

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

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**Media Advisory**

## Kevin R. Huennekens Appointed Bankruptcy Judge

*September 12, 2006* – Kevin R. Huennekens has been appointed the second judge in the Richmond Division of the U.S. Bankruptcy Court for the Eastern District of Virginia. The appointment was made by Chief Circuit Judge William W. Wilkins, for the U. S. Court of Appeals for the Fourth Circuit, effective September 11, 2006, and Judge Huennekens was sworn in on the same day. The oath of office was administered by Court of Appeals Judge Roger L. Gregory at the Lewis F. Powell, Jr. United States Courthouse at Richmond, Virginia. A more formal investiture ceremony open to the public will be scheduled and held at a later date.

Judge Huennekens fills a new bankruptcy judgeship, which was created by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005.

Judge Huennekens, 53, was a partner in the Richmond office of Kutak Rock, a 325-attorney firm with offices in 16 cities nationwide. He represented unsecured and secured creditors, committees of creditors and equity security holders, indenture trustees and business debtors in workout and bankruptcy matters, including Chapter 11 reorganization, bankruptcy liquidations and out-of-court restructurings. He also was active in representing parties acquiring companies in bankruptcy or their assets. A significant portion of Mr. Huennekens' practice included bankruptcy and commercial litigation matters such as preference and fraudulent conveyance litigation. Since 1987, he had served as a Bankruptcy Trustee for the Court in Chapter 7 bankruptcies, overseeing personal bankruptcies and the estates of companies that have gone out of business.

In 1992, he successfully argued the case of *Patterson v. Shumate* before the U.S. Supreme Court. The case established the rule that Employee Retirement Income Security Act (ERISA) qualified retirement plans are not property of the individuals' bankruptcy estates. This allowed individuals to retain their retirement benefits even after filing bankruptcy.

He is a member of the 650-person American College of Bankruptcy, an honorary association of bankruptcy and insolvency professionals. Its Fellows include: commercial bankruptcy attorneys, consumer bankruptcy attorneys, corporate turnaround specialists, United States Trustees, Bankruptcy Trustees, investment bankers, insolvency accountants, law professors, Judges, government officials, appraisers, and others involved in the bankruptcy and insolvency community. Nominees are extended an invitation to join based on a proven record of the highest standards of professionalism and service to the profession. He is one of only three members in Richmond.

Mr. Huennekens is a 1975 graduate of the College of William & Mary and a 1978 graduate of the College's Marshall-Wythe School of Law, where he has since taught the Bankruptcy course as an adjunct faculty member.

Bankruptcy judges are appointed by the U.S. Court of Appeals for the Fourth Circuit, which is based in Richmond, and serve for a term of 14 years.

The Eastern District of Virginia encompasses 16 cities and 43 counties. The Bankruptcy Court hears cases in Alexandria, Newport News, Norfolk and Richmond. With Judge Huennekens' appointment to the bench, the court has six judges.

If you have questions about this media advisory, please contact William Redden, the Clerk of Court, at 804-916-2490 or [William.Redden@vaeb.uscourts.gov](mailto:William.Redden@vaeb.uscourts.gov).