S. ELIZABETH GIBSON
Burton Craige Professor of Law
University of North Carolina School of Law
Campus Box # 3380
Chapel Hill, North Carolina 27599
(919) 962-8506 fax: (919) 962-1277
e-mail: elizabeth_gibson@unc.edu

EDUCATION:

Law School -- University of North Carolina School of Law
J.D. with High Honors, May 1976
Order of the Coif
Note and Comment Editor, North Carolina Law Review

College -- Duke University
B.A. cum laude in Political Science, May 1972

PROFESSIONAL EMPLOYMENT:

Burton Craige Professor of Law -- University of North Carolina School of Law -- 1993-

Professor of Law -- University of North Carolina School of Law -- 1988-1993

Associate Professor of Law -- University of North Carolina School of Law -- 1983-1988

Attorney -- Associate and Partner, Shea & Gardner (now Goodwin Proctor)
1800 Massachusetts Avenue, N.W., Washington, D.C. 20036 -- 1978-1983
Federal court litigation, with particular emphasis on products liability, environmental, and administrative law matters

Law Clerk -- Justice Byron R. White
Supreme Court of the United States
1977-78

Judge J. Braxton Craven, Jr.
United States Court of Appeals for the Fourth Circuit
1976-77

COURSES TAUGHT:

Federal Jurisdiction, Bankruptcy, Comparative Consumer Bankruptcy, Advanced Bankruptcy, Civil Procedure

PUBLICATIONS:

Chapter 106 (Sovereign Immunity) and Chapters 7026-7037 (Discovery Rules), Collier on Bankruptcy (LexisNexis Matthew Bender) (2003-)

JUDICIAL MANAGEMENT OF MASS TORT BANKRUPTCY CASES (Federal Judicial Center 2005) (162 pp.)

When Worlds Collide: State Sovereign Immunity and Federal Bankruptcy Power, 79th Annual Meeting of the National Conference of Bankruptcy Judges (2005) (21 pp.)

Sovereign Immunity, 31st Annual Southeastern Bankruptcy Law Institute (2005) (24 pp.)

Bankruptcy Court Jurisdiction: Abstention, Removal, and Core/Non-Core Proceedings, 31st Annual Southeastern Bankruptcy Law Institute (2005) (28 pp.)

CASE STUDIES OF MASS TORT LIMITED FUND CLASS ACTION SETTLEMENTS AND BANKRUPTCY REORGANIZATIONS (Federal Judicial Center 2000) (244 pp.)

A Response to Professor Resnick: Will This Vehicle Pass Inspection?, 148 University of Pennsylvania Law Review 2095-2117 (2000)

How to Deal with a State in Bankruptcy in a Post-*Seminole* World, 73rd Annual Meeting of the National Conference of Bankruptcy Judges 12-13 - 12-31 (1999)

MASS TORT LIMITED FUND & BANKRUPTCY REORGANIZATION SETTLEMENTS: FOUR CASE STUDIES (Report to Mass Tort Working Group of Judicial Conference of U.S.) (Federal Judicial Center 1999) (86 pp.)

Sovereign Immunity in Bankruptcy: The Next Chapter, 70 American Bankruptcy Law Journal 195-216 (1996).

Congressional Response to Hoffman and Nordic Village: Amended § 106 and Sovereign Immunity, 69 American Bankruptcy Law Journal 311-347 (1995) (awarded 1996 Editors' Prize).

Preserving and Enhancing a Legacy of Excellence in Challenging Times: 1989- -- The Deanship of Judith Welch Wegner, 73 North Carolina Law Review 657-674 (1995).

Pretrial Case Management: Changes in Rule 16 and in Local Practices, New Federal Rules, VII-1 - VII-12 (N.C. Bar Foundation 1994).

Recent Supreme Court Trends in Bankruptcy, The Supreme Court on Bankruptcy, 1.1-1.27 (Ohio CLE Institute 1993).

A GUIDE TO THE JUDICIAL MANAGEMENT OF BANKRUPTCY MEGA-CASES (Federal Judicial Center 1992) (227 pp.)

