

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA**

**VERIFICATION OF QUALIFICATIONS TO ACT AS MEDIATOR
IN THE MORTGAGE MODIFICATION MEDIATION PROGRAM (MMM)**

Name: James F. Kahn

Bar ID (list all applicable state bar numbers): Arizona: 003063

Address: 301 E. Bethany Home Rd., Ste C-195, Phoenix, AZ 85012

Phone Number: (602) 266-1717 E-mail Address: James.Kahn@azbk.biz

In accordance with the Mortgage Modification Mediation Procedures for the District of Arizona, I verify that I am qualified for and agree to serve as a Mediator for the calendar year of 2020, after which I must reapply, as follows:

1. Minimum Qualifications to act as a Mediator in the Arizona MMM program.
 - a. I am a registered user on PACER and CM/ECF.
 - b. I have satisfactorily completed at least six (6) hours of MMM training presented by Mortgage Modification Education, Inc. (12/6/2016) and: (check all that apply)
 - ☒ I am an active and licensed member of the Arizona Bar and have been admitted to practice in a state or federal court for at least five (5) years.
 - ☐ I am a retired Arizona state court judge or federal judge.
 - ☐ I am an active panel trustee in good standing with the Office of the United States Trustee with at least five (5) years of service as a panel Trustee in Arizona.
 - ☒ I am an active and licensed member of the Arizona State bar and approved MMM mediator on the register of mediators with the Clerk of the United States Bankruptcy Courts for the District of Arizona through December 31, 2020. I agree to accept MMM assignments in Arizona.
2. Additional Qualifications to be considered: (check all that apply)
 - ☒ I have completed the following legal education on mediation, in addition to or other than as described above. (ATTACH CERTIFICATE TO THIS SHEET)
 - 10/20/2016 CLE re MMM, by the U.S. Bankruptcy Court;
 - 11/09/2017 CLE re The MMM Program, by ACBC

☒ I have completed at least 80 mediation sessions, including 21 MMM sessions.

☒ I am a full ☒ or part-time ☐ bankruptcy practitioner with 47 years' experience.

☒ I have working knowledge of governmental and banking mortgage modification programs (please list):

General familiarity with HAMP and HARP programs.

☒ Add here any other relevant factors that should be considered:

I have served as a judge pro-tem in the Superior Court in Maricopa County, civil division, almost continuously from 1998 to 2019, mediating approximately 6 cases per year.

3. Additional required information: (answer all that apply)

☒ There are or have been no disciplinary proceedings instituted against the applicant, nor any suspension of any license, certificate or privilege to appear before any judicial, regulatory or administrative body, or any resignation or termination in order to avoid disciplinary or disbarment proceedings, except as described in detail below:

☒ Applicant has never been denied admission to the State Bar of Arizona. (Give particulars if ever denied admission):

☒ Applicant is a member of good standing in all the following State Bar Associations:

State Bar of Arizona

Maricopa County Bar Association

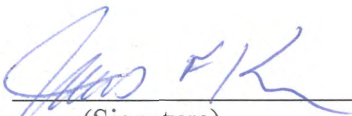
4. I have taken the oath or affirmation prescribed by 28 U.S.C. § 453 and have attached proof thereof to this Verification.

5. I agree to accept the current compensation rate established by the United States Bankruptcy Court for the District of Arizona.

6. I am familiar with and will comply with all notice and reporting requirements as implemented in General Order 16-2 and the MMM Program Procedures and Forms.
7. I will disclose to the Court any bias or prejudice which may disqualify me as a mediator.
8. I will accept referrals for cases filed in: (check all that apply):
☐ Phoenix, ☐ Tucson, ☐ Yuma.

I certify under penalty of perjury that all the information on this form is true.

By:


(Signature)

JAMES F. KAITEN
(Print Name)

**THIS FORM MUST BE FILED WITH THE CLERK'S OFFICE AT 230 N. 1ST AVE.,
STE 101, PHOENIX, AZ 85003 OR 38 S. SCOTT AVE., TUCSON, AZ 85701.
YOU MAY ATTACH A ONE PAGE RESUME TO THIS VERIFICATION.**

UNITED STATES BANKRUPTCY COURT
DISTRICT OF ARIZONA

MEDIATOR'S OATH

Each mediator of the United States Bankruptcy Court shall take the following oath or affirmation before performing the duties of his office:

"I, James F. Kahn do solemnly swear or affirm that I will administer justice without respect to persons, and do equal rights to the poor and to the rich, and that I will faithfully and impartially discharge and perform all the duties incumbent upon me as a mediator for the United States Bankruptcy Court, District of Arizona, under the Constitution and laws of the United States."

By: James F. Kahn
(Signature)

JAMES F. KAHN
(Print Name)

State of Arizona)

County of Maricopa)

Subscribed and sworn before me this 11th day December, 20 19



ROSALIE BECKER
Notary Public - Arizona
Maricopa County
Expires 10/15/2020

(seal)

Rosalie Becker
Notary Public

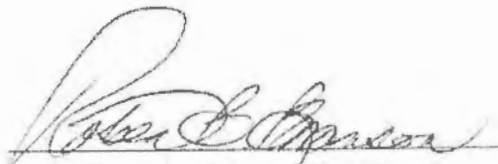


CERTIFICATE OF ATTENDANCE

James F. Kahn

Has completed 6.5 hours (inclusive of 1 hour
ethics) Mortgage Modification Mediation Training

On the 9th day of December, 2016



Mortgage Modification Education, Inc.
MME

Continuing Legal Education
CERTIFICATE OF ATTENDANCE

Brown Bag Lunch
Mortgage Modification Mediation
Coming Soon to the District of Arizona

Presented by:
United States Bankruptcy Court
MMM Task Force

Thursday, October 20, 2016

United States Bankruptcy Court
Phoenix and Tucson

(This program includes .75 CLE credit hours.)

