

TRANSCRIPT OF  
INTERVIEW OF  
WALTER L. HINSON  
(Walter L. Hinson, P.A.)

Place: U.S. Bankruptcy Court  
Raleigh, NC

Date: January 29, 2021

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  
Audio Operator, Dawn Wright

1 MS. BUTLER: Mr. Hinson we are here today to  
2 interview you, Walt Hinson, and present is Stephanie Butler,  
3 Christine Castelloe, Cindy Oliver, Travis Sasser, and  
4 recording for us is Dawn Wright.

5 Mr. Hinson, what we'll do is we usually start out  
6 with just some few generic questions and then it seems like  
7 the discussions just kind of naturally progresses from there.  
8 And so we'll actually start out at the very beginning with  
9 sort of your upbringing, where you were born and raised and  
10 sort of those type things.

11 MR. HINSON: Well, my birth certificate will show  
12 you that I was born in Lenoir County. The only reason for  
13 that is that Kinston in Lenoir County was the closest  
14 hospital. When my parents brought me home it was to a very  
15 rural little crossroads community in northern Duplin County  
16 just a little south of Mount Olive, just a little north of  
17 Kenansville. And to say that I was raised as a country boy  
18 would be an understatement.

19 My parents farmed and ran a country store.  
20 Ultimately I think running the store proved to be where my  
21 mother contributed and doing the farming is where my father  
22 contributed. But I got education from a number of different  
23 directions. My mother's family lived in the community, and  
24 so it's just -- I would recommend it to anybody. I've never  
25 really known what it would be like to grow up -- in fact,

1 Ann, my wife, grew up here in Wilson and tells the stories of  
2 riding her bicycle to the park or going from school to the  
3 library on her bicycle. Apparently she put miles and miles  
4 on her bike.

5 Me, on the other hand, there was a little pond  
6 nearby that was the swimming pool for Summerlins Crossroads,  
7 is you went to the hole, got off your bicycle and jumped in  
8 with the rest of the guys. I can't say it was anything worth  
9 writing a book about, or certainly reading the book if I were  
10 to attempt to write it, but it was just a good country  
11 upbringing, and I appreciate all of it.

12 I grew up like everybody else. I thought my  
13 parents were sometimes the most stupid people I'd ever run  
14 into. You know, they were particularly stupid when they  
15 decided that when I got to be 16 they weren't going to buy me  
16 a car, you know. Those kind of decisions that in later years  
17 I've come to appreciate maybe weren't so stupid after all.  
18 But in any event that's -- it's just a good upbringing in a  
19 Christian home by two parents that loved me a great deal and  
20 I'm much the better for it.

21 MR. SASSER: Are you an only child?

22 MR. HINSON: Yes, I am. I had lots of cousins.

23 MS. BUTLER: Where did you go to school?

24 MR. HINSON: I went to grammar school in  
25 Kenansville just south of where I was raised. Then went to

1 high school over at James Kenan High School which is in  
2 between Kenansville and Warsaw. All of those are those kind  
3 of things you hear you can't get there from here. Well,  
4 that's kind of where they were. Again, it was a small high  
5 school. I can't really recall but we were just pleased  
6 because we thought we were so big having consolidated some  
7 little community schools around us and created the high  
8 school. But there probably wasn't oh, maybe 50 people in my  
9 graduating class. But we were hot stuff when we came along.

10 From there I apparently did well enough that I was  
11 accepted at East Carolina, spent four years there going to  
12 school like everybody else learning that there were different  
13 people from all over the world that looked, thought, and  
14 spoke a whole lot different than a country boy from  
15 Summerlins Crossroads, and enjoyed that. And actually except  
16 for French I did fairly well at East Carolina.

17 I couldn't pass a French course to save myself.  
18 And I almost didn't get into law school because I did so  
19 poorly. I did fairly well on everything else, but I did so  
20 very poorly in French until they looked at me and I had to  
21 really explain that I just had a problem with French. Oddly  
22 enough now that I really need to learn Spanish when I try and  
23 speak Spanish French words will pop in. And I kept thinking,  
24 you know, if I can just get out of here I'm not going to need  
25 this French anymore.

1                   And got into law school at Wake Forest and when  
2                   Wake Forest was the only school that required an interview.  
3                   And I was pleased enough that they wanted the smell of me and  
4                   let me smell of them, so-to-speak, that they required an  
5                   interview, and that together with the fact that they finally  
6                   did accept my application, not unlike at East Carolina is  
7                   what caused me to choose to go to law school there. And I  
8                   kept thinking well, I can get in law school and I'm not going  
9                   to worry about this French. If I can just pass this one last  
10                  course in French while I'm here at East Carolina.

11                  Got into law school and learned that there is  
12                  what's called law French. And if you look at some of the  
13                  terminology in the law there's certainly Greek and Latin, but  
14                  there are a lot of words that have a French history to them.  
15                  So, there I was, you know, having been such a whiz all the  
16                  way through college on French also learning a little law  
17                  French. Kept thinking well, if I could just get through law  
18                  school I'm not going to need any French and I won't ever have  
19                  to speak this again.

20                  And I came to Wilson, which is another story in  
21                  itself. One of the first clients I had who was a walk-in  
22                  client was a guy from Quebec. And he had had some problems  
23                  down in Goldsboro which is a little south of Wilson and was  
24                  just -- decided to get out of town and look up a lawyer and  
25                  sort of walked in the door at our office in Wilson. And we

1       chatted and determined that I could help him, and came to  
2       terms and agreed that he would send me his file.

3               Well, in a few days, as he had promised, a file  
4       came to our office. I opened it and I think everything in  
5       the file was in French. So you can't get away from it. I  
6       can't learn Spanish for speaking it, but I can't learn to  
7       speak French. I've gone off on a bit of a tangent. Ask  
8       another question and let's go somewhere.

9               MS. BUTLER: That was great.

10              MR. SASSER: Any chance that you knew Billy Brewer  
11       where you were growing up? Because it seems like he's from  
12       15 minutes away.

13              MR. HINSON: Billy Brewer is -- we were raised  
14       close together, but we weren't acquainted. Billy Brewer was  
15       from, is it Seven Springs or somewhere over --

16              MR. SASSER: I thought it was Pink Hill, but  
17       --

18              MR. HINSON: Pink Hill, that's it. Pink Hill. But  
19       Pink Hill is not far and Pink Hill is in Lenoir County. And  
20       if it were today Billy and I'd probably know each other and  
21       be good friends as we are today. But understand that in the  
22       '50's Pink Hill was in another world. For Billy Brewer  
23       Summerlins Crossroads was in another world. So we only met  
24       after we started encountering each other in the Bankruptcy  
25       Courts. Too bad I didn't know him. He's a great guy and

1 probably we could have got in some really good trouble  
2 together. Maybe we still can. I'll see him again soon.

3 MR. SASSER: Did you take bankruptcy in law school?

4 MR. HINSON: No. Wake Forest was a small school.  
5 Now, while I mentioned to you a moment or two ago that I have  
6 trouble remembering names everybody knew everybody. It  
7 wasn't like you only knew the folks in your little clique or  
8 you just knew the folks in your class. You knew everybody.  
9 In about five minutes you could walk around the whole campus  
10 at Wake Forest. We didn't know folks in the undergraduate  
11 school because we just didn't mingle unless you went to  
12 undergraduate school at Wake and then maybe you knew somebody  
13 and had friends.

14 But there were a number of us -- now Judge Howard  
15 went to Wake. He was a little ahead of me so I did not know  
16 him in law school. I got to know him later on after law  
17 school. Bob Fuller in Goldsboro was in Wake. Many of you --  
18 some of you may remember Larkin Pahl who practiced at one  
19 time in the Eastern District. There's a number of them that  
20 will come to me. And if I happen to pop the name out at you  
21 it'll be because a lightbulb went off in my head.

22 But we enjoy seeing each other and talking about  
23 Wake Forest and how it's just a matter of another year or two  
24 before Wake Forest will dominate the Atlantic Coast  
25 Conference. It may take more than a year or two. So, yes,

1       there's a lot of us that we run into -- that I run into both  
2       in the bankruptcy court and outside the bankruptcy court in  
3       my -- what was, until I retired, what was my sort of general,  
4       we'll call it nonbankruptcy practice. So a lot of good  
5       folks.

6               MS. OLIVER: What year did you graduate from Wake  
7       Forest?

8               MR. HINSON: When did I graduate from Wake?

9               MS. OLIVER: Yes.

10              MR. HINSON: I graduated in 1973.

11              MS. OLIVER: Do you recall how many women were in  
12       your class?

13              MR. HINSON: That's interesting, because I didn't  
14       recall that. And I don't recall how many, but Wake Forest  
15       was a little slow on integration both bringing in female  
16       lawyers and bringing in those of color. There were probably  
17       half dozen. And now it might be that there's half of them  
18       are. But I would say there's probably not more than six or  
19       eight in my class. And when I was in my third year Wake  
20       Forest brought in the first black female.

21              So that's -- I'll just say that Wake Forest was  
22       probably not at the forefront of getting students from all  
23       over and all colors and races. And that was probably too  
24       bad, because there again it would have been an opportunity to  
25       learn a lot of other different cultures that would have been



1 helpful in life to come. '73 was a long time ago. Some of  
2 you weren't even born. A long time ago now that I think  
3 about it.

4 MS. OLIVER: Where did you go when you graduated  
5 from law school?

6 MR. HINSON: I came to Wilson. I've been in Wilson  
7 since I finished the bar exam.

8 MS. OLIVER: Why did you pick Wilson?

9 MR. HINSON: That's where they offered me a job.  
10 Being offered a job helps. And truly I could have gone to  
11 some other places, but Wilson was not far from my home. I  
12 actually had a family member that worked for the firm that I  
13 went to work with. She was a legal assistant. She wasn't  
14 called that back in 1973, but that's what she was. And got  
15 here and I was impressed with them, they apparently were  
16 impressed enough with me and they offered me a job and I took  
17 it. And I've never regretted it. I have found a splendid  
18 home here in Wilson and made a lot of close friends and while  
19 I'm sure I could have done the same in some of the other  
20 towns where I ultimately was offered some opportunities  
21 nothing has beat Wilson.

