



# Credit and Financial Development Division NEWSLETTER

The Official Publication of the NACM Credit and Financial Development Division

April 2010

## Letter from...

**Mike Meyer, CCE**  
**CFDD National Chairman**



Spring is here!!! As I write this, it's going to be 80 degrees in southern Indiana. WOW!!!

This is my last message to the CFDD membership as National Chairman. I want you to know it has been an honor to serve you and this organization, as an officer, for the past three years. Unforgettable would be the best way to describe my experience. I recommend everyone check into the opportunities to serve on your local or national boards. It's an experience you will never forget. I'd be happy to talk with anyone who is interested. Contact me anytime.

I chose "CFDD – Plan, Commit, Succeed" as the theme for this year to stress the importance of planning and commitment in finding success. Whether it's in business, family, or life in general, planning is the key in following the right path. And, although planning is key, commitment is vital in finding success. A definition of commitment is "the act of binding yourself (intellectually or emotionally) to a course of action." How committed are we in finding success in our lives? Anyone can write a plan, but commitment comes from you.

If you are planning to attend the Credit Congress in Las Vegas, show your support and attend the CFDD Awards and Installation Luncheon on Tuesday, May 18th. This is the time we recognize our Chapters with membership, publicity and program awards; install the officers for next

year; and award individual members with scholarships. It's also a great time to meet new people and spend time with friends from the past.

Planning has started for the 2010 CFDD National Conference. I encourage everyone to attend the October conference that will be held in Minneapolis, Minnesota. We need your help and support to make this conference a success.

I want to thank everyone who supported CFDD's fundraising opportunities this past year. Scholarships are a big part of CFDD and your help makes it possible for more members to continue their education. Also, a thank you to all the Chapters who contributed to the scholarship fund; your commitment is very much appreciated.

I have been blessed to work with a great group of people. The current Board has put much time and effort into all the tasks for the past year. I want to give a special "thank you" to our Vice-Chairmen, Marlene Groh, CCE and Wendy Legan, CCE, and our NACM Board Rep., Pam Foreman, CCE. They have tackled some big projects this year and have done an outstanding job. I wish you success in the years ahead. With your planning and commitment, I am confident CFDD will be successful as it moves forward. I want to thank all of you for your dedication and commitment to CFDD.

## Letter from...

**Marlene Groh, CCE**  
**Vice Chairman, Education and Programs and Chairman-elect**



This has been a very exciting year for me. I am really proud to be your Vice Chairman of Education and Programs and Chairman-elect. When the year started, I knew there was a lot to be tackled during the year. The CFDD National Board was looking to grow our scholarship fund, expand our online presence, improve our programs, introduce new logo items and try to make sure all our members felt connected to CFDD. Quite a task to undertake, but I think we made great strides in the right direction this year.

We did not waste any time getting started. At the organizational meeting, Mike Meyer, CCE assigned a scholarship task force which I chaired.

## Inside...

- P. 3 Letter From...Wendy Legan, CCE  
Vice Chairman, Member Services
- P. 3 Case Ruling Could Heap More Responsibility on  
Credit Profession
- P. 4 CFDD Phoenix on the Move
- P. 5-6 CFDD Portland: The 2010 "Viv" Award
- P. 5 On the Way UP
- P. 6 Awards & Achievements

I had great support on this task force with the help of Millie DeMariano, Jeff O'Banion, CCE, CICP, Dawn Wallace-Cook, CCE, Wendy Legan, CCE and Mary Moore, CBA. Wendy and Mary worked on our first Silent Auction. Through their efforts and the generous donations of CFDD members, we raised \$2,780. What a wonderful accomplishment for our first time. The task force also planned a dessert auction that was held during our Friday night networking event. We had so much fun during this event and, again, the CFDD members did not disappoint, raising \$1,509 for our scholarship fund. The generosity did not stop there, our Chapters really showed us the value of the scholarship fund by pledging \$5,200 in donations. The task force still had work to do—they were on a mission with one more thing up their sleeves. They asked NACM-National to donate a registration to Credit Congress in Las Vegas, which was used for a raffle drawing that generated \$1,750. Thanks again to the dedicated members of the task force. Your efforts will help benefit the members with many scholarships this year.