Bankruptcy Court Jurisdiction and Jury Trials, Fourteenth Annual Bankruptcy Institute, pp. I-1 - I-22 (N.C. Bar Foundation 1991)

Jury Trials and Core Proceedings: The Bankruptcy Judge's Uncertain Authority, 65 American Bankruptcy Law Journal 143-179 (1991)

Granfinanciera: An Update, Bankruptcy Update 1990, pp. 3-5 -3-14 (National Conference of Bankruptcy Judges 1990) (with D. Baird & T. Carlson)

Supreme Court and Fourth Circuit Update, 1990 Eastern Bankruptcy Institute, pp. H-1 - H-13 (1990).

Jury Trials in Bankruptcy: Obeying the Commands of Article III and the Seventh Amendment, 72 Minnesota Law Review 967-1054 (1988).

Removal of Claims Related to Bankruptcy Cases: What Is a "Claim or Cause of Action"?, 34 UCLA Law Review 1-65 (1986).

Note, Presidential Pardons and the Common Law, 53 North Carolina Law Review 785-793 (1975).

Note, Lowering the Compelling State Interest Hurdle, 53 North Carolina Law Review 430-439 (1974).

PROFESSIONAL ACTIVITIES:

Reporter – Advisory Committee on Bankruptcy Rules, Judicial Conference of the United States – 2008-

Member, Board of Editors, Collier on Bankruptcy

Member, National Bankruptcy Conference

Fellow of the American College of Bankruptcy (selected in 2003)

Member, American Bankruptcy Institute

Member, Litigation Section Council, North Carolina Bar Association (2011-)

Member, Program Committee for 2003 National Conference of Bankruptcy Judges Annual Meeting (2001-2003)

Member, Federal Judicial Center Bankruptcy Education Committee (1999-2008)

Consultant to Research Division, Federal Judicial Center (1998-2004)

Member, Appellate Rules Study Committee, North Carolina Bar Association (1992-1993)

Member, Advisory Group for United States District Court for the Eastern District of North Carolina (appointed to assist in implementation of Civil Justice Reform Act of 1990) (1991-1994)

Member, Planning Committee for Association of American Law Schools Bankruptcy Workshop (1991)

Reporter, Federal Judicial Center's Mega-Case Workshop for Bankruptcy Judges Breckenridge, Colo. (August 1990)

Reporter, Committee on the Administration of the Bankruptcy System, Judicial Conference of the United States (1989-1990)

PRESENTATIONS:

"The Nuts and Bolts of Representing a Creditor in a Bankruptcy Case," (with Cotten Wright), Twenty-First Annual Festival of Legal Learning, Chapel Hill, N.C., February 2011

"Consumer Law Update" and "Business Law Update," American Bankruptcy Institute 15th Annual Southeast Bankruptcy Workshop, Amelia Island, Fla., July 2010

"Is Notice Pleading Dead in the Federal Courts?" (with Melissa Saunders and Kathryn Sabbeth), Twentieth Annual Festival of Legal Learning, Chapel Hill, N.C., February 2010

Faculty member, Federal Judicial Center, National Workshop for Bankruptcy Judges, Chicago, Ill., July 2009

"Organization and Jurisdiction of the Bankruptcy Courts," Federal Judicial Center video for new bankruptcy judges, December 2008 (with Judge J. Rich Leonard)

Panel presentation on "Emerging Bankruptcy Issues" to circuit and bankruptcy judges, Fourth Circuit Judicial Educational Conference, Kiawah Island, S.C., February 2008

"Resolving Home Mortgage Problems Through Bankruptcy: What is the Role of Chapter 13?" (with Professor Melissa Jacoby), Eighteenth Annual Festival of Legal Learning, Chapel Hill, N.C., February 2008

"Review of Fourth Circuit's 2007 Bankruptcy Decisions" (with Judges Tom Small and Beth Burris), Federal Judicial Television Network, Washington, D.C., January 2008

Participant in 13th Biennial Bankruptcy Institute, University of Kentucky School of Law, Lexington, Ky., June 2007

