

TRANSCRIPT OF
INTERVIEW OF
STEPHEN L. BEAMAN
(Beaman & Bennington, PLLC)

Place: U.S. Bankruptcy Court
Raleigh, NC

Date: February 24, 2020

TRANSCRIPT ORDERED BY:

DAWN R. WRIGHT, CASE ADMINISTRATOR (U.S. Bankruptcy Court)

ATTENDEES:

TRAVIS SASSER, ESQ. (Sasser Law Firm)
CINDY OLIVER, ESQ. (Longleaf Law Partners)
CHRISTINE CASTELLOE, CHIEF DEPUTY CLERK (U.S. Bankruptcy
Court)
STEPHANIE BUTLER, CLERK (United States Bankruptcy Court)

Transcriber, Kimberly Upshur
J&J COURT TRANSCRIBERS, INC.
268 Evergreen Avenue
Hamilton, NJ 08619
(609) 586-2311
FAX NO. (609) 587-3599
E-mail: jjcourt@jjcourt.com
Website: www.jjcourt.com

Audio Recorded

1 MS. BUTLER: Well Mr. Beaman we're here today
2 to interview Stephen Beaman who's one of our Chapter 7
3 Trustees. It is February 24th, 2020.

4 Mr. Beaman, the way we've been doing this
5 with other people is, you know, we'll probably start
6 out with a few questions specifically to you but then
7 it sort of develops into a conversation more so. And
8 so I'll start out by asking you about your educational
9 background and how you ended up in bankruptcy law.

10 MR. BEAMAN: I grew up on a tobacco farm in
11 Greene County. And my name, by the way, is Stephen L.
12 Beaman. There are several Steve Beamans and so Stephen
13 L, with a p-h is who I am. And I went to public
14 schools in Greene County and graduated and lived near
15 East Carolina University so that's where I went to
16 undergraduate school. I got a BA degree in education.
17 And while I was there I decided that I would see if I
18 could get in law school and visited Chapel Hill and
19 applied there and was eventually accepted. And so I
20 have my JD degree from UNC in 1974.

21 My childhood sweetheart went to Atlantic
22 Christian College now Barton College in Wilson and so
23 for the first couple of years that we were both in
24 school we spent a lot of time on weekends in Wilson and
25 decided that that's where we wanted to live. So I

1 interviewed some of the law firms there. I actually
2 clerked with one of the law firms, the summer before my
3 last year of school. And one of the interviews was
4 with Judge Moore and his then law partner George
5 Weaver.

6 And I'll never forget coming to Wilson for
7 the interview. I was in college during the Viet Nam
8 era and I was able to not go to Viet Nam because I got
9 in the National Guard. Judge Moore at the time was a
10 colonel in the Army Reserve and they had started
11 letting National Guardsmen grow their hair as long as
12 they wore a wig and could cover it up. So I had a
13 little longer hair and I drove to Wilson on a Friday
14 night and had dinner with Judge Moore and George Weaver
15 and sometime after dinner we were sitting around
16 talking Judge Moore said well, I just need to know do
17 you cut it or do you wear a wig? And I thought when I
18 told him I wore a wig that would be the end of that
19 interview. He didn't hold it against me.

20 So in August of 1974 I started to work with
21 the firm of Moore & Weaver. And Judge Moore at the
22 time was a part-time bankruptcy referee. He had an
23 office on Green Street. And I want to think it was 307
24 or 309 Green Street. One of those numbers. I'll have
25 to go back and look it up. It was a small brick

1 building, one story, that was divided in half and each
2 side was identical, mirror image of the interior
3 design. And Judge Moore and George Weaver had their
4 office facing the building on the left side and John
5 Anthony a local Wilson CPA had his office on the right
6 side.

7 Judge Moore had a lounge room in the back and
8 everyday he would have lunch, if he wasn't off
9 somewhere in court, in that lounge. Somebody would go
10 get him some lunch. And after he ate he would take a
11 nap. He had a recliner in that lounge and he would
12 take a nap everyday.

13 MS. BUTLER: Probably after smoking a
14 cigarette, too, though.

15 MR. BEAMAN: Probably after smoking a
16 cigarette. He was a smoker. And of course I practiced
17 with the two of them until Judge Moore became the first
18 official bankruptcy judge full-time in 1976. And I
19 want to remember maybe June or July, probably July
20 fiscal year was when he ascended to the position of
21 full-time judge. And he had some conversations and
22 just thinking preceding that trying to decide whether
23 he wanted to be a lawyer or a colonel or a bankruptcy
24 judge.

25 And he, thankfully for all of us, he decided

1 that he would give up the practice of law and continue
2 with the bankruptcy work that he was doing and with the
3 military. And of course he retired as, I think, a
4 brigadier general. A general. And he was always very
5 proud of the work that he was doing with the military.

6 He's the one that introduced me to bankruptcy
7 law. I remember taking a course called debtor/creditor
8 relations in law school. And I remember the bankruptcy
9 part of it sitting there listening thinking well I will
10 never use this. Didn't have any idea hardly of what
11 bankruptcy law was even after I took the course. But
12 Judge Moore occasionally would ask me to research some
13 issues, investigate some things on his behalf in some
14 cases that he might have pending. So I got to get
15 acquainted with bankruptcy law kind of unofficially
16 working with him during that roughly two and a half
17 year period while he was still doing that.

18 Judge Moore as everybody knows really enjoyed
19 mentoring young lawyers and that's something he did for
20 many of us including myself. And he apparently thought
21 that I could be a trustee because after he went on the
22 bench he started asking me from time to time if I would
23 act as trustee in some cases and he would appoint me.

24 MS. BUTLER: So that was before there was an
25 actual panel.

1 MR. BEAMAN: At that time there -- the only
2 panel was whoever Judge Moore appointed. And he had a
3 number of young lawyers across the district that he
4 would call on for different cases. He had his own
5 criteria. He never shared with me what those criteria
6 were. I do believe that my farming background led to
7 my appointment in a number of cases. Early on in the
8 '70s and '80s I was appointed by Judge Moore in a
9 number of farm bankruptcies as trustee. Sometimes they
10 were liquidating cases that required some active
11 farming.

