resolve them fairly. Inherent to the setting, there are not enough resources to go around. And many of those involved, both creditors and debtors, will be utterly unfamiliar with the process and risk being outmatched by more seasoned or more aggressive participants. Indeed, the average American is more likely to find themselves before a bankruptcy judge than in any other federal court. Furthermore, in chapter 11 business cases, which are generally the most complicated bankruptcy matters, the bankruptcy judge must manage the parties and assist in consensus-building as a plan for payment of the debtor's debts is developed, voted on, and ultimately put into practice. In those moments, a bankruptcy judge must be more than a mere umpire and must act as a facilitator of the pro-

cess. Fortunately for stakeholders in the Eastern District, Judge Grabill's personal history makes her incredibly well suited for the job.

Judge Grabill has always worked hard. The oldest of five children, she worked through high school as a lifeguard, waterski instructor, and camp counselor. She paid for her higher education herself through working a variety of jobs. At one point, she worked as a counselor at a medium-security wilderness program where she lived outdoors with delinquent and emotionally disturbed teenagers. The program was an alternative to detention at a state facility. Judge Grabill's job was to act as part-counselor, part-warden for these boys and young men, most of whom had been adjudicated for violent offenses and nearly all of whom came to the program lacking any sort of survival skills. More than that, after years of neglect, abuse, or both, some lacked even basic social and self-care abilities—Judge Grabill recalls having to teach one boy how to brush his teeth.

The program divided the boys into groups of about 10. The boys shared one large tent, where at least one other counselor slept. Judge Grabill's living quarters were equally spartan; she had her own small tent a few feet away. The driving idea of the program was that the residents could learn how to engage in healthy group dynamics by learning to survive as a group in a wilderness setting. Contrary to typical delinquency reform, the boys were invested with autonomy through participation in group decision-making, with the intent that program participants would learn to self-manage and be forced to face consequences of their decisions, good or bad.

Everything was done as a group. There were no individual (or ex parte) counseling sessions. Collectively, the boys decided their own schedule, assigned tasks, and set goals. But once the group made a decision, it was enforced. Because the boys also had to make their own meals on a campfire, the menu remained basic. The go-to: grilled cheese sandwiches and tomato soup, which remains one of Judge Grabill's favorite meals. In her role as a counselor, Judge Grabill was required to handle many different personalities, resolve conflicts among the boys, understand each child's motivation, and ensure that each child was protected.

After obtaining her undergraduate degree at The Evergreen State College, Judge Grabill continued to work with youth for years, including in maximum-security settings. Later, she served as an executive-level administrator of a juvenile justice agency for the State of Washington. While there, she worked with clinicians from the University of Washington to develop and implement behavioral treatment programs for adjudicated youth residing in institutions or in the community on parole.

Her experiences in instilling cooperation among groups with disparate interests and clashing personalities should prove useful in Judge Grabill's position as a bankruptcy judge, where she is helping debtors and creditors work together to develop repayment plans—although one hopes Judge Grabill's experience in federal

bankruptcy court will be a *little* easier than her time in the wilderness.

Judge Grabill later enrolled at Tulane University Law School, where she became a member of the *Tulane Law Review*. Her peers on the *Review* (her future husband among them), impressed with her intelligence and leadership abilities, elected her editor-in-chief of the journal. The wisdom of that choice was quickly demonstrated. Judge Grabill would become, in effect, the *Review's* first editor-in-exile after Hurricane Katrina pummeled and then flooded New Orleans in 2005.

After the levees broke, then-Dean Lawrence Ponoroff informed the law students that the school would not reopen during the fall semester; however, he encouraged students to enroll in other law schools and to take classes on a pass/fail basis for the semester. As a result, students frantically enrolled at universities across the United States. With the *Review's* offices inaccessible and its student editors now a diaspora, most unpaid student editors would be willing to write off a fall publication at this point, with publication to resume in the spring, if it all. But because it was Judge Grabill's name at the top of the masthead, the *Review* did not take a hiatus. Judge Grabill explains in her excellent recounting of her experience—published in the *Review* 10 years later—that she felt she could not suspend publication because the *Review's* institutional knowledge is only one year, and even a brief disruption of operations would disrupt the passing of the torch from one student class to the next. Additionally, the *Review* had signed contracts with authors to publish their works exclusively. It was unacceptable to Judge Grabill that the journal's misfortune would be also borne by the authors who had trusted the *Review* with publication of their works. Finally, Judge Grabill recognized that it meant something to her fellow members to have the *Tulane Law Review* listed on their résumés, and she did not want “our Volume to be that Volume with an asterisk beside it.”¹

Committed as she was, Judge Grabill scrambled to coordinate enough journal members to enroll at one university where a skeleton crew of student editors could ensure the *Review* was published as scheduled. She chose the University of Texas School of Law as the rally point for the student editors because it was the home of one of the authors being published in the *Review*. That author was gracious enough to intervene on the *Review's* behalf, and 12 student-editors enrolled at the university, where the *Texas Law Review* gave them the resources they needed to continue their work. Ultimately, with tremendous effort from its members located in Austin and abroad—and with Judge Grabill at the helm—the *Review* published the 2,043-page Volume 80, in the form of 40 articles and essays, five comments, five case notes, four book reviews, and memorials.