Another goal the Board wanted to accomplish was expanding our online presence. We chose to use LinkedIn and advertised our newly-created CFDD National LinkedIn Group in our newsletter and at our CFDD National Conference. Hazel Walker helped spur this movement with her "How Online Networking Can Help You" presentation at the conference. When we started this project, we had 76 members in our CFDD group, we now have 224 members. CFDD members have made great use of this online forum by starting 16 different discussions on credit topics. We hope every member will join LinkedIn and become a member of the CFDD group. Through this group, we hope to share professional questions, concerns, experiences and successes. We can share advice with each other and get to know our fellow members better. Sometimes we forget we have this huge network of professionals out there willing to help us. I hope everyone will support this new benefit by first joining in and by sharing your knowledge with your fellow members.

Speaking of new benefits, your National Board listened to its members and made some significant changes this year to the scholarship awards and national programs. The change enacted this year to the scholarship awards was eliminating the restriction to apply for the same scholarship award two years in a row. I hope everyone took advantage and filled out their scholarship application this year. Another benefit given to the Chapters was the ability to receive national programs free of charge. Your National Board wants you to use these programs to help you offer quality programs at your Chapter meetings.

One fun thing I got to do this year was working on new logo items. Through the help of Cara Crown at NACM-National, we introduced two new logo items at the CFDD National Conference. The first was a blue lunch bag with black trim and the CFDD logo which we offered for \$15. The other new item was an eco-friendly cork mouse pad costing \$10. Both of these items were a huge success and sold out quickly.

The last objective I am trying to accomplish this year is a member survey. The National Board is always looking to make sure we are meeting the needs of our members. In order to do that to the best of our ability, we need everyone to take the time to complete the survey when it is sent to you to help us make sure we are working in the right direction. The survey results will be used at our national board meetings to aid in our discussions on the direction of CFDD.

Though it has been a very busy year for me, I have fully enjoyed all that I have worked on this year for CFDD. I have really learned to appreciate the passion that is so abundant amongst the CFDD members. I look forward to serving every one of you as your Chairman in the coming year, and hope to see everyone in Las Vegas, Portland or Minneapolis.



**2010 CFDD**  
**National Conference**

Mark your calendar and save the date!  
**October 7-9, 2010**

**Minneapolis Airport Marriott**  
 2020 American Boulevard East  
 Minneapolis, Minnesota 55425

**Registration Fee**

|                    |       |
|--------------------|-------|
| Member (CFDD/NACM) | \$350 |
| Non-member         | \$450 |

**NACM's Credit Learning Center**  
 Your Self-Paced, Independent Learning Center

The **Business Credit Principles** course is now available!

Click [here](#) to learn more.

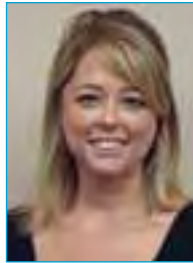
**Credit Learning Center**  
 A SERVICE OF NACM AND FCIB

**BUSINESS CREDIT PRINCIPLES NEW!**

- **Special INTRODUCTORY price**
- Carefully selected, highly qualified professionals
- Presenting 29 modules covering important topics
- Complimentary copy of NACM's *Principles of Business Credit, 6th Edition*

## Letter from...

### Wendy Legan, CCE Vice Chairman, Member Services



Greetings from Texas! I hope this message finds all our members well. It is hard to believe that Credit Congress is only a month away. It just seems like yesterday that we were in Orlando networking and continuing our education. I have thoroughly enjoyed serving you as Vice Chairman, Member Services this year.

While it may have seemed your National Board was quiet, we were steadily working behind the scenes on many projects. Mike Meyer, CCE, National Chairman, assigned a task force for updating the President's report. Mike asked that I chair this task force and we formed a committee compiled of Area Directors and Chapter Presidents. We had a great committee and after several emails and conference calls, I am pleased to announce that we have a revised report. This report will be updated and active for your next submission.

I also started updating the national roster with member start dates. We are still compiling information, and I thank the Chapters for their timely responses with information regarding their membership. Once we have further information, this will help aid in reporting and awards.