12 I remember one case in particular that was
13 filed around September and a substantial number of
14 acres of corn still had to be harvested. And I ended
15 up getting orders to continue the operation and had to
16 hire some farmers with grain combines to harvest the
17 rest of that corn crops. I think Judge Moore probably
18 had that in mind when some cases like that came along.

19 MS. OLIVER: Do you remember who else Judge
20 Moore was appointing as trustee at that same time?

21 MR. BEAMAN: Ed Moore, Walt Hinson, Greg
22 Crampton. Many of those who are still around doing
23 bankruptcy work. Those names come to mind quickly.
24 Walt Hinson, I think I mentioned him. Richard Sparkman
25 later on. Buzzy Stubbs. I think he may have had a few

1 Chapter 7 Trustee cases early on before he was
2 appointed Chapter 13 Trustee. Mack Howard, I don't
3 know if he was a trustee, but he was a good friend with
4 Judge Moore because of their military shared
5 experience, but had a number of cases involving Judge
6 Howard.

7 So that's how I got acquainted with
8 bankruptcy law and started being a trustee. And then
9 when the panel idea came along I was fortunate enough
10 to be appointed to the Chapter 7 panel and I've been on
11 that ever since.

12 MR. SASSER: You were part of the appointment
13 process for the second judge in 1982, were you not?

14 MR. BEAMAN: I was. I remember there were
15 three of us appointed by the Fourth Circuit. Al
16 Butler, me, and a third one I can't remember. And we
17 were interviewed as a group.

18 MS. OLIVER: By the Fourth Circuit?

19 MR. BEAMAN: By the Fourth Circuit
20 Administrator. If you'd call his name I'd remember it.

21 MS. OLIVER: Sam Phillips.

22 MR. BEAMAN: Sam Phillips. And Judge Small
23 was under consideration and there was concern that
24 Judge Small coming from being an in-house counsel for
25 First Union would be unfriendly to debtors and more

1 friendly to creditors. And of course we all know that
2 that didn't turn out to be the case. But that was an
3 interesting experience. And he was eventually
4 appointed.

5 MS. BUTLER: So you didn't actually take part
6 in the interviews of those?

7 MR. BEAMAN: No, it was just an interview of
8 the three of us by Sam Phillips about our impressions
9 of Judge Small. But I don't remember any other
10 candidate. I think by the time it came around to us we
11 were just talking about Judge Small. That may not be
12 the case, but he's he the one I remember.

13 MR. SASSER: Does it sound correct that there
14 was Judge Dupree and Judge Britt had actually vetted
15 the candidates prior to and then once they had selected
16 Judge Small they then passed it on to the three of you?
17 Does that sound right?

18 MR. BEAMAN: That sounds about right.

19 MS. BUTLER: This isn't really bankruptcy
20 related, but it just kind of piqued my interest when
21 you mentioned that you were an education major. Do you
22 think that that has helped you as a trustee in maybe
23 trying to help educate some debtors?

24 MR. BEAMAN: Maybe so. I actually when I
25 started as a freshman I wanted to eventually be a high

1 school principal. I wanted to be a teacher and then a
2 principal. And along the way I had, in the first
3 couple of years I had some political science courses
4 and I was always interested in political science. I
5 was student body president for two years at Greene
6 Central High School. And I was the first one elected
7 as a junior. So I'd been interested in politics. I
8 read the News Observer religiously when I was in high
9 school and so forth. And I took some political science
10 courses, had some fascinating teachers.

11 I majored in history and minored in political
12 science and tied that into getting a bachelor's degree
13 with a teaching certificate. And during my sophomore
14 year is when I connected my enjoyment of political
15 science and so forth with law school. I had no
16 background, no relatives or anybody that had been
17 lawyers. So I was kind of coming to that cold. I did
18 have a -- my wife had a cousin who was raised in the
19 same household as she who was a heart surgeon and knew
20 Bill Aycock and he arranged for me to meet with Aycock
21 for an interview to talk about law school and so forth.
22 And I came away from that convinced that that was
23 something I wanted to do.

24 But I still pursued the teaching certificate
25 because I wasn't sure I was smart enough to make it in

1 law school, and I had to have a job if I flunked out of
2 law school. So that was my fallback position after my
3 second year of college.

4 MR. SASSER: Do you have any recollections of
5 when the -- when we moved from the Act to the Code in
6 that '78/'79 area under the adaptation of the different
7 things that were going on then?

8 MR. BEAMAN: I obviously remember it. It was
9 a time where everybody that was in bankruptcy practiced
10 thought that there were really big changes coming and
11 everybody was scrambling around trying to, you know,
12 study the changes and go to seminars. I remember I
13 went to a seminar in New York City. New York City Bar
14 put on a seminar about the changes and I attended that.
15 And everybody thought it was going to be awful, but it,
16 you know, everybody adjusted and got used to it and it
17 turned out to be just fine.

18 The bankruptcy law like any other law has
19 changed often, statutory law, and I want to think it
20 was Lincoln who said don't worry about the law the law
21 will be there. Go get the facts. And that's kind of
22 how I look back thinking the transition every time the
23 bankruptcy's law is changed, you know. The law's going
24 to be what it is and we'll all figure it out and study
25 it and we'll practice and we'll take a few cases under

1 the new law and we'll practice what it says and the
2 judges will tell us what it says.

3 That reminds me of a case I had with Judge
4 Moore years ago when the bankruptcy court was in the
5 old post office building in Wilson. I had brought an
6 adversary proceeding involving a secondary transferee
7 regarding a preference and the issues involved in the
8 case were pretty novel. There had been a few cases in
9 other jurisdictions in other states about this issue
10 and applying the facts to the preference law and I
11 brought this lawsuit and I thought I was on the cutting
12 edge of the law.