22 MS. OLIVER: What was --

23 MR. SASSER: Is that who you were hired by?

24 MR. HINSON: I'm sorry, I heard -- there were two  
25 of you talking.

1 MS. OLIVER: Go ahead Travis.

2 MR. SASSER: What's the firm that hired you?

3 MR. HINSON: Parker & Miles. Not a well-known  
4 firm. Mr. Parker was on over in age and anticipated that he  
5 would retire. So they were just looking somebody come in and  
6 kind of take over. And Mr. Miles also was not a young man,  
7 and he had had some health problems. I think they both were  
8 just looking somebody that they thought would fit in and  
9 maybe carry on after they decided to leave. So, it's not a  
10 name you're going to remember. A small two man outfit.

11 MS. BUTLER: What areas of practice did you start  
12 out doing when you first came to Wilson?

13 MR. HINSON: Well that's an interesting question.  
14 They did -- because if you were in Wilson County you had to  
15 do agricultural law if you were going to do anything. They  
16 did a fair amount of real estate work which I never warmed up  
17 to particularly though in later years particularly as a  
18 trustee and in the bankruptcy area I ended up doing a fair  
19 amount of real estate work. And oddly enough they had  
20 developed a good reputation as a collection law firm.

21 Now, understand in 1973 if you were called a  
22 collection lawyer that was not necessarily a compliment. But  
23 I don't know what I'm saying about myself, but I kind of  
24 enjoyed the work. You got out to do different things, and  
25 you saw different sorts of people not unlike proved to be the

1 case that got me where I am in this interview. And developed  
2 a reputation such that we did some debtor/creditor work  
3 almost exclusively on the creditor side in apparently a wide  
4 area in eastern North Carolina. And that really is what  
5 began to open the door to meeting Judge Moore and meeting  
6 some of the other folks in the bankruptcy practice.

7 And that's probably another answer for another  
8 question at some point. But that's what got me started. And  
9 a lot of people here my age so it was just a lot of enjoyable  
10 things going on and it was an enjoyable practice. And I was  
11 fortunate I came just the right time when Wilson was growing  
12 and there were a lot of new folks coming in and some new  
13 industries coming in. And as an example Cargill the grain  
14 folks had facilities here and I got to know the guy that ran  
15 their feed operation.

16 And from there I did some work for Cargill and  
17 reached the point that I did a lot of work for Cargill. And  
18 Cargill was heavily, beginning to be, heavily in the swine  
19 production business out of Wilson. So I got to be a pretty  
20 decent jack of all trade, sort of, in swine production. And  
21 so as I went along and I met folks in that business and don't  
22 know how many hog producers I've actually done work for,  
23 apart from the bankruptcy practice.

24 And one of the things I'll tell you if you ask me  
25 about interesting cases is, a couple three years before I

1       retired down in below Farmville we ran a hog facility for  
2       about six months or longer. We sort of were offsite managers  
3       and actually turned the hog facility into something more  
4       valuable and it sold for more money than what it was worth  
5       when the petition was filed. So, I've done lots and lots of  
6       stuff, and enjoyed it. There were days when I would just as  
7       soon stayed home, but by and large it was -- being a lawyer  
8       in Wilson has been a splendid opportunity in lots of other  
9       ways.

10               MR. SASSER   How did you start to get into the  
11       bankruptcy industry?

12               MR. HINSON:   Well, Wilson, Mickey Moore, the  
13       bankruptcy judge was in Wilson. My senior partner was a  
14       Republican, Mickey Moore was a Republican. There were  
15       occasions when we were doing creditor work that we get  
16       something in the bankruptcy court. So, it was just a natural  
17       -- and there weren't that many lawyers in town at that point  
18       in time so it was just a bit of a natural course that I got  
19       to know Judge Moore and he got to know me and we just started  
20       -- I just started spending more time in his courtroom. And  
21       the more I spent in his Court the more I liked it so I did  
22       what I could to promote the bankruptcy practice.

23               MR. SASSER:   You were being appointed as a trustee,  
24       basically, those early years?

25               MR. HINSON:   I was appointed -- I probably was

1 first appointed trustee in, I would guess, 1975. I think I  
2 was appointed as a trustee back under the old Bankruptcy Act  
3 of 18 whatever it was when Mickey was a referee as opposed to  
4 being a judge. And I kind of hung with it and apparently did  
5 enough jobs that he kept appointing me. And at that point in  
6 time the bankruptcy field -- the bankruptcy area of law, too,  
7 was not big. So, there were not a great many of us in it.

8 There were those that looked upon the bankruptcy  
9 practice as just a glorified collection lawyer. And so, you  
10 know, you got to know -- that's how I met Mack Howard, Buzzy  
11 Stubbs, any number of other folks. And apparently the judge  
12 thought well enough of what I did that there was an occasion  
13 that he needed a trustee and asked me to do it. And I quite  
14 frankly learned to be a trustee by the seat of my pants and  
15 with Mickey Moore's help. He was a -- for all that gruff  
16 exterior that he could exhibit on occasion Mickey Moore was a  
17 kind and gentle soul.

18 So, just kept digging my foot in and getting  
19 requested to do something. And then the bankruptcy practice  
20 began to grow in eastern North Carolina and so it was not  
21 uncommon on a day like today, Friday, somebody from Timbuktu  
22 would call and say I've got a matter in the bankruptcy court  
23 next Wednesday. I don't want to travel from Minneapolis to  
24 Wilson, North Carolina, wherever that is for this. Will you  
25 stand in for me? Sure. Well, so we got a fair amount.

1           Steve Beaman and I particularly got a fair amount  
2 of work in bankruptcy court simply because of folks that  
3 didn't want to come to Wilson. And truly maybe it was just  
4 not something that warranted them getting the travel expense  
5 that it would create. Some just didn't want to come. But  
6 didn't matter to me. I'm sure it didn't matter to Steve.  
7 They paid their bills and we did the work.

8           But that brings me full circle. That's how I got  
9 to know Judge Moore.

10          MR. SASSER: I think Judge Moore's father died in  
11 1972 if I'm not mistaken. But do you have any kind of  
12 knowledge just basically from your discussions with Mickey or  
13 your involvement in the bar about Judge Moore's father and --

14          MR. HINSON: Well, Judge Moore's father was a  
15 pharmacist I believe, wasn't he? I wasn't expecting that  
16 question. So bring them on. I'll do the best I can with  
17 them.

18          MR. SASSER: He was both. He was a pharmacist and  
19 a lawyer.

20          MR. HINSON: A pharmacist and a lawyer. Okay.  
21 Well, his father died before I came to town. I never knew  
22 his father or his parents. Now I knew his children some,  
23 particularly their son, and I knew Mrs. Moore. She was a  
24 lovely lady and she just died a couple three years ago  
25 herself. And saw lots of folks that I hadn't seen in a long

1 time when I went to the funeral. So I knew them a long time.  
2 Yes. But I'm sorry I'm not able to help you with any history  
3 of his parents.

4 MR. SASSER: What do you recall about when the  
5 Bankruptcy Code replaced the Bankruptcy Act? What was  
6 involved in the transition and how the bar handled that,  
7 Judge Moore handled that?

8 MR. HINSON: Well, it was a learning experience for  
9 everybody including Judge Moore. All of a sudden he was no  
10 longer a referee but was actually a judge and had some  
11 judicial powers so that he didn't have to then refer  
12 everything back up to the District Court. I think pretty  
13 quickly there was a standing order that anything that was  
14 filed under the Bankruptcy Code was referred down to the  
15 Bankruptcy Court so it didn't have to go through any sort of  
16 stepping stone process. It created a clerk and that's where  
17 Peggy Deans came in.

18 Up to that point, basically, the Judge's clerical  
19 staff, which included Peggy, did his work as both clerical  
20 work and whatever legal work. You know, there's a lot of  
21 good law practiced by a lot of good paralegals. And there's  
22 lots of paralegals that are a whole lot better than some of  
23 us lawyers. And Mickey was blessed to have some of those.  
24 And then I think the judge also at that time, maybe it was  
25 later, but along about that time the budget provided for him

1 to have a law clerk. And so I met some great people that  
2 clerked for him that are still practicing today, some of whom  
3 are not.

4 And then, of course, you know, one of his more  
5 outstanding clerks, and I want to say this clearly so it goes  
6 onto the transcript, none better than Judge Warren. Did you  
7 hear me say Judge Warren. It was a learning experience and  
8 the judge was typical in that he grasped it. I never got any  
9 sense that he didn't grasp either the Act or the Code. And  
10 it was kind of early in my career so there were lots of  
11 things I didn't know to start with that I didn't have to then  
12 unlearn. I really had some advantage of learning the stuff  
13 for the first time as it should have been practiced under the  
14 Code. And Judge Moore was good, not just to me, but  
15 certainly to me and others.

16 You know, every once in a while you'd get a call  
17 and say son, that's just not the way you do it, you know,  
18 you're going to have to do this and do that. Then you  
19 immediately say yes, sir, and did it that way. And you  
20 remember he not only was a bankruptcy judge, but he was a two  
21 star general in the Army Reserves. So he was accustomed to  
22 giving orders and that's part of the way that we all learned  
23 it. And I apologize to you. You asked a question and about  
24 five minutes later I was still talking and then kind of got  
25 off the topic of the question. So let me quit. We'll get



1 back on your topic of -- Travis, I think you were the one  
2 that asked the question.

3 MR. SASSER: I'm going to defer to somebody else.

4 MS. BUTLER: I'm gong to ask a question that we  
5 didn't provide earlier, and I don't think we've asked it of  
6 anybody. Do you recall the atmosphere, the reaction of the  
7 bar when the Marathon case came down and the bankruptcy  
8 judgeship was sort of called into question?

9 MR. HINSON: No, I don't think it ever really -- I  
10 don't recall. Now maybe at higher levels than me those folks  
11 that were more politically astute or politically connected  
12 such as Mack Howard or the judge or Stubbs probably would be  
13 better ones to answer. But Marathon was just Marathon. And  
14 we just kept on keeping on. Maybe I'm the only one in the  
15 whole bankruptcy bar that was so naive as to think that.  
16 I'll be interested to hear what other answers there are to  
17 that question.