After Tulane reopened, Judge Grabill returned to New Orleans to finish her tenure as editor-in-chief, complete her education, and graduate. While still in school, she and Jeremy began planning their lives together. At

one point they took out a cocktail napkin, daydreamed a bit, and jotted down the cities where they could build their careers and their family. On this list: New York, New Orleans, Seattle, Madison, Portland (Maine and Oregon), and a few others. They decided on New York initially, but Jeremy kept the napkin in case they needed it.

Immediately upon graduating, Judge Grabill clerked for U.S. District Judge Martin Feldman, who had served as the chairman of the *Review's* board of advisory editors while Judge Grabill was the editor-in-chief. Judge Feldman, remarking on his former clerk, said recently:

Meredith is one of the most gallant, brilliant, committed people I've ever known. The only reason there is still a *Tulane Law Review* is because as student chair during Katrina, while displaced, she kept the *Law Review* going. I've had the honor of very special young people who have clerked for me and made me look smart ... Meredith is at the top of that list.

Upon completing her district court clerkship, Judge Grabill went on to clerk for Judge Edith Brown Clement of the U.S. Court of Appeals for the Fifth Circuit. She then entered private practice in New York at a prestigious Manhattan law firm. After a few years in practice, although already a veteran of federal court chambers, Judge Grabill was eager to clerk for a bankruptcy judge to obtain an insider's perspective of the high-profile, large-debt cases that populate Manhattan's federal bankruptcy docket. She applied for a third clerkship with Bankruptcy Judge Martin Glenn of the Southern District of New York. Judge Glenn was thrilled. In explaining why Meredith was an "ideal" bankruptcy clerk, Judge Glenn recently recalled:

Meredith got along well with everyone, but she didn't take gruff from anyone She had such good judgment as well as legal acumen. Anyone would love to have a law clerk like that.

Upon finishing her clerkship with Judge Glenn, Judge Grabill had worked inside chambers as a clerk at three different federal courts and as a litigator on some of the highest profile bankruptcy cases in the nation as a private practitioner. She and Jeremy also had two children. They looked for a place to raise their boys outside the bustle of New York City. Jeremy found the napkin on which they had scrawled their daydreams years ago. Two words caught their eye: "New Orleans." Neither had family in the city and neither had grown up there. But both had been charmed by New Orleans during their time as students there, cataclysmic flood notwithstanding, and felt the city's pull.

Judge Grabill and Jeremy moved back to New Orleans and quickly integrated themselves into the community. Each joined law firms. Jeremy became a partner

with the firm of Phelps Dunbar. Judge Grabill became a shareholder with the firm of Lugenbuhl, Wheaton, Peck, Rankin & Hubbard and, in addition to maintaining a busy chapter 11 practice, found time to donate her time to pro bono clients in the areas of consumer bankruptcy, successions, interdiction, and intrafamilial child custody. When asked about his time working with his former colleague, Benjamin Kadden lamented:

While her adversaries and allies are keenly aware that Judge Grabill is a talented and persuasive writer, Judge Grabill's most admirable trait—and that which is most likely to directly translate to her forthcoming experiences on the bench—may be her unwavering commitment to helping her colleagues, her students, and so many others become better people (and often, attorneys). Her tireless pursuit of constant and consistent improvement in everything and everyone that she encounters will be a tremendous benefit to the bankruptcy bar in New Orleans and beyond. While we will miss her as a shareholder at Lugenbuhl, we are proud and excited that she will serve as the bankruptcy judge in the Eastern District of Louisiana for the next 14 years.

While practicing law, Judge Grabill also found time to help establish the *Tulane Law Review's* alumni association. Judge Grabill returns to the classroom each spring at Tulane Law to teach upper level bankruptcy courses to law students. The boys are enrolled at Lycée Français de la Nouvelle Orleans, a French immersion public charter school. And the Grabills are parishioners at St. George's Episcopal Church, where Judge Grabill served on the vestry for years.

The above experiences, briefly and incompletely recounted, demonstrate Judge Grabill's tenacity, her thoroughness, and her grit, and an eagerness to do what is right. The bankruptcy bar of the Eastern District is fortunate to have a bankruptcy judge so committed to her craft and her adopted community. Judge Grabill, though, is the one who feels lucky: "We have been incredibly blessed since we have been back." ☉

Endnote

¹See Meredith Byars Grabill, *Deluge: The Tulane Law Review in the Aftermath of Hurricane Katrina*, 90 Tul. L. Rev. 1 (2015).