13 And we started trying the case and after, I
14 don't know, probably about 11:30 in the morning Judge
15 Moore wanted to smoke a cigarette, among other things,
16 which he often would take recesses when it was time to
17 smoke. And he stood up and he asked the other lawyers
18 if they had any objection to him conferring with Mr.
19 Beaman in chambers. And of course they all said well,
20 no, Judge, we don't.

21 So he invited me back in his chambers and he
22 lit his cigarette and he sat back and thought for a few
23 minutes and he said son, do you really think you're
24 going to win this case? And I said well, Judge, I sure
25 hope so. I've got some good law and I've got all these

1 cases from other jurisdictions. He listened to me for
2 a while and then he said well I'm going to finish my
3 cigarette here and I think it'd be a good idea if you
4 go back outside and see if you can't settle this case.
5 That's what I did. That would not be heard of today.

6 But the practice of bankruptcy and the judges
7 and the relationships with the Bar has changed a little
8 bit. Obviously there's a little bit more formality and
9 the judges -- as I say none of our judges would do
10 anything like that today.

11 That was part of his mentoring. He didn't
12 want me to lose, I guess, and he didn't want to rule
13 against me. He wanted to give me a chance. He didn't
14 tell me what he was going to rule, but he wanted to
15 give me a chance. And if I was dumb enough not to take
16 his hint then that would be on me.

17 MS. OLIVER: When Judge Moore went on the
18 bench were you still working in the office of Moore &
19 Weaver?

20 MR. BEAMAN: Mm-mm. Yes. George Weaver and
21 I continued the practice.

22 MR. OLIVER: And did he do bankruptcy, too?

23 MR. BEAMAN: Weaver?

24 MS. OLIVER: Yes.

25 MR. BEAMAN: No.

1 MS. OLIVER: And then so how have
2 -- what has your practice looked like since then?
3 Where did you go after Moore & Weaver?

4 MR. BEAMAN: Well, at some point George
5 Weaver and I decided to go our separate ways and George
6 and I before that we continued in the same building.
7 And Judge Moore, by the way, owned that building. And
8 it was right next door to the house that he grew up in.
9 And so George and I stayed there for about a year or
10 two after Judge Moore went on the bench and then we
11 bought a house that's almost directly behind that
12 building facing on Nash Street in Wilson and we
13 practiced there for a few years and then we decided to
14 go our separate ways. And George moved to another
15 location in Wilson and I stayed there.

16 And since then I've had several different
17 lawyers who have practiced with me. And now have a
18 firm of four lawyers, three including myself. We, over
19 the years, have at some point started representing
20 Wilson County and Wilson County DSS and still do that
21 today. I've always done some real estate and then some
22 general practice, some commercial litigation, some
23 family sort of things, wills and estates and so forth.
24 And that's pretty much what the practice looks like
25 today.

1 Always with a good bankruptcy practice
2 because of the trustee work. And in Wilson it was, I
3 think, to the volume of bankruptcy work it was
4 important to be a trustee. Because when a big case
5 would come along and out of state, out of town lawyers
6 would look in their list they'd always look at Raleigh.
7 Sometimes they would see the case was in Wilson and
8 they would look at Wilson. But it also helped to be a
9 trustee and to continue to be involved in the
10 bankruptcy in that fashion.

11 MS. OLIVER: Do you have any memorable
12 trustee cases that you worked on?

13 MR. BEAMAN: I've had a lot of them. The one
14 where I had to harvest the corn crop was a challenge
15 because it rained all that fall and winter and we
16 thought we'd never get the corn in. But we finally
17 did. On more than one occasion I would get a call
18 usually Friday afternoon from the clerk that there was
19 a few thousand pigs somewhere and I needed to go feed
20 them. So I had several cases. And again I think that
21 relates to the agricultural background that I had. I
22 think not only Judge Moore, but sometimes the clerk's
23 office and the BA would -- and the judges on the bench
24 would be looking for someone that had some background
25 in agriculture. So I had, I don't know. I remember

1 one Friday afternoon there must have been about 20,000
2 hogs and of course you know Chapter 7 Trustee didn't
3 have any money and the first question is how do I feed
4 them, and how do I pay for that? So the biggest case I
5 had like that they took feed out in tanker truckloads.
6 And so I had to arrange some credit with the feed
7 company and they needed it. They were out of feed.
8 They needed some feed before I went to bed that Friday
9 night. So that was a challenge and interesting.

10 I had a case called AmerLink (09-01055-8).
11 That seems like it wound up just yesterday, but I guess
12 it was a few years ago and that involved a lot of
13 litigation and fairly substantial insurance policy that
14 we were able to collect. Probably the biggest AP
15 collection I've ever had was about a little over a
16 quarter of a million dollars. A million dollars from
17 the insurance policy which was all their coverage.

18 More recently I've had a case of Edward
19 Braxton (09-08876-8) who was here in Greenville and he
20 was a furniture dealer from Badcock Furniture Company.
21 And I got involved in an adversary proceeding in that
22 case which they were headquartered in Florida. And I
23 wound up back and forth in the bankruptcy court here
24 with Judge Doub and with the bankruptcy court down
25 there because of some venue issues and because of some

1 rulings that Judge Doub had that the Judge in Florida
2 entered some rulings that we thought directly
3 contradicted Judge Doub's jurisdiction and we had to
4 come back and get some additional orders from Judge
5 Doub and then go back to Florida. And fortunately got
6 the Florida judge to agree that Judge Doub had primary
7 jurisdiction. But there were a lot of interesting
8 legal issues in that case. And it seemed to go on
9 forever.

10 That case, too, illustrates for me the
11 difference in one of the keys, I think, to enjoy in
12 practicing bankruptcy law in the Eastern District is
13 that we are a close-knit group of lawyers and trustees.
14 We know each other and we get along pretty well. Every
15 now and then we have some new lawyers come along who
16 believe that the way to practice law is to be real
17 aggressive and so forth. And I think the Bankruptcy
18 Bar in the east kind of takes those guys and women
19 under their wing and talk to them about a different way
20 to practice. And that is what I think of as the
21 collegial practice that we have. It doesn't mean that
22 you don't jealously and zealously advocate for your
23 client, but at the end of the day when the bankruptcy
24 seminar is over in the spring we're all friends and we
25 go out to dinner together and things like that.

