The mission of the ABA Forum on Franchising is to be the preeminent forum to study and discuss the legal aspects of franchising. In carrying out our responsibilities, we aim to serve all constituencies within our organization, including those who practice in or need to know more about specific areas of the law the intersect with franchising, such as bankruptcy. For this reason, we are especially proud to produce this first edition of *The Bankruptcy Handbook for Franchisors and Franchisees*.

While the Forum has included more than a dozen workshops on bankruptcy and related issues at its annual forums over the past three decades, reflecting the importance of such issues in the area of franchising, this book represents the first effort to provide franchise law practitioners with a comprehensive overview of bankruptcy issues and how they impact franchisees, franchisees, and the attorneys who advise them. It is our sincere hope and expectation that this book will serve as an excellent resource for the franchising community.

This book, like all of our publications, required collaborative excellence. It would not have been possible without the hard work and dedication of our two co-editors, Jason B. Binford and Daniel M. Eliades. It is my privilege to thank them for their steadfast commitment to this massive and important project and for their expertise and perseverance in coordinating, organizing, and editing this vital resource for our members.

We also recognize the dedicated efforts of the chapter authors:

- Chapter 1: “Pre-Bankruptcy Considerations of the Franchisee and Franchisor” by David Neff and Frances A. Smith;
- Chapter 2: “The Bankruptcy Filing—Initial Issues” by Lynette J. Gladdis and Daniel M. Eliades;
- Chapter 3: “The Automatic Stay” by Marcus A. Banks, Joel Buckberg, and David S. Catuogno;
- Chapter 4: “Cash Collateral” by Sharon Z. Weiss, Craig K. Schuenemann, and Aaron Kaufman;
- Chapter 5: “Assumption, Rejection, and Assignment of Franchise Agreements” by John R. Gotaskie, Jr., and Glenn D. Moses;
- Chapter 6: “Intellectual Property Issues” by John Vernon, Christina Stephenson, and David Gurnick;
- Chapter 7: “Claims and Claims Litigation” by Eric C. Peterson and Ryan Hardy;
- Chapter 8: “Bankruptcy Sales” by Jason B. Binford and Matthew Gruenberg;
- Chapter 9: “Plan Confirmation” by Jan S. Gilbert and Craig R. Tractenberg;
• Chapter 10: “Chapter 7 Bankruptcy and Liquidation Issues” by Michael Conway and Michelle Shriro; and
• Chapter 11: “Individual Reorganization Bankruptcies: Chapter 13 and Chapter 11” by Rahkee V. Patel and Nicole S. Zellweger.

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Chair, Forum on Franchising
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