18 MS. OLIVER: So did the bankruptcy bar change at  
19 all when Judge Small was added to the bench?

20 MR. HINSON: Well, let's talk about changes before  
21 Judge Small. When I first came to town Mickey Moore was a  
22 referee in his own building. He owned the building. And  
23 then a referee meant that he was a part-time judge. He had  
24 his own law firm. Steve Beaman came to town about the same  
25 time I did and practiced with Mickey Moore. And over time,

1 particularly when the Act came in and there was a clerk and,  
2 I'm sure we'll talk about this later based on the list of  
3 questions, there was a bankruptcy administrator. All of this  
4 got to be way too small for Mickey's office.

5 And sometime when you're in Wilson and just want to  
6 take a bit of a scenic tour everybody that practices in the  
7 bankruptcy court should go down Green Street in Wilson and  
8 see Mickey Moore's old office. Some of you probably had  
9 apartments in college that were bigger than that office. You  
10 will probably say how did they practice? The point being  
11 here that -- and the office is still there. I think it's  
12 used now

13 -- it's been used for some various things over the years.

14 But the point being they needed bigger and bigger  
15 facilities. And so Judge Moore kept moving into bigger and  
16 bigger facilities and this maybe gets us back to the point  
17 because there were a growing number of bankruptcy cases.  
18 People were beginning to see that the word bankruptcy was not  
19 an ugly word, it didn't bring down hell fire and brimstone on  
20 you to suggest to a client that they maybe should seek some  
21 bankruptcy protection.

22 And then there was obviously folks that sought the  
23 protection and got it and did well with it. So bankruptcy  
24 was growing. So along about the time -- what triggered, I  
25 think -- part of what triggered Judge Small's appointment was

1 that Judge Moore needed help. And I think, probably again,  
2 through politics the Eastern District was allotted another  
3 judge. And I think Mickey Moore welcomed Tom Small. From my  
4 observation he and Tom Small got along very well together.  
5 Neither of them made any sort of serious decision that would  
6 affect the future of other debtors without first consulting  
7 with each other.

8 There was never an occasion, and they were very  
9 conscientious to make sure that there was never an occasion,  
10 where one judge's decision on an issue went way out this way  
11 and the other judge on the same issue went way out this way,  
12 part of which was to help avoid judge shopping. The part of  
13 which was just to stay together. Judge Small's coming into  
14 the court system, based on my observation, and with some of  
15 the things that Mickey would tell me, was a welcome benefit  
16 to all of us. And he did a great job. It's not like he  
17 wasn't making a great effort himself to do a good job and he  
18 was successful at it.

19 MR. SASSER: You mentioned sometimes you would  
20 advise clients to consider bankruptcy. Did you actually  
21 represent debtors at anytime?

22 MR. HINSON: Oh, yes. Yes. Theoretically being a  
23 trustee is a -- solely a trustee is a great way to go broke  
24 in the practice of law. A trustee is paid a very small  
25 percentage of what he's able to pay to the unsecured class of

1 creditors. Not the gross that comes in, but to the unsecured  
2 class primarily. I mean, certainly you get paid some if you  
3 do some of the work. And you get paid as the attorney for  
4 the trustee. But I worked -- I ended up being an  
5 agribusiness lawyer as much as anything else part of because  
6 Wilson was an agricultural community, still is in large part.

7 As I said I kind of got into the area of  
8 representing pork producers. I did some creditor work. I  
9 did a lot of creditor work. And did debtor work. I mean, if  
10 you could breathe and come in the door, and if you couldn't  
11 I'd help you get in the door, if you could breathe and get in  
12 my office I'd figure out some way to represent you doing  
13 something.

14 Ended up towards the end of my career doing a lot  
15 of PACA work. It's a Perishable Agricultural Commodities  
16 Act. Done more so in Florida and Louisiana and California  
17 and some of these perishable crop states than you see it  
18 here. But with sweet potatoes PACA actually hasn't developed  
19 as much as I would have guessed. But PACA is still a big  
20 area of the agricultural law. So, I ended up doing a fairly  
21 general practice with an emphasis on small business, family  
22 businesses, small corporations, and agribusiness. I quickly  
23 learned that criminal law was not my strength. Domestic law  
24 -- it kind of got to the point that really I didn't  
25 particularly enjoy doing some of the other things as much as

1 I enjoyed the area of practice that I was doing when I  
2 retired.

3 What got me out of the criminal business was I got  
4 appointed to represent a guy that was charged with armed-  
5 robbery of a school bus. Armed-robbery of a school bus. Now  
6 think about the money you're going to make if you rob a  
7 school bus. Anyway they said he had a pistol in his pocket.  
8 He said it was a cigarette lighter that he was just holding  
9 in his hands. And I got him found guilty of common law  
10 robbery, and I was so proud of myself, because he didn't make  
11 time, and if it had been armed robbery he'd been making  
12 license plates within a few days.

13 But I thought, well, here's my opportunity to get  
14 out of the criminal practice as a winner. And I never, ever  
15 showed my face in the criminal court again. Don't plan to.  
16 And so, again, whoever asked that question I tend to get off  
17 on these tangents. Gosh, it's interesting things that you'll  
18 remember. I had forgotten that common law robbery -- that  
19 armed robbery of a school bus myself until just now. But  
20 that's how I didn't go into the criminal practice.

21 MS. OLIVER: Was he planning on robbing all the  
22 little kids on the bus?

23 MR. HINSON: Well, you tell me. I mean, it  
24 couldn't have been a very lucrative lifestyle robbing a  
25 school bus. But it was a public school bus. And maybe he

1       wasn't the brightest student (indiscernible) either himself,  
2       but he was not a student. I'm not trying to tell you that.  
3       The bus just stopped and was either taking on a child or  
4       putting off a child and he just jumped on it and starting  
5       asking the driver, I think it was, somebody, it's been a  
6       long, long time, for money. Hence he was charged. Probably  
7       not the brightest client I've ever represented. But then  
8       again he may have been as good as his lawyer. Who knows.

9               MR. SASSER: When did you first attend the Eastern  
10      Bankruptcy Institute?

11             MR. HINSON: I saw that question. I think I've  
12      attended every Eastern Bankruptcy Institute that has been  
13      held. I can't tell you when the first one was, I truly don't  
14      remember. But it was held in Wilson at what was the --  
15      called then and to this day is still called the Heart of  
16      Wilson Motel. The Heart of Wilson Motel's clientele probably  
17      isn't like what it once was, but back in the days that it  
18      started, which had to be maybe mid to late '70s it was held  
19      in a meeting room on top of the restaurant at the hotel.

20             And there was, well, there again that's how I met  
21      Buzzy. That's how I met Mack Howard and a number of other  
22      folks. But it was sort of a self-produced thing instigated  
23      probably by Judge Moore and put on by whoever were some of  
24      the senior lawyers at that time. And I truly Travis don't  
25      think I've missed one since.

1           Now, I'm not sure they've been held every year.  
2       Perhaps have not, because I can't tell you. But they moved  
3       from Wilson, they went down to North Carolina, one or two of  
4       the North Carolina beaches. And as it progressed the  
5       Institute just kept getting bigger than the hotel that we  
6       would use until it finally ended up in Myrtle Beach where it  
7       is today, hopefully it will continue to be, simply because  
8       they had the facilities, banquet facilities. They could  
9       partition off rooms for some of the seminars and that sort of  
10      thing in Myrtle Beach. And I think it got to where everybody  
11      kind of liked going to Myrtle Beach. It was a nice trip. It  
12      was fun. So, I don't remember the first year. But I was  
13      there.

14           MS. CASTELLOE: When was the first year?

15           MR. HINSON: Does anybody know when was the first  
16      year?

17           MR. SASSER: I was thinking it was '73 because that  
18      would have been right around what you're talking about. I  
19      think maybe --

20           MS. CASTELLOE: That's the year you started  
21      practicing.

22           MR. HINSON: Well, then, that's the year I started  
23      practicing. So, I came to town and went to the Institute.

24           MR. SASSER: What do you recall about Judge Moore's  
25      attempts to keep the bankruptcy court in Wilson?

1           MR. HINSON: Well, he was in Wilson. Why wouldn't  
2 you? If they appointed you judge, Travis, where would you  
3 want the court to be? In Raleigh. Everybody wanted the  
4 court to go to Raleigh because that's where the seat of the  
5 court was in the Eastern District and the facilities that  
6 were available to him in Wilson kept getting smaller in  
7 comparison to his staff. But it was a continuing effort to  
8 keep the court here. And again, I'm probably not the one to  
9 talk to you about the politics of who wanted it moved and who  
10 was in the forefront of the effort to keep it in Wilson. But  
11 he succeeded in doing so through those efforts.

12           And of course that was fine, because my office was  
13 -- sometimes depending on where his office was I would drive,  
14 sometimes I would walk, because it was easier to walk down  
15 the street than it was to get in your car and try to find a  
16 parking place two blocks away. In fact, sometimes the  
17 bankruptcy court was closer to where my car was parked.

18           MR. SASSER: What do you recall about the, if  
19 anything, about the opposition to the U.S. Trustee expansion?

20           MR. HINSON: I was involved in that by some  
21 invitation. What I ended up doing was watching and getting a  
22 good lesson in politics by viewing somebody else. But, you  
23 know, Alabama and North Carolina are the only two states that  
24 do not have a U.S. Trustee. And there was a lot of pressure.  
25 And Judge Howard who had earlier spent a fair amount of time



1 in Washington knew his way around not only the legal system  
2 in Washington, but it set him up probably to be a good  
3 lobbyist.

4 And it was an Alabama representative Hugh Heflin, I  
5 don't think I'm getting that name correct, worked to keep  
6 trustees in North Carolina and ultimately with the give and  
7 take that you see on lots of bills every other state in the  
8 union had a U.S. Trustee which was court appointed, I think,  
9 certainly it was, and then I think maybe they have full-time  
10 staffs. Maybe they -- I don't know -- I really don't know  
11 how they work all that well and was glad that I didn't have  
12 to learn so much. And North Carolina and Alabama had a  
13 bankruptcy administrator who then looked to the private  
14 practice sector for a panel of qualified trustees. Am I  
15 answering your question? I'm not sure I am, Travis.

16 MR. SASSER: No, that's fine. I was just asking  
17 what your recollections were especially Judge Howard was  
18 primarily involved in that.

19 MR. HINSON: And I'm sure Judge Howard wasn't the  
20 only one, but -- and Judge Moore was not without his contacts  
21 in Washington and in the congress. So there was a lot of  
22 politicking, that I can tell you. Now, who may have followed  
23 who was a little above my paygrade at that point. A lot  
24 above my paygrade.