1 The Badcock case their lawyers were in
2 Florida and they filed every motion that they could and
3 they didn't want to talk about it. They wanted court
4 rulings and that sort of thing. And to me that's the
5 difference in the way a lot of -- I think a lot of
6 bankruptcy jurisdictions' attorneys practice law in the
7 way bankruptcy law is practiced in the Eastern
8 District. And I sort of like the way we do it here.

9 MR. SASSER: Do you recall back in the '80s
10 there was a few different things, you can take them in
11 order or you can just pick whichever one you want, but
12 Judge Moore was, of course, concerned about maintaining
13 the court's presence in Wilson. Judge Moore had a
14 strong interest in the family farmer becoming a Chapter
15 12 and then also the opposition to the U.S. Trustee
16 expansion. If you have any memories of that or if you
17 were involved in any of that.

18 MR. BEAMAN: Well, I wasn't directly involved
19 in that, but I do remember that and I know that Judge
20 Moore and Judge Small felt strongly about Chapter 12.
21 And we all remember that they testified in congress and
22 they worked tirelessly, I think, trying to talk with
23 the movers and shakers about why we needed a Chapter 12
24 and how it really -- Chapter 11 really didn't work well
25 for farmers. And I think history will indicate such.

1 It was their efforts that played a big role in getting
2 Chapter 12 adopted.

3 And of course that came on the heels of time
4 in the '80s when we had a huge spike in interest rates.
5 There was a time in the '80s when interest rates were
6 19, 20, 21 percent. The commodity market really went
7 through some gyrations during that decade. FHA,
8 Farmers Home Administration urged farmers to get bigger
9 and better equipment because they thought it was a real
10 great future, you know, in demand for American
11 agricultural products. And that economy -- that demand
12 collapsed and there were a tremendous number of farm
13 bankruptcies in the '80s.

14 There was one year, and I don't remember what
15 year it was, but there was one year where I had an
16 agricultural bankruptcy sale every single weekend
17 throughout the year except for the major holidays. Big
18 and little. Big farm operators, small farm operators.
19 But they were filing Chapter 7 left and right. And
20 that was, I think, kind of the genesis of the idea that
21 we needed something that would help farmers stay in
22 business when they faced things that they couldn't
23 control which is a way of life for farmers, bad
24 weather, good weather, good demand, no demand from
25 foreign markets. Farmers are at the mercy of things

1 that they can't control no matter how good they are at
2 growing crops.

3 After seeing so many farmers have to file
4 bankruptcy and have their assets liquidated Chapter 12
5 really filled the need in the bankruptcy law and was
6 really -- came too late for a lot of farmers during
7 that period of time, but since then it has certainly
8 been a good tool to have to help farmers who are in
9 financial trouble.

10 I also remember about for a while the
11 bankruptcy court was kind of migratory. For a period
12 of time the old post office building on Nash Street in
13 Wilson was where court was held. When Judge Moore was
14 a referee and I guess early on after becoming full-time
15 judge he conducted his bankruptcy work as a referee out
16 of his law office. So he had a mix of private
17 practice, he was a general some days or colonel some
18 days and then some days he was the bankruptcy referee.
19 But when he became full-time obviously the Government
20 provided quarters.

21 And I don't remember if the first place that
22 was the bankruptcy court was in the post office
23 building or not. But I remember for a while it was
24 there. There was a U.S. District Court that for years
25 court was held on the fourth floor, I think it was, of

1 that building and it was a nice courtroom. And it had
2 offices for the judge and the clerks and so forth.

3 But then there was a period of time when GSA
4 decided to sell that building and I don't know whether
5 it was during the transition from the post office
6 building to the eventual location in Wilson, but there
7 was a period of time when the bankruptcy court was
8 actually held in that building where the law practice
9 had been. Judge Moore at that point or at some point
10 about that time took over the entire building and the
11 CPA that was in one half the building was asked to
12 vacate by Judge Moore and he set up the bankruptcy
13 clerk/court in the other half of that building. And I
14 remember whenever there was a big case there weren't
15 enough seats to go around if there were a lot of
16 lawyers involved there was standing room only in there
17 trying to have any kind of court hearings.

18 And later on GSA rented a building that was
19 the bankruptcy clerk and court where Judge Moore held
20 court I guess until his death over near Parkwood Mall
21 and Parkwood Boulevard. And it was after his death
22 some years later that the court moved to this current
23 Greenville location. It's been an interesting history
24 about where the Wilson bankruptcy judge was sitting.

25 MR. SASSER: Was that personally

1 disappointing to you when they moved the court from
2 Wilson to Greenville?

3 MR. BEAMAN: Well, it was pre-technology
4 days. It was great to be in the same town as the court
5 because back in those days the clerk's office when it
6 came time to object to claims they would package up the
7 claims files and we would go over and get it and bring
8 it back to our office, brought in someone to do the
9 same thing and we would go through and copy what we
10 needed and object to what we needed and then we would
11 return the file. And obviously when we had to file a
12 case we would go over and send the case for filing.

13 Back in those days we had somebody in our who
14 was going to the bankruptcy court every afternoon
15 either to get or to take something. So it was really
16 great to be practicing in the same town then. And I
17 was certainly in favor of it staying there, but I could
18 see that the handwriting was on the wall and
19 fortunately it's an easy drive from Wilson to
20 Greenville so it hadn't been really an issue since it
21 moved.

22 MS. CASTELLOE: Just a quick question as far
23 as the clerk's office went back in the early days.
24 That was before our time, but the house that the
25 clerk's office was in in Wilson we hear, you know,

1 former employees talk about the big white house.