Panel presentation on "Constitutional Issues Presented by BAPCPA," National Conference of Bankruptcy Judges Annual Meeting, San Francisco, Cal., November 2006

Discussion leader, "Chapter 13 Under the New Act," Federal Judicial Center Workshop for Bankruptcy Judges, New York, N.Y., April 2006**;** San Diego, Cal., August 2006

Faculty member, 30th Annual Seminar on Bankruptcy Law and Practice, Stetson University College of Law, Clearwater Beach, Fla., December 2005

"When Worlds Collide: State Sovereign Immunity and Federal Bankruptcy Power," 79th Annual Meeting of the National Conference of Bankruptcy Judges, San Antonio, Tex., November 2005

"Proof of Claim Documentation," panel presentation to the Spring Meeting of the American Bankruptcy Institute, Washington, D.C., April 2005.

"Sovereign Immunity" and "Bankruptcy Court Jurisdiction," 31st Annual Southeastern Bankruptcy Law Institute, Atlanta, Ga., April 2005.

"What Remains of Sovereign Immunity in Bankruptcy Cases After *Hood*?", Fifteenth Annual Festival of Legal Learning, Chapel Hill, N.C., February 2005.

"The Supremes' Best of 2004 – A Review of the Term's Bankruptcy Decisions," panel presentation to the National Conference of Bankruptcy Judges Annual Meeting, Nashville, Tenn., October 2004.

"Current Developments in Hot & Emerging Areas," panel presentation to The Honorable Frank W. Koger Memorial Education Program, sponsored by Commercial Law League of America, Nashville, Tenn., October 2004.

"Issues in Jurisdiction," panel presentation to National Workshop for Bankruptcy Judges, Federal Judicial Center, Seattle, Wash., August 2004.

"Recent Developments in Bankruptcy 2003-2004 (Part I: Commercial Bankruptcy; Part II:

Consumer Bankruptcy), Southeast Bankruptcy Workshop, American Bankruptcy Institute, Lake Oconee, Ga., July 2004.

"Hot Topics," panel presentation to American College of Bankruptcy Educational Program, Washington, D.C., March 2004.

"Jurisdictional/Procedural Issues," 26th Annual Bankruptcy Institute, North Carolina Bar Foundation, Pinehurst, N.C., November 2003.

"Mass Tort Litigation and Bankruptcy," panel presentation to Third Circuit Judicial Conference, Philadelphia, Pa., November 2003.

"The Use of Bankruptcy Courts to Resolve Mass Tort Litigation," North Carolina Association of Women Attorneys Annual Conference, Wrightsville Beach, N.C., October 2003

"Mass Tort Bankruptcies," panel presentation to Standing Rules Committee of the U.S. Judicial Conference, Phoenix, Az., January 2003, and to the Bankruptcy Rules Committee, Longboat Key, Fla., April 2003.

"What Happened to My Lawsuit?: The Impact on Litigation of a Defendant's Bankruptcy," North Carolina Academy of Trial Lawyers Mountain Magic Conference, Asheville, N.C., October 2002.

"Consumer Bankruptcy Under the Proposed Bankruptcy Reform Legislation," The Twelfth Annual Festival of Legal Learning, Chapel Hill, N.C., February 2002.

Panel member, "Mass Tort and Bankruptcy," Mass Tort Litigation Institute, Georgetown University Law Center, Washington, D.C., November 2001.

"An Overview of Bankruptcy Law and Sovereign Immunity Issues," Lunch time CLE Series, North Carolina Department of Justice, Raleigh, N.C., June 2001.

"New Bankruptcy Legislation," panel presentation at Eastern Bankruptcy Institute 2001 Seminar, North Myrtle Beach, S.C., June 2001.

"The Impact of State Court Proceedings on Bankruptcy," The Eleventh Annual Festival of Legal Learning, Chapel Hill, N.C., February 2001.

"Sovereign Immunity Issues," panel presentation at Federal Judicial Center Workshop for Bankruptcy Judges – Portland, Ore., April 2000; Albuquerque, N.M., July 2000; Atlanta, Ga., December 2000).