25 MS. BUTLER: Since we're talking about politicking

1 and Washington what do you remember about the drafting and  
2 enactment of Chapter 12?

3 MR. HINSON: Well, there again, this was -- a lot  
4 of effort was made in Washington to get this new chapter  
5 enacted. My recollection, and I don't think it was anybody  
6 that disputed it, the Act was primarily written by Judge  
7 Moore and Judge Small, and I'm sure with the help of some  
8 others. And Congress was convinced that it was something  
9 worthwhile and enacted it and, well, the value of Chapter 12  
10 -- I don't -- I've done some Chapter 12 work. Obviously, I  
11 wasn't a Chapter 12 Trustee, but I filed a number of -- in  
12 fact, I probably filed among the first Chapter 12 petitions.

13 I don't know if I was the first by any means, but I  
14 think if you look you'll see my name as attorney for the  
15 debtor on some of the very first. Somewhere back up there.  
16 It has proven its worth. There are a lot of farmers today  
17 that are still farming because of Chapter 12 that had they  
18 had to rely on Chapter 11 would not be able to do so. In  
19 fact, just back during the summer I closed up my last Chapter  
20 12 case where I represented a farmer who I had known for a  
21 number of years because he was down near Summerlins  
22 Crossroads which is where I was raised, if you recall, and  
23 he's farming today. And he may not say he's prospering, but  
24 I think he's doing pretty well who might be unemployed today  
25 had it not been for the ability to succeed in Chapter 12.

1 And there are lots of others. And I had lots of others.

2 I couldn't begin to tell you how many I filed over  
3 the years, and then not nearly as many as some of the other  
4 attorneys appearing before the Bar. But in Chapter 12 was,  
5 you know, it was an action. In fact, I remember, and this is  
6 another Mickey Moore story, Mickey called one day and said  
7 don't you want to go with me to Lubbock, Texas? I've been  
8 asked to speak at the Southwestern Bankruptcy Institute, I  
9 think. It was a name similar to ours, but it was the  
10 Southwestern.

11 Well, what are you going to say? No, judge, I got  
12 no -- what in hell's in Lubbock, Texas? You said Lord, yes,  
13 judge, I'd love to go with you. And as it turned out we had  
14 a good time and it was one of the opportunities to sit with a  
15 judge in a more or less non-legal setting and, I think,  
16 getting to know how he felt. So, Judge Moore and, I think,  
17 probably Judge Small, as well, spoke nationally at various  
18 programs about Chapter 12. And they had a great big crowd.  
19 And it was interesting because with Chapter 12 you do have  
20 some debt limitations.

21 And where you're a big farmer in Eastern North  
22 Carolina if you've got two combines I discovered in Texas you  
23 don't get to be thought of as a big farmer until you have  
24 about 12 combines. And I kept thinking how are these people  
25 qualifying for Chapter 12? Never got a good answer, but it

1 was farming on a whole different scale than doing a little  
2 row crop farming in Duplin County.

3 MS. OLIVER: Have you ever done 13s?

4 MR. HINSON: I never -- I did some, certainly. I  
5 filed a few, but I never did a whole lot of Chapter 13 work.  
6 There was a lot of competition for Chapter 13 work. You  
7 know, one of the first lawyers to advertise was Tarboro. And  
8 you mentioned his name earlier. Frank --

9 MS. OLIVER: Allen.

10 MR. HINSON: Allen. Thank you very much. Frank  
11 Allen put these subtle little ads in the paper and whatnot  
12 and Chapter 13 work got to be a retail sort of who can out  
13 brag the other, you know, about what they could do for you in  
14 Chapter 13. And that just never was my strength. So, you  
15 know, the guys that wanted to be seen on TV let them have it.  
16 So, the answer to your question ultimately, I think, Cindy,  
17 is no, I just never did do much Chapter 13 work. And I've  
18 really never regretted it.

19 Now, I think there's a lot of folks not unlike  
20 Chapter 12 that have benefitted greatly from a Chapter 13  
21 because it allowed them to keep their house or their car or  
22 something else that was essential maybe to running their  
23 household. So I don't suggest to you that there's not a lot  
24 of value to the relief you can get in a Chapter 13. But it  
25 just, it never was my strength in practice.

1           MR. SASSER: You mentioned traveling with Judge  
2 Moore. Was he in relatively good health in his later years?

3           MR. HINSON: No. Now, Judge Moore was a smoker.  
4 And one of the reasons he liked to go to these things -- I  
5 went with him, I believe, to Lubbock twice. And one of the  
6 reasons he liked to go was because he could get away from the  
7 watchful eye of his wife Frances and smoke all he wanted to.  
8 And she wouldn't let him smoke, and he didn't need to smoke,  
9 and smoking was not good for him. When I first got to know  
10 him he was in reasonable health for his age. But as time  
11 progressed he probably got -- he probably aged a little more  
12 every year than a year. Does that make sense? And so at the  
13 time of his death he was in poor, poor health.

14           And probably -- you know, you look back and think  
15 well, do you foresee things like this? And who knows. I  
16 never discussed it with him, and I never heard him discuss  
17 it. But, you know, maybe one of the reasons he wanted to see  
18 Judge Small was that he knew that his days of having the  
19 strength to sit on the bench were finite and he was trying to  
20 make sure that there was a good judge to step in whenever he  
21 left. So think about that, folks. You never know what's on  
22 somebody's mind.

23           MS. BUTLER: From everything I've heard about Judge  
24 Moore that sounds like exactly something he would do, is try  
25 to make sure that the court was taken care of.

1 MR. HINSON: Yeah, he would look after the court  
2 before himself.

3 MR. SASSER Do you have any recollection -- sorry,  
4 go ahead.

5 MS. BUTLER: Go ahead, Travis.

6 MR. TRAVIS: I said do you have any recollections  
7 about the construction and development of Parkwood Boulevard  
8 facility?

9 MR. HINSON: Again, having got this list I saw some  
10 mention of that and had an opportunity last night to think  
11 through it. The Bankruptcy Court in eastern North Carolina  
12 was growing, and when it became obvious early on that Judge  
13 Moore's office just was not going to work and then when the  
14 judge became a judge as opposed to a referee he had to sort  
15 of separate himself from the private law practice. And so  
16 then it was a bit of trying to find a suitable site in Wilson  
17 for the court which had facilities for the judge, for the  
18 bankruptcy administrator, for the bankruptcy clerk's office  
19 which was growing. And the court as a whole went to a couple  
20 of different places.

21 Around the corner from Judge Moore's office was an  
22 old Merrill Lynch building. Merrill Lynch had a nice  
23 building literally around the corner, but had outgrown it and  
24 moved into a new building somewhere else in town. Though it  
25 proved to be very suitable, but still you had to go from the

1 Merrill Lynch building around to the judge's office which was  
2 well and good on a pretty sunny spring morning. But on a  
3 rainy day or a snowy day or just any day if you needed to  
4 send things to the judge's office for his signature or  
5 whatever you had to leave the building and go around the  
6 corner and find the judge and make a round trip.

7 From there, and I think I've got my sequence  
8 correct, there was the old post office building in Wilson  
9 which had been used by an earlier U.S. District Court judge,  
10 Judge Connor. And you had courtroom facilities, facilities  
11 for the clerk and facilities for the judge and I think  
12 everything was in one building, judge, clerk and that sort of  
13 thing. Still again, not a very big building. And along in  
14 there is where the Government through GSA quit owning its own  
15 buildings.

16 They saw the wisdom that it was a better situation  
17 for them, more economical, less stress, less responsibility,  
18 less manpower if they would just lease their facilities  
19 making the government a very popular tenant, because they  
20 would go into a community, and this is what they did in  
21 Wilson as I remember it, and advertised for a building. Gave  
22 all the specs of what they needed and someone would come in  
23 and find the property and draw up the specs and negotiate a  
24 little back and forth, and build the building and give the  
25 court a long-term lease, the court or the post office. I

1       doubt if you can find -- maybe the post office building in  
2       Raleigh is still owned by the government.

3               But the other facilities, and you'd be hard pressed  
4       unless it's an old building like an old post office or  
5       something that the government owns the building anymore, the  
6       federal government. And so that's how the bankruptcy  
7       facility was built in Wilson behind what was then Parkwood  
8       Mall. It was owned by a private group, leased to the  
9       government, built to the specs of the court system, and  
10      gracious, that was just such a wonderful facility that Judge  
11      Moore had his office right off the courtroom, the clerk had  
12      offices down over in her little compartment, and the  
13      bankruptcy administrator had offices, and a meeting room.  
14      And then off the courtroom.

15             It was heaven sent, I mean, because it was made  
16      just to be able to run a court. And not just a court, but a  
17      court with somewhat out of the ordinary particularly compared  
18      to state courts. Facilities with both the clerk and  
19      administrator. And oddly enough I tell you, and you maybe  
20      get to this, when the lease ran out and that building was  
21      emptied that building has not been occupied since. It still  
22      sits right where it was. Thank goodness it doesn't appear to  
23      have been the subject to vandals which would make it  
24      attractive.

25             And they'll rent to a little tenant on a short term



1 basis. In fact, I think there's a little ambulance service  
2 that works out of one corner of it now. But by and large  
3 that building has not been occupied since it was -- since  
4 they left it ten, 15 years ago or longer.

5 MS. BUTLER: 2013.

6 MR. HINSON: Oh, 2013's not been that long. And to  
7 show you how it worked the folks that owned it leveraged it a  
8 hundred percent. And it was easy enough because you had  
9 guaranteed income. Leveraged it a hundred percent and used  
10 the rent to pay the mortgage. Well, when the lease ran out  
11 they had no more money to pay the mortgage. And  
12 subsequently, and this is odd, subsequently that building was  
13 foreclosed by whoever the lending group was. It was one of  
14 those BR549 Trust 21 folks out of somewhere. I have no idea  
15 who owns it at this moment.

16 But Travis it can be yours probably for I'd say  
17 probably a couple million dollars. It's a big building. And  
18 despite the fact that the mall has closed it's in a great  
19 location. It's location doesn't diminish it's value.

20 MR. SASSER: We're going to buy it, and we're going  
21 to try to enter the bankruptcy history museum actually.

22 MR. HINSON: It could make a great bankruptcy  
23 history museum if you ever -- and when Buzzy Stubbs dies  
24 we'll send him to a taxidermist, and you can nail him right  
25 up there somewhere in the front loft.