I have enjoyed reading your Chapter newsletters and it is great to see our Chapter activities. I encourage you to submit member viewpoints to your local and national newsletters. This is great way to earn roadmap points! In addition, continue to seek methods of promoting CFDD in your local region. Credit professionals who are not members of CFDD have no clue what they are missing!

While there still seems to be the unknown about our economy, we have seen growth in some regions. Now more than ever, associates in the credit field need an outlet for education and networking. One idea introduced by one of our Chapters was offering a free meeting to a guest for their first attendance. This Chapter has reported a gain of three new members due to this offering.

I am excited about the upcoming Credit Congress in Las Vegas and hope to see you there. I am also excited to have the opportunity to attend the Pacific Northwest Conference this year. Make sure you mark your calendars to attend the CFDD National Conference in Minneapolis in October.

Your continued commitment, participation and support of CFDD are greatly appreciated. Wishing you all safe travels to our upcoming conferences.

---

## Case Ruling Could Heap More Responsibility on Credit Profession

An 11th Circuit U.S. Court of Appeals ruling suggests that creditors need to discover whether a Chapter 11 debtor has permission to continue purchasing goods and services in the period after a bankruptcy filing or face the risk of having to return any money collected during said period. Deborah Thorne, Esq., of Barnes and Thornburg LLP, and Bruce Nathan, Esq., of Lowenstein Sandler PC, are among attorneys who characterized the ruling from the Circuit court as a cause for concern for the business credit industry.

In *Marathon Petroleum Co. v. Cohen [In re Delco Oil, Inc.]*, the 11th Circuit ruled Marathon had to return \$1.9 million paid by the debtor for goods supplied, post-petition, because the payments were considered unauthorized transfers under Section 549 of the Bankruptcy Code. What started out as a Chapter 11 ended up being converted into a Chapter 7, after which the trustee sued to recover the \$1.9 million because payments made to Marathon were improperly paid from the cash proceeds of the debtor's secured lender's collateral. For its part, the debtor made the payments despite being barred by the Bankruptcy Code from doing so without the lender's or bankruptcy court's express permission.

Nathan said the decision, arising out of unusual facts, could force trade creditors to more extensively monitor bankruptcy court happenings to make sure the debtor is allowed to pay its trade creditors for post-petition goods and services provided to the debtor.

"If trade creditors are not aware of an order that approves financing or the debtor's use of the cash proceeds of its secured lender's collateral to operate and pay for goods or services, they do business at their own

risk. That's the bottom line of this case," said Nathan. "It forces creditors to police their debtor customers, which is ridiculous." He questioned the fairness of a ruling that could heap a significant amount of new responsibility onto credit professionals who are already stretched thin because of recession-related cutbacks.

Thorne suggested that such close monitoring is far from standard operating procedure in most business' credit departments. "The scary thing is that if you're selling to a debtor-in-possession on credit, most creditors will have no idea if there is a cash collateral order or not," said Thorne. "Often, you may not even know if there's a bankruptcy filed." While unsettling, neither Thorne nor Nathan believes the case warrants full-on panic...yet.

"It's only one circuit, but it should give people pause, especially if shipping something worth a lot of money," said Thorne. "If it becomes widespread, I don't think companies can survive as debtors-in-possession." She added, "If I'm selling widgets to a debtor, at least in the 11th Circuit, I'm going to be hesitant." Nathan says that while trade creditors should be concerned about the 11th Circuit's holding, they should also not lose sight of the unusual facts of the case.

To learn more on *Marathon Petroleum Co. v. Cohen [In re Delco Oil, Inc.]* and its implications, read Nathan's article, *Vendors Beware: The Risk of a Debtor's Unauthorized Post-petition Payments for Post-petition Goods or Services*, in the upcoming May issue of *Business Credit*.

Brian Shappell, NACM staff writer

## CFDD Phoenix on the Move

Recently, during the Southwest Construction, Lien & Business Credit Conference on April 7–8, CFDD Phoenix not only got to introduce CFDD to many non-members, it also held a raffle for goodies of various sorts.

Ellen Wodiuk, Membership Chair, coordinated the fundraiser with help from Ann Beam, CBA, Sheila Roames, CCE and Gwen Stroops, CCE. All items were donated by members and their companies. The event raised \$430 for the CFDD Scholarship Fund and the visibility at the conference has spurred the interest of at least three potential new members.