2 MS. BUTLER: On Green Street.

3 MS. CASTELLOE: Yes. Was that the house that
4 Judge Moore grew up in that you said was next to the
5 law office?

6 MR. BEAMAN: Mm-mm.

7 MS. CASTELLOE: Okay.

8 MR. BEAMAN: And I don't know how long they
9 were there and the building and the house are still
10 there. The building sits back off the street with a
11 parking lot in front of it. So it's sitting back a
12 little bit further than the house. The house is a two-
13 story house right next door to the right as you are
14 facing the building. And the clerk's office was there
15 for a while.

16 The clerk's office when I came along in 1974
17 was in the building with Judge Moore, half of that
18 building. And it's not a big building. I'm trying to
19 visualize it now. You walk in to a reception area and
20 then there was one, two, three, four small offices to
21 the left going down the hall and there was one small
22 office on the right. And then in the back there was a
23 storage area and a lounge. Storage area and lounge
24 shared by the law firm and the CPAs next door.

25 Annette Boyette (phonetic) was the clerk of

1 the bankruptcy court in 1974 when I came. And she was
2 -- I don't know the details of her compensation or
3 whether she was full-time or what, but she was
4 essentially Judge Moore's clerk/secretary. And he did
5 have others who assisted him with his private cases
6 administrative staffwise, but Annette Boyette is the
7 one that really took care of him in the bankruptcy
8 court more than anybody else.

9 And interestingly her husband Ken Boyette was
10 the chief auctioneer of the bankruptcy court at that
11 time. And that would never fly today. But back then
12 Ken Boyette had a little auction company and he did
13 most all of the auctions that I recall. I don't know
14 if there were many other auctioneers that the trustees
15 or the court ever called on or not.

16 Peggy Deans had known Judge Moore before I
17 came to town and I believe that she was from
18 Washington, North Carolina or somewhere in that area.
19 And when I went there in '74 I think she had been there
20 for a while, but then had left and maybe gone back to
21 Washington or somewhere. But then she had moved back
22 to Wilson a year or two or three. But it would have
23 been while Judge Moore was still there. And Annette
24 Boyette was still there. So Peggy Deans came in as a
25 receptionist/secretary. And as you know after Annette

1 Boyette, Peggy was named the clerk and she was the
2 clerk until her retirement. And you succeeded her.
3 And then, of course, everybody knows that she was
4 killed in a car accident two or three years ago in
5 Wilson County.

6 MS. BUTLER: You mentioned the Institute
7 earlier talk about how, you know, you guys would get
8 together and go out to dinner. Do you have any
9 specific memories from past functions the Institute. I
10 know that we have pictures of you in the softball game
11 at the clerk's office in Raleigh from a photo album
12 that Peggy kept. Can you think of any good stories
13 from those events?

14 MR. BEAMAN: Well, I think the EBI grew out
15 of Judge Moore's desire after he became full-time judge
16 to nurture the bankruptcy bar and encourage bankruptcy
17 practice in the east. I don't remember the year, but I
18 remember that he sent out a notice and kind of convened
19 a meeting of a number of active bankruptcy
20 practitioners for some afternoon or some day in the
21 second floor conference room of First Citizen's Bank
22 there in Wilson. And I believe Buzzy Stubbs and myself
23 and probably Greg Crampton and a number of others that
24 I just don't remember now attended that meeting.

25 And out of that grew a desire to continue

1 periodic meetings to promote the practice and so that
2 everybody involved could keep up with what was going on
3 in the law and that sort of thing. Buzzy Stubbs kind
4 of took the lead at some point after that and continued
5 convening kind of informal meetings like that in
6 different places, I recall, until EBI was kind of
7 formally put together. And so that's the genesis of
8 the EBI that we have now.

9 Al Butler, when we started having seminars
10 regularly they were in Wilmington at the Blockade
11 Runner Hotel. And the story goes that over time Judge
12 Moore got to be unhappy with the Blockade Runner and
13 the last year that we were there the story that I was
14 told was that they put Judge Moore in a small room
15 under a stairwell somewhere and that's the last time we
16 met at the Blockade Runner.

17 From time to time at some point Al Butler
18 started hosting a shrimparoo at his home. And the one
19 thing I remember, the only thing I really remember
20 about the shrimparoo is that I had two little boys and
21 one of them -- the shrimp-a-roo really was that there'd
22 be some tables around and covered with paper and Al and
23 his helpers would dump a pot of shrimp on the middle of
24 the table and you'd stand around and peel your own
25 shrimp and eat. And my little boy who was with me one

1 year peeled one and he looked at it and just as loud as
2 he could say he says ooh this shrimp got's stinky.

3 (Laughter)

4 MR. BEAMAN: Looking at the vein going down
5 the back. So that was the last shrimp I think he ever
6 ate. But the softball games were always fun, I
7 thought. I always enjoyed that. It was the only time
8 of the year that I played softball but I enjoyed it.
9 And I think everybody did. And it's just unfortunate
10 that at some point that stopped. I think somebody got
11 hurt, broke a bone and I think the judges and the
12 clerk's office decided that there was too much
13 liability for having an organized game, and that was
14 the end of that. But it was fun while we did it.
15 Everybody had a good time.

16 And of course we were, even then some of us
17 were getting a little old toward the end of that run,
18 and broken bones, everybody was trying to showoff how
19 good they were. And we probably would have had some
20 more broken bones if we'd kept doing it.

21 MS. BUTLER: You need to stop by and see the
22 picture sometime.

23 MR. BEAMAN: It was a lot of fun. We really
24 had a good time.

25 MR. SASSER: So do you have any reflections

1 on either Judge Moore's passing or the -- and/or the
2 ascension of Judge Leonard to that position in Wilson?

3 MR. BEAMAN: Well, I remember that I didn't
4 realize how sick Judge Moore was. I do know that I
5 went to see him in the hospital and Peggy Deans was
6 there and she very politely told me that he couldn't
7 see me and that he just wasn't feeling well enough.
8 And even then I thought -- I didn't think it was life
9 threatening. I thought he was going to get well and
10 come home. But that didn't happen. And I always
11 thought, you know, he died too young. He was in his
12 60s. I don't remember how old he was. I think. But I
13 thought we lost him at an early age.