1 MS. OLIVER: He'll go for that.

2 MS. BUTLER: Yeah. And we can have his whole  
3 history playing the whole time.

4 MR. SASSER: What do you recall about either Judge  
5 Moore's death or Judge Leonard's eventual replacement?

6 MR. HINSON: Well, I can't imagine that there was  
7 anybody that thought Mickey Moore was going to live forever.  
8 And there were probably some of those that were glad he  
9 didn't live forever. I can't imagine who they are. And I  
10 don't particularly want to know them. But, you know, I'm  
11 sure he had those that didn't think as much of him as I did.  
12 He died, we needed a new bankruptcy judge, and into it went  
13 the usual politics and efforts to get the job and the  
14 interviews and all those things that have gone into every  
15 judge we've had since Judge Moore.

16 And the District Court, I think, made a great  
17 choice in Judge Leonard. He's learned, he's probably the  
18 right man for the job because he came in at a time when the  
19 court was going almost totally electronic and the judge just  
20 loved that. He promoted it as a matter of fact. It might  
21 not have even come as fast as it did but for Judge Leonard.  
22 And did a great job. I missed him. We got great judges now.  
23 Let me be sure I say we got -- I'll repeat it loudly, we got  
24 great judges now, but Judge Leonard did a great job. And so  
25 there's never -- should have never been any doubt in

1 anybody's mind or any disappointment in him coming onto the  
2 bench.

3 MS. BUTLER: Are there any specific things you  
4 recall about practicing in front of him that maybe stand out  
5 that you compared to practicing in front of the other judges?

6 MR. HINSON: Judge Leonard?

7 MS. BUTLER: Mm-mm.

8 MR. HINSON: Is that the question, Judge Leonard?

9 MS. BUTLER: Yes.

10 MR. HINSON: Well, Judge Leonard had a lot of  
11 experience having been both a clerk and a U.S. Magistrate.  
12 Judge Leonard probably paid a little more attention to  
13 rulings. I hesitate to use the word scholarly for Judge  
14 Leonard, because it might give the appearance that I'm  
15 thinking that Judge Moore or for that matter Judge Small  
16 weren't scholarly. And certainly Judge Small was scholarly.  
17 But we begin to get a more scholarly approach to practicing  
18 law in the bankruptcy court. It was not -- and again, not  
19 suggesting that any of the other judges went contrary to the  
20 law.

21 Sometimes they had to make very difficult decisions  
22 that weren't necessarily in the best interest of some of the  
23 parties simply because the law just didn't work in their  
24 favor. But that was the beginning of scholarly approaches.  
25 Judge Leonard enjoyed not only the developing of the system,

1 the electronic system and communication system, but he  
2 enjoyed going out and speaking to folks about the bankruptcy  
3 court in the Eastern District and being able to hold it up as  
4 an example of here's how you do this, and here's our  
5 experience, and you learn from that.

6 He spent some time in Africa. I believe it was  
7 Namibia. I think that's the name of the country he was in.  
8 And I can't speak so much for Judge Small, but Mickey Moore  
9 had no interest whatsoever in going to Namibia. And the only  
10 reason he wanted to go to Lubbock, Texas was so he could get  
11 away for a while and smoke cigarettes. But Judge Leonard  
12 relished that kind of promotion of the court. And it  
13 certainly made our court stand out.

14 MS. OLIVER: What was it like practicing for Judge  
15 Doub?

16 MR. HINSON: Judge Doub and I were trustees  
17 together and we moved to East Carolina at the same time,  
18 thereabouts, but didn't know each other. So we had a lot in  
19 common. Judge Doub probably was a judge that was inclined  
20 more so than the others to rule from his heart. And he  
21 wouldn't go against -- he wouldn't go contrary to the Code.  
22 He wouldn't do anything that was just out and out wrong, but  
23 if it got to be down to between what's good and what's bad he  
24 looked for what was good in helping him make his decision. A  
25 compliment, I want you to understand, from me to him.

1 But, you know, and Judge Doub just like the other  
2 judges before him or along with him each had their own  
3 personality. They each had their own traits. You kind of  
4 learned who liked this and who particularly didn't like  
5 something. And while you couldn't judge shop it did maybe  
6 sometimes help you know how to present things when you knew  
7 what the judge's political or moral or social thoughts were  
8 on that topic. And Judge Doub was a good example of that.  
9 He was a good man and he did a good job in the practice of  
10 law and make a lot of good decisions.

11 MR. SASSER: Early you mentioned Larkin Pahl and of  
12 course in the mid-'90s there was a couple of sort of high  
13 profile scandals. Certainly Larkin Paul and Mark Kirby. Was  
14 that a sobering thing for the bankruptcy bar, was it a  
15 demoralizing thing? What was the -- what was sort of the  
16 sensibility there in the mid-'90s as those were transpiring?

17 MR. HINSON: I hadn't thought about the word,  
18 Travis, sobering. It had to be. Yes, I think it was a bit  
19 demoralizing, because there were those of us that have been  
20 in the bankruptcy court for a long time doing our best to  
21 promote it and make it be seen as the professional scholarly  
22 court that we thought it was and get the recognition that we  
23 thought it should have and along comes these sorts of things  
24 and you sort of see things they've been a world apart for and  
25 accomplished a great deal of, and then you have these

1 scandals.

2 And I'm not making a judgment of whether these  
3 folks were right or wrong or whether they did the wrong thing  
4 or the right thing, but, you know, it's -- and gosh you can  
5 hear it now more so than you ever could. The news media  
6 would much rather print bad news than good news because it  
7 sells more papers or it gets more viewers. It was bad news.  
8 It was about a lawyer, and everybody wanted to catch a lawyer  
9 doing something he shouldn't. So, it was demoralizing that  
10 these things should have happened. And I think we've  
11 overcome it a great deal. A great, great deal. But it was  
12 bad things that happened at a time when the bankruptcy court  
13 needed and should have -- and deserved positive recognition  
14 instead of negative.

15 That can't be all, folks, somebody think. Do you  
16 want me to tell you what's the next question on your list?

17 MS. OLIVER: Was your practice impacted at all by  
18 the move of the court to Greenville?

19 MR. HINSON: Most certainly.

20 MS. OLIVER: Having to drive further?

21 MR. HINSON: I was impacted by it because I  
22 mentioned earlier I couldn't do it when it moved -- the  
23 bankruptcy court moved to Parkwood, but actually when the  
24 bankruptcy court moved to Parkwood I moved my office from  
25 downtown out to near Parkwood. So if I hadn't been so sorry

1 and lazy I could have walked to the bankruptcy court still  
2 when it was in Parkwood. But obviously you couldn't get out  
3 on a pretty day and walk a couple of blocks to the court.

4 So, it was -- yes, it was somewhat inconvenient.  
5 But everybody understood the politics of that. The lease had  
6 run out in Wilson, you had to go somewhere. And either a new  
7 lease in Wilson or you had to go somewhere. And Judge Doub  
8 was in Greenville. If you're the judge where do you want it?  
9 If I were the judge I'd move it back to Wilson. So, it went  
10 to Greenville.

11 Greenville admittedly may be a little more  
12 centrally located than Wilson in the Eastern District. So  
13 nobody was surprised. I think we'd have been surprised if it  
14 had gone anywhere else. I mean, it's the judge's court. The  
15 judge ought to have it where it's convenient to him.

16 And I'll tell you what really lessened the  
17 inconvenience. By that time nearly everything, and perhaps  
18 everything was filed electronically. You didn't have to step  
19 away from your keyboard or your mouse to file something as  
20 opposed to earlier times when whatever you wanted to file  
21 somebody had to go to the clerk's office in Wilson or mail  
22 it. And if you needed it right away, if you needed some sort  
23 of restraining order or some sort of equitable relief in that  
24 manner then you had to go to Wilson or Raleigh. And now if  
25 you're in Elizabeth City or Wilmington then you can file

1 something just as quickly as I can in either the Wilson Court  
2 or the Greenville Court or the Raleigh Court. You didn't  
3 have to jump in your car and drive.

4 There was times when because I suspect Steve had  
5 the same experience, Steve Beaman where we would get calls  
6 from folks who would say let me fax you this. And will you  
7 sign my name to it -- I hope that's proper -- but will you --  
8 you're authorized to sign my name to it and carry it across  
9 the two blocks to the clerk's office, because I've got to  
10 have it. I've got to have it right now, and I'm in Lumberton  
11 or I'm in somewhere and I've got to have it before I can even  
12 get somebody down there by car. So, we would do that. Not  
13 frequently, but occasionally.

14 So, probably what lessened the move to Greenville  
15 as much so as anything was electronic filing. You could  
16 spend a lot of time practicing bankruptcy law and never go to  
17 Greenville.

18 MR. SASSER: What are some of your most memorable  
19 bankruptcy cases regardless of whether or not you were acting  
20 as trustee or as attorney for the debtor or creditor? What  
21 are some memorable cases?

22 MR. HINSON: I think what I enjoyed most being a  
23 trustee in particular, but practicing bankruptcy law on the  
24 whole was I became a jack of all trades. Mind you, a master  
25 of none, but a jack of all trades.



1           In fact, we'll be at a cocktail party back a year  
2           or two ago and earlier when you could go to cocktail parties,  
3           and I'd start telling folks the kind of businesses that I had  
4           been involved with, or personal situations, too, to some  
5           degree, but mostly businesses, that I had been involved in in  
6           my 40 some years of practicing bankruptcy law. And of course  
7           some of them enjoyed hearing it, and then some of them had  
8           heard it that was the third or fourth time and they kind of  
9           do this and start looking around to see if there was another  
10          conversation they could get into besides hearing my same old  
11          story.

12                 But I think I've built boats, Carolina Skiff boats,  
13          nice boats. I was very fortunate for a number of years  
14          almost consecutively of having something in the fall of the  
15          year that required me to do onsite work at the Outer Banks.  
16          Man, you can't get any luckier than to have a case that  
17          carries you to the Outer Banks after school has started, but  
18          before it gets cold. It's the calmest, most peaceful place.