"The Special Status of States in Bankruptcy Proceedings—An Illustration of the Impact of

the Supreme Court's Recent Eleventh Amendment Decisions," The Tenth Annual Festival of Legal Learning, Chapel Hill, N.C., February 2000.

"Debtor/Creditor Issues," N.C. Bar Foundation CLE program on Representing Hurricane Floyd Disaster Victims in North Carolina, Cary, N.C., November 1999.

"Bankruptcy and Mass Torts—A Response to Professor Resnick," Symposium on Mass Torts, University of Pennsylvania Law School, Philadelphia, Pa., November 1999.

"How to Deal With a State in Bankruptcy in a Post-*Seminole* World," 73rd Annual Meeting of the National Conference of Bankruptcy Judges, San Francisco, Cal., October 1999.

"Organization and Jurisdiction of the Bankruptcy Courts," Federal Judicial Center video, February 1999 (with Judge J. Rich Leonard)

"The Impact of *Seminole* on Bankruptcy," Federal Judicial Center Workshops for Bankruptcy Judges, Seattle, Wash., Denver, Colo., New Orleans, La., April, August, November 1998

Panel member, "Certiorari Practice in the United States Supreme Court: How to Seek and Oppose It in an Era of Shrinking Acceptances of Petitions," The Eighth Annual Festival of Legal Learning, Chapel Hill, N.C., February 1998

Faculty member, Eastern District of Pennsylvania Bankruptcy Conference, Princeton, N.J. (January 1999, 1998, 1996)

"What is a Bankruptcy Court Anyway? Basic Principles of Jurisdiction and Organization," N.C. Bar Foundation CLE Program on Bankruptcy Issues for the Non-Bankruptcy Lawyer, Cary, N.C., September 1995

"Rule Eleven Update," Ethics for Litigators (UNC-sponsored CLE program), Chapel Hill, N.C., April 1995

"Supreme Court Bankruptcy Jurisprudence," Federal Judicial Center Workshops for Bankruptcy Judges, Phoenix, Ariz., Santa Fe, N. Mex., Atlanta, Ga., December 1993, March, April 1994

"Pretrial Case Management: Changes in Rule 16 and in Local Practices," N.C. Bar Foundation CLE Program on the New Federal Rules, Greensboro, N.C., February 1994

"An Appraisal of the Bankruptcy Decisions of the Rehnquist Court: Why the Court Took the Cases It Did and What Are the Trends?", The Fourth Annual Festival of Legal Learning, Chapel Hill, N.C., February 1994

"The Role of Law Schools: Don't We Already Have Too Many Lawyers?", UNC

Bicentennial Celebration, University Day, Chapel Hill, N.C., October 1993 (also presented to Rocky Mount Rotary Club, Rocky Mount, N.C., March 1994; Carolina Meadows Retirement Community, Chapel Hill, N.C., October 1994)

"Recent Supreme Court Trends in Bankruptcy," Ohio CLE Institute, Columbus, Ohio, September 1993

"Bankruptcy Jurisdiction," Federal Judicial Center Orientation for Newly Appointed Bankruptcy Judges,
Washington, D.C., November 1993, August 1992, June 1991

"Bankruptcy Court Jurisdiction and Jury Trials," Fourteenth Annual Bankruptcy Institute, North Carolina Bar Foundation, Greensboro, N.C., December 1991

"Jury Trials and Jurisdiction," Mississippi Bankruptcy Annual Conference, Jackson, Miss., December 1990

"Granfinanciera: An Update," Annual Meeting of the National Conference of Bankruptcy Judges, Chicago, Ill., November 1990

"Granfinanciera and Its Impact on Bankruptcy Court Jurisdiction," State Bar of Texas Advanced Consumer Bankruptcy Course, Houston, Tex., September 1990

"Supreme Court and Fourth Circuit Update," Eastern Bankruptcy Institute, Wrightsville Beach, N.C., June 1990

"Granfinanciera -- Jury Trials and Other Implications," Federal Judicial Center Seminar for Bankruptcy Judges of the 3rd, 4th, 5th, 11th, and D.C. Circuits, Austin, Tex., March 1990