14 I think everybody was excited about Judge
15 Leonard coming on. And it didn't take all of us long
16 to realize that he was a really smart cookie. And he
17 was smarter than the rest of us. And he made us, I
18 think, better lawyers. We had to work a little bit
19 harder. We had to do our homework when we went in
20 front of Judge Leonard. But that was, you know, that
21 was just part of change.

22 And just as an aside I have continued
23 relationship with his widow Frances and his two
24 children and I have acted as their family lawyer over
25 the years. You know, she just passed away in December.

1 I remember one year that one of the children,
2 I won't say which one, but one of the children got a
3 speeding ticket about every two months when that child
4 was in high school. So I got to know that child pretty
5 well that year. But they both are grown up and turned
6 out to be fine citizens.

7 MS. OLIVER: Do you recall the discussions
8 that were going on when the court was trying to
9 determine whether we'd be the bankruptcy administrator
10 or the U.S. Trustee, you know, the conflict and how it
11 resolved to the bankruptcy trustee?

12 MR. BEAMAN: I wasn't a part of the inner
13 debate, so to speak, but I certainly knew that Judge
14 Moore, anyway, and I think Judge Small really didn't
15 want the U.S. Trustee system. And they put up as much
16 of a fight as they could, from what I understand. And
17 to the point that the legislative members in congress
18 from North Carolina paid attention to them and that's
19 because of their opposition and some opposition from
20 Alabama is why we wound up being the oddball bankruptcy
21 administrator system here and there.

22 And I don't know the balance between
23 Alabama's opposition and North Carolina's but I do know
24 that our judges really didn't want to make that change.
25 And made enough noise that it really didn't change that

1 much. But I wasn't involved in the -- I wasn't an
2 insider to what they were doing. And so that's about
3 all I know about that.

4 MR. SASSER: Any memorable practitioners that
5 you can recall in terms of in and out of the Wilson
6 area?

7 MR. BEAMAN: Well, I remember Mark Kirby.
8 Mark Kirby came along and developed a very active
9 practice. And of course the public record is that he
10 eventually fell into some legal difficulties with the
11 U.S. Attorney relating to billing practices involving
12 federal agencies and federal funds. One interesting
13 thing about that is that I would often have trustee
14 cases that he was involved in and he would file fee
15 applications for one creditor with more legal time than
16 I had as trustee dealing with the entire case.

17 And one case aggravated me to the point that
18 I subpoenaed -- I objected to his fees and I subpoenaed
19 his billing records. And Judge Moore quashed my
20 subpoena because he felt that it wasn't appropriate and
21 that it might reveal client confidential information.
22 And that was before Mr. Kirby found his way into legal
23 troubles. So it was an issue and concern among
24 trustees who practiced with him.

25 There was -- somebody help me out with the

1 guy from New Bern, Bob Bowers was an interesting
2 fellow. He was old when I started practicing in 1974.
3 And I always liked him. He always had some experiences
4 to share with us and he was always kind of gruff, but
5 still was a good lawyer and a nice guy. I remember him
6 fondly.

7 A lot of the others are still around, the
8 ones that I remember. Of course I'm still around,
9 thank goodness. Walt Hinson has just retired and Greg
10 Crampton was always prominent in the trustee work. Ed
11 Moore who has just passed away in the last few weeks in
12 the real early days was active in the bankruptcy
13 practice and he became less so later on. And you may
14 not have even known him. But when Judge Moore was a
15 referee I think he had some referee cases assigned to
16 him from Judge Moore before he, Judge Moore went on the
17 bench full-time. I always remember him.

18 And those were some of the -- and Mack Howard
19 was always a character. I always enjoyed cases with
20 Mack. And interestingly Mack used to complain to Judge
21 Moore that I didn't like him. And I think it was just
22 because I would occasionally object to something in the
23 case he filed. But I thought the world of Judge
24 Howard. But he would whine to Judge Moore that I
25 didn't like him and was picking on him. Those are some

1 of the ones I remember.

2 There's been a lot of changes since I started
3 practicing. I clerked in the summer with a larger firm
4 in Wilson before I started practicing with Judge Moore.
5 And that firm had a central Lanier Dictating System.
6 And I really liked that. That summer when I started
7 with Judge Moore they didn't have any dictating
8 equipment and Judge Moore would, in his fine print, he
9 would handwrite a lot of his letters and everything.
10 And George Weaver would dictate to someone who knew how
11 to take shorthand. And I didn't like either of those
12 so I rambled around in the back of the office one day
13 and I found an old belt driven recording machine. And
14 I got it out and I plugged it up and lo and behold it
15 worked.

16 So I went to one of the secretaries and said
17 here's your end of this. I'm going to start using
18 this. And about a month later Judge Moore called me in
19 and said well Steve, Ann Proctor tells me that you have
20 been using the recording equipment. I said yes, sir.
21 I said I like to do that. I think it's kind of
22 efficient. And he said well she doesn't like it. And
23 she especially doesn't like what we have and how old it
24 is. So if you're going to keep using it I want you to
25 go shopping and decide what kind of new equipment we

1 ought to get and then come back and tell me how much
2 it's going to cost. That was the status of technology
3 with Judge Moore in 1974.

4 MS. BUTLER: How do you think he would have
5 done with electronic filing when that came along?

6 MR. BEAMAN: Oh, I don't know. I don't know.
7 And all of us thought when the law changed that the
8 electronic filing system was going to crash. That it
9 would not ever support all the cases that are going to
10 be filed. And I always was amazed how many cases got
11 filed in two or three days. And that system did not
12 explode.

13 MR. SASSER: I don't want to focus too much
14 on Judge Moore, but just a couple of things. Did Judge
15 Moore, do you know if he practiced bankruptcy law
16 before he was appointed referee?

17 MR. BEAMAN: I don't know that he did. He
18 had a good relation with Judge Dupree and he was
19 politically right connected to be appointed a
20 bankruptcy referee. And I think Judge Dupree may have
21 been the one that appointed him or was instrumental in
22 him being appointed. But that's all I know about that.