19                 Well, I had lots of stuff out there. I represented  
20          a boat builder who to this day owes me a deep sea fishing  
21          trip and I've got to go cash in on it one day. I mean, not  
22          just boats, but yachts that were designed by marine  
23          architects. And once you learn -- I ran a condo --  
24          combination condo/rental unit on the Outer Banks. I raised,  
25          and I think I mentioned this earlier, over outside Farmville

1 I had a hog operation that we had to -- you can't just go in  
2 and sell those animals because you start flooding the market  
3 and there's not enough slaughter ability to handle it and  
4 next thing you know you're selling them for near nothing.

5 So, you have to bring in the animals -- you have to  
6 sell the animals as they mature, and that's different stages.  
7 And I learned that. And if you then are going to sell it as  
8 an ongoing business well, you have to bring in new weaned  
9 pigs to keep it as a cycle. And we were offsite management  
10 not unlike maybe a CEO who knows how it's supposed to look  
11 when you look across the top, but you don't necessarily know  
12 how the gears always mesh. But we had some onsite management  
13 that knew the ends and outs of managing the operation. But I  
14 was real pleased that that operation was worth a lot more  
15 money when it was sold than what it was when we took it over.

16  
17 I farmed. I'll sit here and think of them, but I  
18 can't begin to tell you the different -- I had a hunting  
19 cabin in Wyoming. I had all sorts of things that now that  
20 you've asked me of course won't come to my mind, but they'll  
21 pop in as soon as this interview's over they'll all pop into  
22 my mind and I'll say I wish I had told them about this. But  
23 it's just amazing the different things that you are going to  
24 get into that when you go to the office this morning you may  
25 have no clue that tomorrow you're going to be running a

1 tractor dealership somewhere in Eastern North Carolina. So  
2 that to me was the fun part of the practice as a whole and  
3 being a trustee in particular. Did I get that question? Did  
4 I finish it for you?

5 MR. SASSER: Tell us about the Celeste Broughton  
6 case.

7 MR. HINSON: Oh, the Celeste Broughton. I did  
8 overlook one, didn't I?

9 MS. BUTLER: I don't know how you could ever  
10 overlook that.

11 MR. HINSON: Trust me, I didn't overlook Celeste.  
12 Celeste Broughton filed a Chapter 13 petition about mid --  
13 earlier to mid-December in 2014. The case was converted the  
14 following June, I believe it was June, to one under Chapter  
15 7. And I'm not certain whether I was picked because I was  
16 such an ideal person for the case or if I got picked because  
17 I was on the Bankruptcy Administrator black list that day.  
18 She won't tell me which it was, and maybe it's better for me  
19 not to know.

20 That has been an odyssey, folks. Mrs. Broughton --  
21 I'm trying to get it concise, because we could talk for  
22 longer than I have or that you have. Mrs. Broughton was  
23 originally from Wilson. Her family was the Gold family. Her  
24 name is Celeste Gold Broughton. Her family was the Gold  
25 family that started the newspaper in Wilson. Now as I

1 understand it she kind of early in her life kind of got away  
2 through some domestic things kind of got away from the main  
3 family and maybe she and a brother.

4 So, the Celeste Broughton tales of people's  
5 experience with her are legion. And you could write  
6 -- a good writer could write an interesting book. She was  
7 married to Robert Broughton who was quite a prominent lawyer  
8 in Raleigh, and her father-in-law was Governor Broughton who  
9 was also, I think, in the senate. And her brother was also  
10 Broughton. One of them was named Needham. And I'm not sure  
11 that was father-in-law or brother right at the moment. Her  
12 brother-in-law was also like in the state senate or  
13 something.

14 They moved into that house at 2529 White Oak Road.  
15 I'll never forget that address for so long as I live. She  
16 and her son Robert, who lived with her, occupied it, but she  
17 and Robert moved into the house I believe maybe into the '70s  
18 or so. And it wasn't long after that that they had some  
19 domestic dispute and separated. She remained in the house  
20 along with her two young sons.

21 At that point Mrs. Broughton dedicated her life,  
22 every ounce of her being was dedicated to bringing misery to  
23 her husband and then later ex-husband Robert Broughton. Or  
24 misery to anybody that, by her observation, may have  
25 supported Robert Broughton. I think she was successful in

1       that effort to bring misery upon him, because Robert  
2       Broughton himself eventually sought relief into the  
3       bankruptcy court and there are those that feel Robert  
4       Broughton died years earlier than he should have. If nothing  
5       else God just gave him a break from Celeste.

6               And her Chapter 13 was -- the plan that she filed  
7       was to sell the house. And she never acted on selling the  
8       house. And probably had no intention of selling it. She was  
9       a bit of a self-taught lawyer. She knew certain key words  
10      that to her were trigger words. But she probably never had  
11      plans to sell the house. But she had read up on bankruptcy  
12      enough to know that Chapter 13 was frequently a good chapter  
13      in bankruptcy to protect a homeowner who was unable to make  
14      their payments.

15             And there were two, maybe three mortgages against  
16      the house plus a judgment and the house was on the verge of  
17      being sold by the sheriff at the courthouse door based on the  
18      execution on the judgment. Sid Aldridge represented the  
19      judgment holder and Sid Aldridge is in the case to this day.

20             And if you want some history, and if you want some  
21      history on Celeste Broughton Sid Aldridge is the guy to talk  
22      to.

23             MS. OLIVER: Did she file pro se?

24             MR. HINSON: She filed pro se.

25             MS. OLIVER: And she converted it on her own?

1 MR. HINSON: No, no. I think it was on the Chapter  
2 13 Trustee's motion to convert it or to take some action,  
3 because she had done nothing. She file a plan, but she'd  
4 done nothing to execute the plan from like December on over  
5 to June, roughly six months. So the court converted it based  
6 on that hearing. She never during the course even through  
7 today because the case is still opened. I have not yet been  
8 discharged as trustee. I'm looking for it soon. I'm  
9 thinking that would be a great Valentine's sort of thing for  
10 me. And be prayerful friends that it will happen.

11 Part of the reason that she did it pro se is that  
12 over the years before she could -- because see, she didn't  
13 enter the bankruptcy court until 2014. She and her husband  
14 separated in the area of '73. There's a lot of years between  
15 '73 and '14.

16 MS. BUTLER: I think he died in the late '90s,  
17 didn't he, Walt?

18 MR. HINSON: That's probably about right.

19 MS. BUTLER: So she continued to fight his estate  
20 after that.

21 MR. HINSON: I'm sorry?

22 MS. BUTLER: I said she continued to fight his  
23 estate after that.

24 MR. HINSON: Well, she started while he was still  
25 living and went through a marathon of actions in the State

1 Court from about '73 on up. And even after his death she  
2 then started suing Wachovia Bank who was his -- the trustee  
3 of his estate, or they were the executor of his estate. I'd  
4 have to think a moment exactly what their role was. And so,  
5 yes, Wachovia Bank had plenty of her. The court system had  
6 plenty of her. She was held in contempt in the state system  
7 more times than I can remember, and probably more times than  
8 I even heard about. She went through about every lawyer and  
9 law firm in Wake County.

10 That's part of the reason if you notice there is  
11 not a single judge in the Eastern District of North Carolina  
12 that hasn't opted out of that case -- conflicted out, excuse  
13 me, conflicted out of that case,. Every judge we've had, and  
14 we have had six or seven judges in that case, have all been  
15 out of district. The current judge is a U.S. District Court  
16 Judge out of South Carolina. And she then assigned it to a  
17 bankruptcy court judge out of Greenville, South Carolina who  
18 had it last couple of years probably,.

19 And so there were -- and maybe one of the reasons  
20 that I got the job as trustee was that most all of the  
21 trustees on the panel from the Raleigh area were conflicted  
22 out because she had consulted with them or a member of their  
23 firm had been involved in litigation representing the various  
24 parties that she sued. So on my good days I like to think I  
25 got it because I had a reputation and history of being such

1 an excellent trustee. On a medium day I like to think I got  
2 it simply because I was the one available. And on my bad  
3 days when I'm really down I just wondered what I did wrong to  
4 Margie on that day. Where did I go wrong Margie?

5 It has been an experience and I wouldn't trade it,  
6 because, you know, there are days when -- probably I didn't  
7 feel this way, but from the moment she filed until it was  
8 converted she started suing and started filing motions. And  
9 this is in the courtroom now. Everybody including the judge  
10 was a crook. The RICO Act, she loved the RICO Act and  
11 everybody, and you know I said including the judge, was  
12 guilty of theft. They were guilty of violations of the RICO  
13 Act, conspiracy was a key word.

14 There was just, you know, all sorts of accusations  
15 of misdemeanors and felonies and that sort of thing. And  
16 somewhere along the way the judges would -- and we had good  
17 judges, we haven't had a bad judge, and we've had some  
18 patient judges. They would exercise the greatest degree of  
19 patience with her while she stood down there in front of them  
20 and basically called them a liar or a thief or some other  
21 accusation that perhaps someone with a little lesser patience  
22 would have marched her out of the courtroom and into the  
23 custody of the marshal. And some of them finally had to do  
24 that.

25 She actually spent, on one occasions 44 days in



1 custody of the United States Marshal. In fact, we had a  
2 hearing and, Stephanie, I believe it might have been your  
3 husband that told me that he wasn't certain that the Wake  
4 County Sheriff's Office would take her back once she left the  
5 facility to come to court. For those of you who are either  
6 listening to this or maybe reading it later in most counties  
7 one of the ways that the Sheriff's Office operates its jail  
8 is to take in federal prisoners and charge a per diem charge.  
9 And that's how Mrs. Broughton ended up in the Wake County  
10 Jail.

11 But as I understand it she was by no means a model  
12 inmate. First thing they'd have to do is carry her to the  
13 emergency room. She made all sorts of demands. She couldn't  
14 get to a type writer. She couldn't get to her computer. She  
15 couldn't do this, couldn't do that. Hence why Stephanie,  
16 Marshal Butler indicated that the sheriff might just use that  
17 opportunity to say I ain't taking her back, you know. Carry  
18 her to Johnston County or somewhere. So she knew what the --  
19 even in the State Court she knew what the inside of a jail  
20 looked like because she was also held in contempt.

