

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

IN RE)
)
APPLICATION FOR INCLUSION ON COURT'S)
REGISTER OF QUALIFIED MEDIATORS) Kevin J Hoffman
)

I, THE UNDERSIGNED, HEREBY APPLY FOR INCLUSION ON THE REGISTER OF MEDIATORS QUALIFIED FOR SERVICE IN THE UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF OREGON. IN MAKING THIS APPLICATION I CERTIFY UNDER PENALTY OF PERJURY THAT ALL OF THE FOLLOWING INFORMATION IS TRUE AND CORRECT:

1. I WILL FULLY COMPLY WITH THE RELEVANT PROVISIONS OF THIS COURT'S GENERAL ORDERS, LOCAL RULES, AND LOCAL FORMS, AND ANY MODIFICATIONS THERETO, RELATING TO MEDIATION.

2. I HAVE BEEN LICENSED UNDER THE LAWS OF OREGON IN THE PROFESSIONS LISTED BELOW (E.G., ATTORNEY, ACCOUNTANT, REAL ESTATE BROKER, APPRAISER, ENGINEER, ETC.) FOR THE NUMBER OF YEARS INDICATED:

PROFESSION	ACCREDITING ORGANIZATION	YEARS
Attorney	Oregon State Bar	15

3. I AM, OR HAVE BEEN, A MEMBER IN GOOD STANDING OF THE FOLLOWING PROFESSIONAL ORGANIZATIONS:

ORGANIZATION	MEMBERSHIP #	NO. OF YEARS	ACTIVE/RETIRED
Oregon State Bar	80265	15 Yrs	Active
American Society of Appraisers - Candidate		3 Yrs	Active
Oregon Mediation Association		2 Yrs	Active

4. A GENERAL EXPLANATION OF MY EXPERIENCE IN EACH OF MY AFOREMENTIONED PROFESSIONS IS LISTED BELOW:

- Ten years negotiating, drafting, and administrating contracts for a Fortune 500 company.
- Three years of business appraisal, including going concern and orderly liquidation values, for companies in a variety of industries ranging in size from \$40 thousand to \$50 million in equity.
- MBA from University of Oregon in 1990.
- Exxon Valdez oil spill evaluation of \$300 million claimed damages to real property for the Trans-Alaska Pipeline Liability Fund.

5. I HAVE COMPLETED THE FOLLOWING OREGON STATE BAR CONTINUING EDUCATION MEDIATION TRAINING PROGRAMS:

COURSE	HOURS	CLE CREDITS
Civil Business & Organizational Mediation	30.0	30.0
Conflict Resolution & Diversity	4.5	4.5
Multnomah Bar Association Mediation	2.0	2.0

6. THE FOLLOWING IS A LIST OF OTHER COURT, STATE OR FEDERAL MEDIATION PROGRAMS I HAVE COMPLETED:

COURT	PROGRAM	HOURS
Multnomah County -	Small Claims	

7. THE FOLLOWING IS A GENERAL STATEMENT CONCERNING OTHER PERTINENT MEDIATION TRAINING I HAVE RECEIVED:

Six months as a volunteer mediator for the Multnomah County Small Claims Court.

8. THE FOLLOWING IS A BRIEF EXPLANATION OF MY PERTINENT BANKRUPTCY EXPERIENCE:

Successfully defended a pre-bankruptcy settlement from other creditors. The transaction involved the exchange of a \$600,000 debt for real property.

9. THE FOLLOWING IS A GENERAL EXPLANATION OF ANY OTHER PERTINENT EXPERIENCE I HAVE:

Mediated over thirty cases including 15 Debtor/Creditor situations. Mediated disputes among members of the Board of Directors of Not-For-Profit organization. As an attorney, I have successfully negotiated several multi-million dollar contractual disputes and have negotiated hundreds of operating agreements, supply agreements, long term sales arrangements, intellectual property agreements, real estate transactions, non-competition agreements, capital acquisition agreements, commodities trading facilities, etc. As a business appraiser, I have familiarity with the workings of a wide variety of businesses in all different financial conditions.

10. I HAVE:

- (A) NEVER BEEN SUSPENDED, DISBARRED OR HAD ANY PROFESSIONAL LICENSE REVOKED;
- (B) NO PENDING PROCEEDING TO SUSPEND OR REVOKE ANY OF MY PROFESSIONAL LICENSES; AND

(C) NEVER BEEN CONVICTED OF A FELONY.

11. THE FOLLOWING IS A LIST OF EACH OF MY PREVIOUS APPLICATIONS FOR INCLUSION ON ANY COURT'S MEDIATION REGISTER, AND AN EXPLANATION OF THE CURRENT STATUS OF EACH SUCH APPLICATION (E.G., PRESENT STATUS; CIRCUMSTANCES, AND DATE, OF ANY REMOVAL):

APPLICATION DATE	COURT	PRESENT STATUS
------------------	-------	----------------

None

12. UNLESS FULLY DISCLOSED AND THE POTENTIAL DISQUALIFYING CIRCUMSTANCE WAS THEN WAIVED BY THE COURT AND ALL PARTIES, I WILL NOT ACCEPT APPOINTMENT AS A MEDIATOR IN ANY PROCEEDING OR MATTER UNLESS AT THE TIME OF APPOINTMENT I WOULD QUALIFY AS A "DISINTERESTED PERSON" AS DEFINED BY 11 U.S.C. 101; I WOULD NOT BE DISQUALIFIED PURSUANT TO 28 U.S.C. 455 IF I WERE A JUSTICE, JUDGE, OR MAGISTRATE; AND I KNEW OF NO OTHER REASON THAT WOULD DISQUALIFY ME AS A MEDIATOR.

13. I WILL IMMEDIATELY CONTACT THE COURT, AND ANY PARTIES FOR WHOM I HAVE ACCEPTED APPOINTMENT AS A MEDIATOR, UPON LEARNING I AM NO LONGER QUALIFIED TO SERVE PURSUANT TO THE PROVISIONS OF G.O. 93-1, OR THIS APPLICATION (E.G., DUE TO AN ADVERSE CHANGE OF CIRCUMSTANCES RELATING TO POINTS 10 OR 12).

14. THIS APPLICATION IS ACCOMPANIED BY A DISKETTE (WHOSE SIZE IS COMPATIBLE WITH THE COURT'S CURRENT HARDWARE) WHICH CONTAINS A TRUE COPY OF THIS APPLICATION IN A VERSION OF SOFTWARE ACCEPTABLE TO THE COURT.

DATED: 3/16/95

NAME OF SIGNER: Kevin J Hoffman

ADDRESS:

614 SW 11th Ave. #400
Portland, Oregon 97205

TELEPHONE NUMBER: (503) 224-9791