23 MS. CASTELLOE: What other types of things
24 when they were at the law firm what other types of
25 practice did you have there with Moore and Weaver?

1 MR. BEAMAN: It was a small town general
2 practice, family practice. Mickey represented a number
3 of families and small businesses around the Wilson
4 area. And he involved George and I both in those
5 areas. So we primarily did wills and estates and real
6 estate and some business and commercial work, we did
7 some incorporations and helped some small businesses
8 primarily. Judge Moore also was a, I don't know if
9 they were called Masters back then, but he would
10 occasionally be appointed to some case that needed a
11 Master version back then of a mediation, or an
12 arbitration. He would hear the issues, hear the facts
13 and decide the case. That was an informal sort of
14 thing often, but sometimes he would be appointed out of
15 some complicated civil case.

16 And I remember he had one case still pending
17 when he got appointed and he'd been wrestling with it
18 for months and months and his appointment put a
19 deadline on him. He had to get that resolved. So he
20 worked a lot and a couple of months before he went on
21 the bench to get that wrapped up.

22 MS. OLIVER: So I'm going to ask you when you
23 first started working with Judge Moore at Moore &
24 Weaver did you cut your hair?

25 MR. BEAMAN: No. He didn't make me cut my

1 hair. And it wasn't real long. I mean, obviously if I
2 could stuff it under a wig it wasn't real long. But it
3 was longer than the GIs that Judge Moore saw weekends
4 at Fort Bragg or wherever he was going.

5 MS. OLIVER: And Judge Moore didn't mind?

6 MR. BEAMAN: He didn't mind. Never said
7 nothing about it. But it gradually got shorter. It
8 did. Gradually over a time it got shorter and I'll say
9 more business looking. Shorter than it is now. He was
10 tolerant. He was a good man. He really was. I have a
11 great deal of respect for him.

12 What else can I tell y'all?

13 MS. CASTELLOE: Any stories we haven't asked
14 about that you feel would be fun to have in our
15 historical record?

16 MR. BEAMAN: Nothing that comes to mind
17 really. I've got a few notes here and I think we've
18 kind of touched on all of those. But I think a lot of
19 the lawyers who are my age and older and maybe a few
20 who are younger who had the opportunity to practice
21 under Judge Moore really value that time because it was
22 a little bit different than practicing today.

23 The judges today, obviously they are judges
24 and with all that comes the trappings of less
25 accessibility although you had a visit this morning.

1 But back then Judge Moore would take a recess and he
2 would invite lawyers to join and he'd light up a
3 cigarette as soon as he closed the door and sit around
4 and a 15 minute recess turned into a 30 minute recess
5 and particularly if there were lawyers he hadn't seen
6 in a while. So that was very different from what it's
7 like today.

8 MS. BUTLER: Was it different though from
9 other judges, say in the State Court, during that time?

10 MR. BEAMAN: No, not at all. It was the same
11 thing, I believe. You know, the U.S. District Court
12 judges were pretty much like judges today. They were
13 somewhat more aloof than Judge Moore was. They have a
14 higher status. Judge Moore was called a referee by a
15 lot of people a long time after he became bankruptcy
16 judge.

17 But I'm really pleased looking back at our
18 bankruptcy court. I think the Eastern District has, in
19 my view, been a leader in technology and we've had some
20 of the best judges I can imagine. And it's evolved
21 from what Judge Moore started, but I think it evolved
22 in large part because he gave it a good direction as
23 the first bankruptcy judge in Eastern North Carolina.
24 So where we are today really has good solid roots and
25 back to then. We just have always had good judges,

1 good clerk personnel, a good collegial bar that I think
2 have represented the people of Eastern North Carolina
3 admirably. I have no regrets about my bankruptcy
4 practice looking back.

5 Now y'all tell me something. Y'all have
6 memories that I don't while the machine's still
7 running.

8 MS. OLIVER: All these interviews make me sad
9 that I didn't get to experience Judge Moore more than I
10 did.

11 MR. BEAMAN: Well, Judge Doub he was a really
12 good guy.

13 MS. CASTELLOE: Another one that was very
14 young.

15 MR. BEAMAN: Mm-mm.

16 MS. BUTLER: Age 59.

17 MR. SASSER: I was going to say something
18 about Judge Moore. All of the interviews have been --
19 so we're not just picking on you just because you were
20 his law partner. All of the interviews we've had a lot
21 of Judge Moore material. So I think we've gotten a
22 little bit of a picture of what he was all about.

23 MR. BEAMAN: Well, you know, the time to
24 capture those memories is while we're still here. I'm
25 72 and we're not going to be around forever. So I

1 really am glad you all are doing this.

2 MS. CASTELLOE: Before we started Mr. Beaman
3 did ask me what we were doing with these. I told him,
4 you know, the goal was to get them transcribed. And he
5 made the suggestion just to put the audio out there for
6 people to listen to as they choose, too.

7 MR. SASSER: And I think that over time,
8 like, you know, I just think that it could be a good
9 thing that people come back to especially as they're
10 trying to kind of piece everything together even if
11 there's not some giant burst of activity with those I
12 think over time I think that they would be valuable.

13 MR. BEAMAN: Also, FYI and for the record
14 Judge Moore's papers whatever they consisted of were
15 donated to East Carolina a few years ago. And so they
16 are housed at the Jonas Library.

17 MR. SASSER: And we've gone through all those
18 and they're very good. Also, there's a copy of those
19 at UPenn. Those are photocopies of the originals.

20 MS. BUTLER: Yeah, they've collected a lot
21 from across the company, bankruptcy related. They're
22 sort of the place to send bankruptcy archives.

23 MR. SASSER: And they have lots of oral --
24 they've got oral history there.

25 MR. BEAMAN: And Frances Moore gave me Judge

1 Moore's last desk and chair. I still have that.

2 MS. CASTELLOE Wonderful. You've got that in
3 your office or at home?

4 MR. BEAMAN: It's at the office.

5 MS. OLIVER: His last desk and chair from the
6 office before he went on the bench?

7 MR. BEAMAN: From when he was on the bench.

8 MS. OLIVER: He was on the bench.

9 MR. BEAMAN: Yeah.

10 MS. BUTLER: Yeah, the family's allowed to
11 purchase the desk and chair whenever a judge retires or
12 dies they're able to do that.