21 All this while, folks, that this is going on in the  
22 court system which is publicly visible, what a lot of people  
23 didn't realize is that she continued to live in the house and  
24 would not leave, refused to leave. I'd go to the house, go  
25 in the door, there she was. So, I got in the habit I never,

1 ever went in that house that I didn't stop right inside the  
2 door and yell out her name to be sure she wasn't there. And  
3 early on lots of times she was there. And of course she  
4 would come down and accuse me of breaking and entering and  
5 that sort of thing.

6 MS. BUTLER: She assaulted you one time Walt,  
7 didn't she?

8 MR. HINSON: She assaulted me one time. I was  
9 trying to hold her off with my arm. You can't see it, but I  
10 was trying to hold her off with my forearm and she just  
11 grabbed my forearm and whacked me good across the face. I  
12 don't think I've ever been assaulted in a bankruptcy case  
13 before. So, like I say, I had all sorts of experience as a  
14 bankruptcy practitioner that some lawyers can't talk about  
15 because it hadn't happened to them, including being  
16 assaulted. There may not be any other trustees other than me  
17 that can talk about that.

18 But, finally, we got an order from the court  
19 ordering the marshals to remove her from the house, and they  
20 did their duty. They went over there and removed her from  
21 the house. And at that point I had a locksmith from Raleigh  
22 go in and change all the locks. Do you think that stopped  
23 her? No. Even with new locks, and this is after the  
24 locksmith and I walked around, checked the locks and make  
25 sure we had all reasonable ways of coming in to that house

1       secured she still got in the house.

2               Now, how she got in was her son Robert would  
3       actually quite literally find a way into th house. He'd get  
4       a ladder, climb up to a second floor window and open it and  
5       then go downstairs and unlock from the inside a door at  
6       ground level so his mother could come into the house.  
7       Because if you realize during this she's been in her 90s.  
8       She is 95 or six years old -- I think she's 95 and will be  
9       maybe 96 this coming December or I may be a year off. But  
10      she's at least 95.

11             So, even as spry as she is, you know, she can't  
12      climb up to a second floor window to get in. So somebody got  
13      in the house and would open a ground floor door or window so  
14      she could get in in that fashion. So I'd go up there and  
15      there she'd be. And I'd have to call the police. And the  
16      police reached a point that they knew who she was and knew  
17      who I was. I was on a first name basis with the police .  
18      And it reached the point that I was going up to Raleigh at  
19      least once a week.

20             I'll bet if you look back over the years that I've  
21      been in this case I have been on average to Raleigh to that  
22      house once a week up until we sold it back December of last  
23      year or December of 2019 I guess it was. And I would go and  
24      figure out how they had gotten in and then it was my job to  
25      get that window or that door screwed to the wall or put a

1       hasp over it and screw them down so it couldn't be opened.  
2       Every week I'd get there it was a game. Let me see if I can  
3       find how they got in this time. Because it was apparent.

4               There was food on the table in the kitchen, there  
5       was food in the refrigerator at least until I had the power  
6       and the water turned off. And that didn't stop them because  
7       then I would see the candles that they had been burning or  
8       the takeout meals that they had been bringing in. And I  
9       started out with a little tool bag that I could probably have  
10      held in my hands. It had a couple of screwdrivers. Not  
11      unlike a little safety kit that you carry around in the trunk  
12      of your car. And then I had to get a bigger tool bag. And  
13      then I had to get still a bigger tool bag.

14             And then I had to start carrying my drill and  
15      sometimes I'd have to carry a saw because I'd have to  
16      improvise something. A little lumber in the back of my truck  
17      in case I had to saw a piece and nail across a window. And  
18      so it reached the point, and I had it at one time on a video  
19      that I would wear the backpack, carry a toolbag in each hand.  
20      I looked as if I was an itinerant mechanic walking up the  
21      hill to the house.

22             And about every time I went I'd have to spend a  
23      minimum of an hour, but usually about two hours locking the  
24      place back up, getting windows screwed back down, screwing  
25      doors into the frame so that they couldn't get in. It was

1 right on up until -- I'm not sure I ever got to the point  
2 that they weren't at some point in that house, she and her  
3 son Robert.

4 And during the course of all of this she was  
5 ordered to stay out of the house and if she didn't she was  
6 going to have to surrender all of the household goods. Well,  
7 the house was full of beautiful stuff. Some old stuff that  
8 went way back into the Broughton family or maybe the Gold  
9 family. Just beautiful stuff. Livingroom furniture,  
10 diningroom furniture. There was not a chair or a table top  
11 of any sort that wasn't covered. I think you can see it in  
12 court papers where she had saved hard copies of state court  
13 documents. It probably cost the fellow that bought that  
14 house several thousand dollars just to get the paper out of  
15 it.

16 So, you'd go in and you'd sort through the paper  
17 and during the early part of it you'd go in and see what she  
18 had taken out of the house. She would take stuff out of the  
19 house which I'm pretty sure went over to get traded in at  
20 somewhere for a little cash for them to put gas in the car  
21 and eat on. During all this period when they couldn't get in  
22 the house they were living in her car. While it's simple --  
23 I'm sorry.

24 MS. OLIVER: Was everything in her car on the  
25 property?

1           MR. HINSON: Were they living in her car? What was  
2 the last of that?

3           MS. OLIVER: On the property where the house is?

4           MR. HINSON: Oh, no, no. I don't think they were  
5 living in the car on the property. I don't know that they  
6 weren't. But if they were on the property the police patrol  
7 would come by and see that car and immediately call for  
8 backup and they would go onto the property without the  
9 necessity -- they would call me after the fact. There were a  
10 number of occasions where the Raleigh Police Department  
11 removed her from the property and I didn't know about it  
12 until it was -- they're already in progress or it had already  
13 happened. So they would -- he couldn't drive on the property  
14 because there's a great big gate there, cast iron, wrought  
15 iron gate that I got closed and chained together. So, he  
16 couldn't get on the property.

17           He could park on the curb and they could walk up  
18 the hill. So, you wouldn't have found the car on the  
19 property. Plus -- and I kind of circled around here and I  
20 apologize for that. If the police had seen the car on the  
21 property or even on the curb as they did on occasion or two  
22 they knew the car and that would trigger a police eviction.  
23 So, he had to carry the car and park it somewhere away from  
24 the house in a little park that I kept hearing about was  
25 where he was parking the car. And then he'd walk back to the

1 house.

2 So, he'd get in the house, he then helped her get  
3 in the house and then he'd go park the car and come back to  
4 the house. So, getting into the house was no small effort  
5 just doing the commuting that he had to do. Not to mention  
6 the damage he would do in ever how he got in through a window  
7 or through a garage door or any number of ways. He'd cut a  
8 screen door. He'd just -- mostly it was kind of literally  
9 breaking and entering. So, no, you never saw them there.

10 But it reached the point that she would not stay  
11 out of the house until the court order took effect that  
12 deemed that she had waived her right to any of the household  
13 goods and they were now assets of the estate. So that  
14 literally the only thing -- and that included clothes, that  
15 included shoes in the closet, it included the washer and  
16 dryer, it included everything. So she was in and out of the  
17 house, she might change clothes, but by and large the clothes  
18 on their back and the car was the only thing they had.

19 And today even as we sit here ladies and Travis I  
20 don't know where she's living. And as far as I know, now,  
21 she's got a lot of money because I've sent her some \$300,000.  
22 And she's negotiated the checks. So she's got money  
23 somewhere, but I have no idea whether she's living in a nice  
24 house in Zebulon or she's living in her car. Don't really  
25 know if she's still alive.

1 MS. OLIVER: Did you get her discharged?

2 MR. HINSON: Got her discharged in the last week.

3 MS. OLIVER: Last week?

4 MR. HINSON: Yeah.

5 MS. OLIVER: Did you get paid more than just the  
6 standard trustee commission?

7 MR. HINSON: I'm pleased to say I got paid for  
8 doing a lot of legal work. So if you ask me did I get paid  
9 what I deserved? No. Did I get paid handsomely? Yes. I  
10 mean, I --

11 MS. OLIVER: Good for you.

12 MR. HINSON: -- I was paid. There was some  
13 discussion -- in fact, I wrote -- I did about a 20 page fee  
14 application and then I did a memorandum of law to go with  
15 that discussing what is legal work and what is trustee work.  
16 I'm not certain about the other trustees, but one of the  
17 things that the Bankruptcy Administrator's Office has always  
18 found are things that I did on my fee applications that were  
19 not so much legal work as attorney for the trustee as they  
20 were trustee time that the trustee should be expected to do.

21 So, I did a lot of research and wrote -- I did a  
22 lot of research thinking back and wrote a memorandum of law  
23 of the distinctions and the case law and the various other  
24 jurisdictions about how they judged what was work by an  
25 attorney and what was work that should be compensated as a



1 trustee. And I think had I not done that I would probably  
2 have to tell you I was poorly paid. But I wasn't poorly  
3 paid. You know, no need in me trying to be coy about it. I  
4 got paid decent. Still could have used, in fairness,  
5 probably some more money, but hell every lawyer is going to  
6 tell you that on his fee application. So, I'm no different.

7 I have no more money. All that money has been  
8 distributed to -- and every creditor in this case was paid in  
9 full. There was a hundred percent payout to every creditor,  
10 secured and unsecured except one creditor -- one secured  
11 creditor with whom I had a dispute as to whether they had a  
12 properly secured claim. And this was early on. This was  
13 two, or three, or four years ago. And I made him an offer of  
14 a secured claim in a set amount and they would waive their  
15 right to an unsecured claim. So, I guess in a manner of  
16 speaking they didn't get paid in full. But otherwise  
17 everybody else got paid.

18 (Dog barking)

19 MR. HINSON Gosh.

20 MS. BUTLER: Sorry about that.

21 MR. HINSON: Was that you barking Stephanie? So  
22 everybody got paid in full with interest which is not much  
23 when you look at the interest rate, the federal interest  
24 rate. And all the money has been distributed and I'm just  
25 waiting for the judge to decide when it's appropriate to

1 discharge me.

2 MR. SASSER: Part of the success of that case, of  
3 course, has to do with the rising value of real estate in  
4 that neighborhood. In that sense do you think Mrs. Broughton  
5 actually kind of did everybody a favor by prolonging the  
6 entire thing?

7 MR. HINSON: Well, that was a nice neighborhood a  
8 long time ago. In its day it was probably as nice a  
9 residential neighborhood as could be found in Raleigh. Did  
10 you ever -- did any of you ever see the house? It's been  
11 demolished now. But even from the outside and even without  
12 several years of any sort of yard work or any sort you could  
13 stand on the street and look up the hill at that house and  
14 see, even then, even in the shape it was in that was an  
15 awesome house.