Notice the National Conference banner, which Ann, Publicity Chair, had made to advertise the October conference!



### CFDD National Programs

CFDD Chapters are now able to order the CFDD National Programs free of charge.

Some programs to choose from:

- Credit Policies and Procedures
- Ethics—It's a Matter of Choice
- Financial Statement Analysis and Credit Scoring
- Mediation—An Alternative to Dispute Resolution
- Selling Marginal Accounts—Are the Rewards Worth the Risk?

To order a program, email your request to [CFDD@nacm.org](mailto:CFDD@nacm.org). In the near future, these programs will be available for download from the CFDD Members Only Area of the CDFD National website.

2010

The 114<sup>th</sup> Credit Congress & Exposition shines in the City of Lights!

NACM's Credit Congress has been a glowing beacon—educating, uniting and empowering the credit community. Join us in this great tradition and that of the Carnival at the Rio!

And, don't forget to make plans to attend the CFDD Awards and Installation Luncheon on Tuesday, May 18th!

NACM's 114<sup>th</sup>  
**CREDIT CONGRESS & EXPOSITION**  
MAY 16-19, 2010 • RIO HOTEL LAS VEGAS

# CFDD Portland: The 2010 “Viv” Award

The CFDD Portland Chapter was pleased to present the Vivian J. Barwell, CBF Award this year in a dual presentation to Jeffery O'Banion, CCE, CICP and Diane Snyder, CCE.

Vivian was a longtime and devoted member, leader, mentor, teacher and unconditional friend to all those associated with the CFDD Portland Chapter. She was credit manager for Darigold, Inc., served as our Chapter President, received the Distinguished Member Award and was Chairman of the NACM Oregon Board of Directors. Vivian's outstanding service, dedication and loyalty to the credit profession had a profound and lasting influence on all who knew her. The “Viv” Award was created to honor her many contributions to our organization. It is given only when a member has been recognized as providing their extraordinary service and dedication to our Chapter. Jeff and Diane certainly fill these requirements.

Jeff received his Bachelor's and MBA degrees from Willamette University in Salem, Oregon. Jeff has also received several professional certifications, including Certified Credit Executive, Certified International Credit Professional, Certified Expert Witness and Certified Mentor. He has been in the credit and financial management field for more than 25 years and, for the past several years, Jeff has held the position of Director of Credit for Northwest Natural Gas Company in Portland, Oregon.

Jeff became the first man to break the gender barrier when he joined the Portland Credit Women's Group, years later to become known as CFDD. Through the years, Jeff has served on most, if not all, of our Chapter committees as our Chapter President and Vice President. He spent many years on our Board of Directors and received our Chapter's Distinguished Member Award. Many times, Jeff is in the foreground teaching on a variety of educational topics. In addition, he is always in the background, giving his time, expertise and encouragement to all our members

Jeff has also promoted our Chapter and the credit profession through teaching numerous classes at the local, regional and national levels, and by serving in a variety of leadership positions for both NACM and CFDD. He has been on the Board of Directors of NACM Oregon, and has held the positions of Chairman and Interim President. He has also served as a board member and Chairman for the NACM Oregon Foundation.

Through his long career, Jeff has received a number of NACM-National awards including the Credit Executive of the Year, CCE of the Year and National Mentor of the Year.

Jeff has served as CFDD National Chairman and has received the National Mentor Achievement Award, National Distinguished Member Award and the Marilyn Daugherty Spirit Award from CFDD National.



Teacher, mentor, helper, guidance counselor and friend, as with Vivian, Jeff's continued support and dedication to the credit profession has touched all of the members of our Chapter, and with his involvement at the national level, Jeff has touched many other members of NACM and CFDD across the country.