"Granfinanciera -- Jury Trials and Other Implications," Federal Judicial Center Seminar for Bankruptcy Judges of the 8th, 9th, and 10th Circuits, Phoenix, Ariz., December 1989

"Jury Trials in Bankruptcy," Federal Judicial Center Seminar for Bankruptcy Judges of the 5th, 6th, and 7th Circuits, New Orleans, La., March 1989

HONORS:

2012 recipient of Robert G. Byrd Award for Excellence and Creativity in Teaching

2010 recipient of University Mentor Award for Lifetime Achievement

2005 Excellence in Education Award, presented by the Endowment for Education of the National Conference of Bankruptcy Judges

Nominated by President Clinton for Appointment as Judge to the United States Court of Appeals for the Fourth Circuit (October 2000) (nomination expired without action being taken by the U.S. Senate)

Editors' Prize, American Bankruptcy Law Journal (awarded by Editorial Advisory Board 1996)

McCall Award for Teaching Excellence, 1991, 1988 (awarded by University of North Carolina School of Law Classes of 1991 and 1988)

Order of the Barristers (awarded by UNC Moot Court Board 1988)

Order of the Coif (selected in 1976)

Outstanding Young Women of America (included in 1984)

UNIVERSITY AND LAW SCHOOL SERVICE:

Chair, Law School Clerkship Committee (2012-2013)

Review Committee for the Dean, School of Law (2010)

University Teaching Awards Committee (2010, 2011, 2012)

Chair, Law School Building Committee (2006-2010) (planning for construction of new building)

University Committee on Distinguished Chairs (2006)

Search Committee for Law School Dean (2005-2006)

Committee on University Government (1997-)
Chair (2002-2005)

Search Committee for University General Counsel (2003)

University Academic Plan Task Force (2002-2003)

University Committee on Distinguished Chairs (2001-2002)

Search Committee for UNC-CH Chancellor (1999-2000)

Search Committee for Law School Dean (1998-99)

Faculty Hearings Committee (1995-2000)
Chair (1997-98; 1999-2000)

Faculty representative to UNC-CH General Alumni Association Board of Directors (1996-97)

Chancellor's Advisory Board on Women's Issues (1996-97)

University Teaching Awards Committee (1995-96)

Search Committee for UNC-CH Chancellor (1994-95)

Chancellor's Task Force on Women at Carolina (1995-96)

Bicentennial Speakers Bureau (1993-94)

Task Force on Graduate and Professional Programs, University Reaccreditation
Co-Chair (1993-95)

Chancellor's Advisory Committee (1991-94),
Chair (1993-94)

University Educational Policy Committee (1990-93),
Co-chair (1992-93)

University Nominating Committee (1993, 1994)

UNC-CH Faculty Council (1987-1990, 1992)

Agenda Committee of Faculty Council (1988-1990)

Search Committee for Law School Dean (1988-89)

University Committee on Scholarships, Awards, & Student Aid (1987-1990)

President, UNC-CH Association for Women Faculty & Professionals (1992-93); Board

Member (1989-93)

UNC-CH Women's Concerns Coalition (1991-94)

Law School Dean Review Committee (1993)

Chair, Law School Personnel Committee (1996-98)

Chair, Law School Self-Study Committee (1992-93)

Chair, Law School Promotion & Tenure Committee (1991-92; 2003-04)

Chair, Law School Admissions Committee (1988-1990)

Chair, Judicial Clerkships Committee (1984-1988, 1991-92)

Chancellors Scholars Program Advisory Committee (1989, 1991-92)

Chancellors Scholars Selection Committee (1989, 1990, 1993)

Faculty Advisor, Craven Moot Court Competition (1987-)

BAR ADMISSIONS & ASSOCIATION MEMBERSHIPS:

Admitted in North Carolina, September 1976

Admitted in District of Columbia, June 1977 (now inactive status)

Member of American Bar Association, North Carolina Bar Association, North Carolina Association of Women Attorneys

July 2013