By signing below, I certify that I attended the October 20, 2016
Brown Bag Lunch Seminar and am entitled to claim .75 CLE credit hours

Date: October 20, 2016

Signature

Attorney Name (Please Print)



CLE CERTIFICATE

Organization: Arizona Consumer Bankruptcy Counsel, Bankruptcy Section and Inn of Court
Date of Seminar: November 9, 2017
Seminar Title : **The MMM Program: Where are we? What's Working? Where Are We Headed?**
Location: Arizona Bankruptcy Court (Tucson and Phoenix)
Presenter(s): Judge Brenda Whinery, Rex Anderson, Dianne Kerns, Andrea Wimmer and Ellen Lawson

Maximum credit for Attendees: 1.5 hours (includes .5 hours ethics)

CALCULATION OF EARNED CREDIT:

For faculty*:** for this presentation:

- 1) I taught ____ hour(s) of original material, ____ hours of which was/were ethics; and/or
- 2) I taught ____ hour(s) of non-original material, ____ hours of which was/were ethics.

For attendees: for this presentation:

I earned a total of __1.5__ hour(s) of CLE credit, __.5__ hours of which were ethics hours.

ACBC Representative Signature

Your Signature: _____

***Hour Calculation Formula:

Original presentation: First hour of presentation x 6 = total credit hours; repeat live presentations house x 1 = total credit hours.
Non-original presentations: Each hour of presentation x 1 = total credit hours.

Introductory remarks, keynote addresses, business meetings, breaks, receptions, are not included in the computation of credit.

Rule 45(a) 2. A minimum of three hours of continuing legal education activity each educational year shall be in the area of professional responsibility, such as instruction in legal and judicial ethics, professionalism, and malpractice prevention, such as substance abuse, attorneys' fees, client development, law office economics and practice, alternatives to litigation for managing conflict and resolving disputes, stress management.

KEEP THIS CERTIFICATE IN YOUR FILE. DO NOT SEND IT TO THE STATE BAR OF ARIZONA



James F. Kahn, Esq.
Kahn and Ahart PLLC dba
BANKRUPTCY LEGAL CENTER™

- **Certified Bankruptcy Specialist**, State Bar of Arizona
- **AV-Preeminent Attorney**, Martindale-Hubbell
- **Southwest Super Lawyer**, 2007-2009 & 2012-2019
- Rated 9.2 on www.Avvo.com

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James F. Kahn is a third-generation commercial law and bankruptcy attorney, who has been in private practice in Phoenix, Arizona since 1972. He has been rated AV® by the Martindale-Hubbell National Legal Directory for over 20 years and designated as an *AV-Preeminent® Attorney*. He holds a 9.2 rating with Avvo and has been recognized by Thomson Reuters as a Southwest Super Lawyer for 2007-2019. Mr. Kahn previously served as an Adjunct Professor of Law at Phoenix School of Law (later Arizona Summit Law School).

Mr. Kahn concentrates his practice in the areas of Bankruptcy and Creditors' & Debtors' rights. He has been certified as a Bankruptcy Specialist by the State Bar of Arizona, Board of Legal Specialization continuously since 1988, with extensive experience in Chapters 7, 11 & 13.

Mr. Kahn has served on numerous committees and regularly lectures in various educational programs on bankruptcy as well as Creditors' and Debtors' rights. Mr. Kahn is a past-chairman of the State Bar of Arizona Bankruptcy Section and of the State Bar Creditors' and Debtors' Rights Committee. He previously served as chairman of the Western Region of the Commercial Law League of America and president of the Arizona Bankruptcy Coalition.

Mr. Kahn was first appointed as a Judge *Pro Tem* of the Superior Court of Arizona in 1995 and served for 20 years between then and 2019, primarily engaged as a settlement judge for civil matters. Jim is also a Master of the Bench in the Arizona Bankruptcy American Inns of Court, and currently serves on the executive committee of the Arizona Consumer Bankruptcy Counsel, Inc.

PROFESSIONAL AND BUSINESS ACHIEVEMENTS:

State Bar of Arizona

Member and Past Chairman, Bankruptcy Section

Judicial Liaison 2004-2005

Member and Past Chairman, Creditors' and Debtors' Rights Committee

Past Chairman, Legislative Subcommittee

Certified Bankruptcy Specialist

State Bar of Arizona, Board of Legal Specialization, 1988-present

Commercial Law League of America

Member and Past Chairman, Western Regional Members' Association

Past-member of the Executive Council, Bankruptcy and Insolvency Section and the Committee on Legal Specialization

Commercial Law Foundation

Fellow of the Foundation, 1978 - 2000

President, 1993 - 1998

Maricopa County Bar Association Member, Member 1972-Present,

Bankruptcy Section, Vice-chair 2002-2003

EDUCATION:

Wayne State University (Detroit, Michigan)

Juris Doctor, 1972

University of Detroit

Bachelor of Science, Marketing and Management, 1968

ADMISSIONS:

State Bar of Arizona

United States Supreme Court

United States Court of Appeals for the Ninth Circuit

United States District Court, Dist. of Arizona