Jeff received two letters of congratulations, which were read during the presentation. Mike Meyers, CCE, CFDD National Chairman, wrote:

*Congratulations on receiving The Vivian J. Barwell, CBF, CFDD Service Award.*

*As I reviewed the information about Vivian and the award's criteria, I saw an exceptional comparison between your two lives. You have always been a devoted CFDD member, a leader, mentor, teacher and an unconditional friend to everyone in credit. Thanks for all you have accomplished.*

*Have a great evening and there is nothing better than celebrating with family and friends.*

*Have a successful 2010.*

*Your friend,  
Mike Meyer, CCE  
CFDD National Chairman*

And, Phyllis Truitt, CCE, NACM-National Chairman, wrote:

*I have known Jeff for over 20 years. From the moment I met him, I knew he was a professional. He has been a mentor to me and even though I was in Indiana, a long way from Oregon, he was always there when I needed assistance. He is a wise man who has helped me many times.*

*(continued on page 4)*

## On the Way UP

| CHAPTER     | MEMBER           | COMPANY              | POSITION/PROMOTION          |
|-------------|------------------|----------------------|-----------------------------|
| Kansas City | Debby Yount, CCE | Charles D. Jones Co. | Credit Mgr./Accounting Mgr. |

*Not only that, Jeff is a perfect gentleman. He is a man who opens doors for ladies, pulls out their chairs and he is not going through the motions. He is sincere in everything he does for anyone. Jeff also has a great sense of humor.*

*I remember him writing a check to the Executive Director every year to support the CFDD scholarship fund. I couldn't even begin to guess what he has donated over the years to assist others in the pursuit of their designations. Jeff is all about helping others.*

*Great job Jeff and congratulations.*

*Phyllis Truitt, CCE  
NACM-National Chairman*

Diane Snyder has also followed in Viv's footsteps. She became a member of the Chapter in 1976. When her job was moved to Atlanta, she left the group, but when she returned to Portland years later, she did return to her CFDD home.

Diane became active again in 2003 by serving on several committees. Diane has served our local Chapter as Treasurer, Vice President and for the past two years as Chapter President. She also currently serves on the CFDD National Board of Directors as the Area Director representing the three Oregon CFDD Chapters.

While doing all of this, she earned her degree in accounting and studied and sat for her CBA, CBF, CCE and CICP certification exams. Diane was awarded the NACM-National Student of the Year Award in 2005. She received the CFDD-Portland Chapter's Distinguished Member Award (DMA) in 2007 and is our Chapter's nominee for this year's CFDD National Distinguished Member Award.

Diane's commitment and dedication to the CFDD-Portland Chapter led to her nomination this year for this very special honor of the "Viv." It was indeed our pleasure to award Diane the 2010 "Viv" award.

In a magnificently pulled-off surprise event, Diane, as Chapter President, presented Jeff with his award after being joined by some special guests including Jeff's daughter Meghan O'Banion and her friend Jason Brown, and Northwest Natural Gas co-workers, Lorene Nichols, Engineering Coordinator, David Anderson, Senior VP & CFO, David Aimone, Treasury Manager, Charles Muehleck, Account Services Manager, Jerry Fulps, Treasury Consultant, and Ryan Murphy, Treasury Analyst.

Jeff was then able to turn the tables on Diane by presenting additional guests to join Diane's husband in congratulating Diane on her award, Duane (Dewey) Koon, CEO, Roger's Instruments and her immediate boss, Tony Schmidt.

# AWARDS & ACHIEVEMENTS

| CHAPTER    | MEMBER                      | COMPANY                        | ACHIEVEMENT                 |
|------------|-----------------------------|--------------------------------|-----------------------------|
| Birmingham | Diane Kemp, CBF             | Air Engineers, LLC             | Credit Congress Scholarship |
|            | Brenda Weaver, CCE          | Kirkpatrick Concrete, Inc.     | Credit Congress Scholarship |
|            | Connie Clark                | Service Construction Supply    | Credit Congress Scholarship |
|            | Linda Robinette             | Astralloy Steel Products, Inc. | Membership Dues Scholarship |
| Charlotte  | Kim Peake, CBA              | SGL Carbon, LLC                | CBA                         |
|            | Nancy Brewer, CBA           | C.C. Dickson Company           | Retired                     |
| Denver     | Kelly Shock, CCE            | Blue Linx Corp.                | Distinguished Member Award  |
| Portland   | Jeffrey O'Banion, CCE, CICP | Business Consultants Northwest | 2010 "Viv" Award            |
|            | Diane Snyder, CCE           | Rodgers Instrument Corp.       | 2010 "Viv" Award            |
|            | Brenda Terreault, CBA       | NACM Oregon                    | CBA                         |