16 And had you had the opportunity to go in and be  
17 able to visualize what it must have looked like in the late  
18 '60s or so, maybe even into the early '70s before it got  
19 trashed up so bad that was just a -- it was an awesome house.  
20 So, perhaps I can argue that her -- let me assure you I don't  
21 have any thought whatsoever that her effort to stymie the  
22 sale was her effort to raise the value of the house. So,  
23 let's be sure who's thinking what.

24 But certainly an argument could be made, Travis,  
25 that the longer it took perhaps the more valuable the house

1 was. And it's -- well, I sold it for 2.1 million and was so  
2 happy with myself because I had spent several days patting  
3 myself on the back having done such a good job and the new  
4 owner has demolished the house and has cut it up into, I  
5 believe, five smaller lots and has sold only one or two of  
6 those lots for what he paid me for the whole thing. So, yes,  
7 it's valuable. And by and large --

8 MS. BUTLER: The morale of the story is she could  
9 have done that herself. She could have sold the house years  
10 ago and invested the money and lived out a very nice  
11 lifestyle for the rest of her life. But instead she let  
12 bitterness eat her alive and spent her entire life fighting.

13 MR. HINSON: That's right. The bitterness that she  
14 put herself -- the bitterness that she suffered and the  
15 things that she put herself and her family through had to  
16 have caused her to have a miserable life. Whereas with a  
17 more positive attitude and a let's start over kind of, you  
18 know, fresh start, husband's gone, got two kids here to  
19 raise, and she could be an independently wealthy woman today.  
20 But that's her choosing. And the good news about that,  
21 Stephanie, is that's how you and I got a job.

22 MS. BUTLER: The other good news is that she's not  
23 our problem anymore.

24 MR. HINSON: I do point out to you that the reason  
25 the matter was in court and the reason that she -- it took so

1 long on her discharge is she recently, despite what's called  
2 a gatekeeper's order in both the State court and the  
3 Bankruptcy Court filed suit against the realtors that listed  
4 the house for sale. The realtor and the principle of the  
5 realtor. The names don't come to my mind right now.

6 So, Sid Aldridge who -- he's representing the  
7 realtor and the realtor's principle was in court to get her -  
8 - to get the judge to dismantle these efforts, and he did,  
9 and held her in contempt. So, she's once again in contempt  
10 of the court. Special order -- you ought to look at it --  
11 and fined her some \$8,000 and has asked that the matter be  
12 turned over to the U.S. Attorney's Office for them to examine  
13 it to see if she committed criminal contempt. So, she did  
14 not show up in court. That's another part of the mystery of  
15 where is she, what is she doing, what's her health situation?  
16 So, I don't know, but there again, she's just still living on  
17 hate.

18 MR. SASSER: If you had to pick between any of the  
19 seven current and former bankruptcy judges to appear in front  
20 of who would you most liked to have appeared in front of?

21 MR. HINSON: Mickey Moore. And I say that meaning  
22 -- and you guys keep trying to get -- I don't know if you did  
23 it with Beaman and some of these other folks, but you keep  
24 asking these questions that you must think we're suicidal.

25 MR. SASSER: You're retired. What do you have to

1       lose?

2                   MR. HINSON: Well, yeah, but there may be one day  
3       when I want to make an appearance back in that court and I  
4       don't want one of those judges pointing me out to the marshal  
5       like he had to do with Ms. Broughton. I think that's kind of  
6       a -- sort of a gimme. And I don't think there'd be any of  
7       the other six judges that wouldn't understand this and  
8       understand that I meant no disrespect. But, you know, Mickey  
9       Moore was a bit of a father figure to me, but more than just  
10      -- he was a father figure to me at least as to my  
11      professional career.

12                   And just to be able to stand up there and he could  
13      chew me out. Because in a day or two he'd always call me and  
14      ask me to go eat a hotdog and basically tell me why he chewed  
15      me out. And so there's just a relationship there that I  
16      think a lot of the folks that I've heard you mention that  
17      either have been interviewed or on your list there are a lot  
18      of folks that it wouldn't surprise me would give the same  
19      answer. I'd be pleased and I'd be honored to appear before  
20      any one of them. But there's my choice if I only had one.

21                   MR. SASSER: Okay. So, now if you held an  
22      unsecured claim in a case and you yourself could not be the  
23      trustee which current or former Chapter 7 Trustee would you  
24      like to administer the estate to maximize the principle of  
25      your claim being paid?

1           MR. HINSON: You know, in lots of ways the Eastern  
2 District of North Carolina has been fortunate. All the  
3 judges we've had have been fair. Maybe I didn't always agree  
4 with the decision. Sometimes I didn't like it, or did like  
5 it just because it went in my favor or didn't like it because  
6 it went against me. But I've never really been able to say  
7 well, you know, that was just a stupid decision and he didn't  
8 read the law and whatever. We've been blessed with scholarly  
9 professionals who want to make the right call and make an  
10 effort to make the right call. Judge Moore right on through  
11 to the three judges sitting today. Every one of them are  
12 good people who strive to do a good job and do a good job.

13           I'm not going to get into a contest of which  
14 trustee may be better at some things than others. I mean, if  
15 you were to ask me I'd say every trustee case ought to come  
16 by me because I'm the best. That sounds good, but it's not  
17 true. You know, you got Stubbs' office and now he's no  
18 longer a 13 Trustee. But if you had a -- if it was a 13 case  
19 you got some good Chapter 13 Trustees. Beaman and his staff  
20 are aggressive. You've got -- in Wilmington you've got --

21           MR. SASSER: Al Butler.

22           MR. HINSON: -- Al Butler, who's always been  
23 aggressive. A trait he got from his father. You've got Jim,  
24 and help me here again my memory problem is kicking in --

25           MS. BUTLER: Jim Angell?

1 MR. HINSON: I'm sorry?

2 MS. BUTLER: Jim Angell?

3 MR. HINSON: Jim Angell. Jim Angell, if I'm not  
4 mistaken Jim Angell has some experience and education as an  
5 accountant or CPA. So, you know, depending on what your case  
6 is and what your issues are and what you need then that would  
7 probably be how I would choose a trustee if I had a  
8 particular out of the ordinary case.

9 You know, Beaman's got a lot of experience in  
10 agricultural matters. He's from a little rural community in  
11 Snow Hill. So you'd have to give me some real specific  
12 issues, Travis, for me to then look at the panel and tell you  
13 why one wouldn't -- would be better than the others. Because  
14 -- and this is how I got off on the judges -- I think each of  
15 the trustees on the panel strive to do a good job. They  
16 don't take the job for granted. They don't sluff off things.  
17 They look for assets.

18 They -- well, theoretically that's how they're  
19 going to get paid. So you're encouraged to look for an asset  
20 that you can liquidate and create payment to unsecured  
21 creditors because you're going to have to put a certain  
22 amount of work in it no matter what's the case. And it's  
23 always nice to get paid.

24 MR. SASSER: Any particular -- well, anything you  
25 want to make sure that you put on the record? You want to

1 say good, bad, ugly about the District or your experience or  
2 --

3 MR. HINSON: I could moan about this experience or  
4 that one. We've all had the experience in whatever. Had I  
5 been a doctor or an insurance salesman or a stockbroker we've  
6 all had bad days and things that could have gone a little  
7 better. I think I was fortunate, I think I have been blessed  
8 maybe from the day I was born in the Lenoir County hospital  
9 until they -- on up through to today. I've worked with good  
10 people, professional people, people who wanted to do the  
11 right thing and have done the right thing which has enabled  
12 me to get into, a lot of time it seemed like luck.

13 So, if you have any religion you have to think well  
14 somewhere the Lord was looking after me and I'm certainly one  
15 that would have to say that. You know, to come to Wilson at  
16 a time when Mickey Moore was the referee in Wilson. To get  
17 into an area of practice that I have thoroughly enjoyed that  
18 I don't think the enjoyment could be duplicated in any other  
19 area of practice and to be a lawyer. I wouldn't have made a  
20 good insurance salesman. I wouldn't have made a -- well,  
21 anything else. I think all that was just a blessing to me.

22 And I have worked with good people which in turn  
23 has allowed me, I think, to enjoy a good life. Sometimes my  
24 ego kind of kicks back in and I wonder if I shouldn't -- if I  
25 should have retired as early as I did. But, you know, I



1 don't regret it, because my wife and I are enjoying each  
2 other and we go and come as we please. And it allows me on a  
3 Friday, -- golly, I've taken up a whole lot of time. It  
4 allows me to do what I want when I want. And I think  
5 somewhere along the way, folks, Travis, I've done some good  
6 for people.

7 I think there's some people who are living better  
8 lives, who have a level of comfort whose standard of living  
9 and then just their life on a whole may have improved because  
10 of something that I was -- that God let me do for them. And  
11 I'm pleased with that. And I'm pleased to have been blessed  
12 to have that opportunity and to work with folks just like  
13 those of you on this call. I mean, I've learned a lot. I've  
14 never met a soul, I've never met a soul in this business that  
15 there wasn't something I could learn from them, including you  
16 guys, that I could learn from them on a way to live a better  
17 life. And I thank you all for that. And I thank my brethren  
18 and sisters in the profession and I thank God. And that's  
19 about the best I can tell you.

20 MR. SASSER: Thank you, Walter.

21 MS. BUTLER: Thank you so much for sharing your  
22 time with us today.

23 MR. HINSON: Thank you. I've been honored. I  
24 don't what -- I mean, except maybe for the Broughton case,  
25 you know, I don't have any great historical thing to add.

1 But it has been enjoyable for me just to go back through  
2 these questions and think a little bit and relive some  
3 things. So, thank you for honoring me by asking me to be  
4 interviewed.

5 MS. BUTLER: We appreciate it. And like we said  
6 once we get the transcript done we'll send that to you so  
7 that you can review it and make sure that all the names are  
8 correct like you want them and all that. All right.

9 MR. HINSON: Okay. All right.

10 MS. OLIVER: Thank you.

11 MR. SASSER: Thank you very much.

12 MR. HINSON: Thank you all. Good day to you.

13 MS. BUTLER: Thanks.

14 \* \* \* \* \*

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: February 28, 2022