13 MS. OLIVER: Oh, that's nice. You are lucky.

14 MR. SASSER: There has been some discussion
15 about Mrs. Moore about her involvement as kind of the
16 first lady of the bankruptcy court. I don't know if
17 you have any comments on her and sort of what she did
18 as the judge's wife.

19 MR. BEAMAN: Well, she was, I would say, a
20 typical mid-century wife. She did not work outside the
21 home. Her primary responsibility was home and children
22 and her husband and she was great at that. She didn't
23 apparently mind too much his being away from home
24 because he was away for bankruptcy proceedings and he
25 was away for his military. So she at least tolerated

1 all of that. She didn't travel with him a whole lot in
2 their early years. And I don't remember that -- the
3 children were still in school and still at home when I
4 came.

5 So I know in the early years that I was with
6 Judge Moore and after he went on the bench oftentimes
7 she did not attend the seminars. But then later on she
8 would attend those. But she was always kind of in the
9 background. But I know that she was always looking
10 after him and everything else. And it always made her
11 feel really great when, you know, people would speak
12 well of him, honor him and that sort of thing.

13 I've kept her informed whenever EBI would do
14 something I've kept her informed about that. And she
15 in her will she left a sum of money to the East
16 Carolina and Campbell for a Thomas M. Moore Scholarship
17 Fund. So those are in the process of being designated
18 and paid out.

19 MS. BUTLER: She still attended a lot of our
20 social functions up until we moved to Greenville. She
21 would come like at holidays and things like that. So
22 we still tried to bring her in.

23 MR. BEAMAN: And she always appreciated that.
24 She would mention things like that to me from time to
25 time. And she was very grateful.

1 MS. CASTELLOE: Since Peggy is no longer with
2 us any memories from Peggy's tenure early on, those
3 things?

4 MR. BEAMAN: Well Peggy was pretty
5 extraordinary. I think she, at least from my
6 perspective, she was a well organized person. She was
7 a workaholic to some degree and she was open to change
8 which is evident in the Eastern District Clerk's Office
9 years of leadership in the technology arena. She never
10 hesitated to embrace something that would allow the
11 clerk's office to do its work faster and more
12 efficiently and better. And there was always some
13 change going on at the clerk's office.

14 MS. BUTLER: And still is.

15 MR. BEAMAN: Yes, still is. We were always
16 trying to keep up with Peggy and what you all were
17 doing at the clerk's office.

18 MS. CASTELLOE: She had us on electronic
19 filing before the country went national on electronic
20 filing.

21 MR. BEAMAN: Yeah.

22 MS. CASTELLOE: She worked with a private
23 company first and then the rest of the country caught
24 up.

25 MR. SASSER: I'm reluctant to interject

1 myself into this, but I think I might have been the
2 first -- I might have filed the first case under that,
3 call it Court Watch or something.

4 MS. CASTELLOE: Yeah Court Watch was --

5 MR. SASSER: And charged like eight bucks or
6 something like that.

7 MS. CASTELLOE: Yeah, that was the company we
8 used.

9 MS. OLIVER: Was it a petition? You filed a
10 petition?

11 MR. SASSER: Yeah. Not that I was trying to
12 be some over achiever I just was young and had nothing
13 else to do.

14 MS. CASTELLOE: You wanted a part of the new
15 technology. I can remember Peggy at one point had us
16 when we went to this online system we ordered all of
17 our old docket sheets back from archives and put them
18 into the new system. So at least if you searched an
19 old case you would get a name, a case number and the
20 PI. You wouldn't get any of the documents, but just
21 the basic. So everything could be searched
22 electronically and we could get rid of the microfiche
23 machine.

24 MS. OLIVER: That had to have been a lot of
25 work.

1 MS. CASTELLOE: It was. It was a lot of
2 work. It was one of those things where when your work
3 was done for the day you were expected to spend an hour
4 or two inputting the old cases in. And it was purely
5 manual, but we did it. And it's been great to not have
6 to keep the microfiche machine.

7 MR. SASSER: Well, it's a great resource to
8 be able to search even cases in the '80s and stuff that
9 you know you could get the documents. I've had that a
10 couple of times.

11 MR. BEAMAN: And those of us who also
12 practiced in the State Court as well wished that they
13 had done what you all did and Peggy did. They are so
14 far behind in case management.

15 MS. BUTLER: I think John Bircher told me at
16 the last local rules meeting that they finally like
17 formed a commission to try to do something that would
18 be similar.

19 MS. CASTELLOE: Hopefully they can get some
20 funding.

21 MR. BEAMAN: Well, y'all didn't cross examine
22 me. I said for the record that I would not be cross
23 examined.

24 MS. BUTLER: Make sure you tell everybody
25 else that we're not cross examining anybody so they

1 won't be scared.

2 MS. OLIVER: Just trying to preserve
3 memories.

4 MR. SASSER: Thank you very much.

5 MS. OLIVER: Yes, thank you very much.

6 MR. BEAMAN: Very welcome. I appreciate
7 y'all letting me tell my story. And that's my story
8 and I'm sticking to it.

9 MS. BUTLER: And Travis can send you the
10 download.

11 MR. SASSER: Oh, sure.

12 MR. BEAMAN: All right.

13 MR. SASSER: Thank you.

14 MS. BUTLER: You've got somebody out there
15 waiting for you, don't you?

16 MR. BEAMAN: I do.

17 * * * * *

C E R T I F I C A T I O N

I, KIMBERLY UPSHUR, court approved transcriber, certify that the foregoing is a correct transcript from the official electronic sound recording of the proceedings in the above-entitled matter, and to the best of my ability.

/s/ Kimberly Upshur

KIMBERLY UPSHUR

J&J COURT TRANSCRIBERS, INC. DATE: October 26, 2021