Register for the 2012 ABA Business Law Section Spring Meeting
MARCH 22-24 IN LAS VEGAS, NV

Featured Programs

- Lessons Learned from Around the World - Recent Bondholder and Indenture Trustees Issues from the US, Canada, UK, France, Mexico, and Beyond
- Deal Trends, Current Terms and Recent Developments in 363 Sales
- Confirming Chapter 11 Plans in Today's Environment: What's Next?
- Don't Bet On It: Quirky Security Interest Enforcement Problems in Bankruptcy
- Master Curriculum for Law School Consumer Bankruptcy Clinical Programs
- Governance Issues Impacting Insolvent and Bankrupt Entities
- The Surge of For-Pros in Distressed Health Care
- Who Owns My Assets and Who's at Risk?
- Credit Bidding Under a Plan: RadLAX Reaches the Supreme Court
- Stern v. Marshall: A Sea Change or Business as Usual?
- Current Developments
- Security Interests in Proceeds of Collateral
- Jackson Hewitt, Inc.: Formulating, Negotiating, Litigating and Confirming a Prepackaged Chapter 11 Plan
- The Government Seized The Assets?!! What Can You Do?

P R O G R A M:

Lessons Learned from Around the World & Recent Bondholder and Indenture Trustees Issues from the US, Canada, UK, France, Mexico, and Beyond

This program will provide an update on the treatment of trust indentures, and the rights of bondholders and indenture trustees in insolvency proceedings, in key countries around the world. The program will summarize the lessons learned from foreign jurisdictions, issues that arise when foreign courts apply U.S. law and U.S. courts apply foreign law, and problems created by conflicts of law and forum shopping.

Programs Sponsored by the Business Bankruptcy Committee
In conjunction with the ABA Business Law Section Spring Meeting

Trust Indentures and Indenture Trustees Committee Program, Co-Sponsored by Business Bankruptcy Committee, Trust Indentures Subcommittee, and International Business Law Committee
Thursday, March 22, 2012, 8:00AM - 10:00AM
Harold Kaplan, Program Chair
Eric Schaffer, Moderator

PROGRAM: Lessons Learned from Around the World & Recent Bondholder and Indenture Trustees Issues from the US, Canada, UK, France, Mexico, and Beyond

Mergers & Acquisitions Committee Program, Co-Sponsored by Business Bankruptcy Committee

Thursday, March 22, 2012, 10:30AM – 12:30PM

PROGRAM: Deal Trends, Current Terms and Recent Developments in 363 Sales

Chapter 11 Subcommittee Luncheon
Thursday, March 22, 2012, 12:30PM - 2:30PM
Corinne Ball and Sheryl Seigel, Program Chairs and Moderators

PROGRAM: Confirming Chapter 11 Plans in Today's Environment: What's Next?

A panel of experts will consider recent decisions involving credit bidding, equitable disallowance of votes, rights offerings and other plan confirmation issues, providing their insights into the key issues and challenges encountered in confirming Chapter 11 plans today.

Secured Creditors Subcommittee Luncheon, Co-Sponsored by Gaming Law Committee, Uniform Commercial Code Committee, and Business Bankruptcy Committee Insurance Subcommittee
Thursday, March 22, 2012, 12:30PM - 2:30PM
Susan Freeman and Michael Reed, Program Chairs
Michael Reed, Moderator

PROGRAM: Don't Bet On It: Quirky Security Interest Enforcement Problems in Bankruptcy

This panel will discuss the difficult legal and practical challenges inherent in enforcing security interests in non-standard collateral, such as rights to operate and control regulated facilities, cash generated by operations, investments or cash held in trust by a third-party trustee,
and investment securities owned by the borrower.

Pro Bono Services Subcommittee Program  
Friday, March 23, 2012, 9:00AM - 10:00AM  
Hon. Elizabeth Stong, Program Chair  
Grace Robson, Moderator  

**PROGRAM:** Master Curriculum for Law School Consumer Bankruptcy Clinical Programs  

The economic downturn in 2008 has had an unprecedented and significant impact on the lives of many individuals across the country. Budget cuts (or constraints) have also impacted the ability of many legal aid organizations to provide bankruptcy services to the indigent. Bankruptcy courts have seen an unprecedented number of cases being filed or prosecuted on a pro se basis. This panel will discuss how through the implementation of a consumer bankruptcy clinic, law schools can provide their students with practical experience and at the same time assist the needs of local communities for pro bono bankruptcy advice. The panel will provide a suggested syllabus and course curriculum that have been successfully implemented at a variety of law schools that have consumer bankruptcy clinics.

Joint Meeting Between the Business Bankruptcy Committee and the Corporate Governance Committee  
Friday, March 23, 2012, 9:30AM - 10:30AM  

**PROGRAM:** Governance Issues Impacting Insolvent and Bankrupt Entities

Healthcare and Nonprofits in Bankruptcy Subcommittee Program, Co-Sponsored by Nonprofit Organizations Committee, and Business Bankruptcy Committee  
Corporate Governance Subcommittee  
Friday, March 23, 2012, 10:30AM - 12:00PM  
Jean R. Robertson and Andrew M. Troop, Program Chairs and Moderators  

**PROGRAM:** The Surge of For-Profits in Distressed Health Care: What Moves a Non Profit to the For-Profit Option and How do Non-Profit Boards Decide to Make the Move?  

The panelists will discuss the tensions that exist in the world of non-profit health care as a result of healthcare reform and the current economic climate; challenges facing non-profit boards in rural America; duties imposed on the boards of non-profit health care businesses considering selling or converting to a for-profit entity; and federal and state safeguards designed to protect the public interest in the context of non-profit to for-profit sales.

Securization and Structured Finance Committee Program, Co-Sponsored by Business Bankruptcy Committee  
Friday, March 23, 2012, 10:30AM ✦ 12:30PM  

**PROGRAM:** Who Owns My Assets and Who is at Risk? Financing and Transferring Financial Assets After the Subprime Crisis and Dealing with Claims for Warranty Breaches and Securities Fraud

Bankruptcy Appeals Subcommittee  
Friday, March 23, 2012, 11:00AM ✦ 12:00PM  
Craig Goldblatt, Program Chair  
Hon. Thomas Ambro, Moderator
PROGRAM: Credit Bidding Under a Plan: RadLAX Reaches the Supreme Court

The United States Supreme Court will hear argument shortly in RadLAX Gateway Hotel v. Amalgamated Bank, which raises an important issue regarding the availability of credit-bidding to secured creditors in sales under Chapter 11 plans. The panelists are appellate specialists with a wealth of experience litigating cases before the Supreme Court as well as experts on the RadLAX issues. They will explore the arguments the Court is about to hear, and offer their views on the likely outcome and implications of the case.

Administration and Courts Subcommittee
Friday, March 23, 2012, 2:30PM - 3:30PM
Sidney Levinson and Sandra A. Riemer, Program Chairs and Moderators

PROGRAM: Stern v. Marshal: A Sea Change or Business as Usual?

Some consider the Supreme Court decision in Stern v. Marshall to be a game changer with regard to bankruptcy court jurisdiction; others say it merely restates existing law. This panel of experts will discuss the decision and cases that have addressed the issues it raises, and provide a fresh look at this evolving topic.

Current Developments Task Force
Friday, March 23, 2012, 2:30PM - 4:00PM
Martin Bienenstock, Program Chair

PROGRAM: Current Developments

This panel will discuss the newest developments in business bankruptcy cases during the past 6 months.

Uniform Commercial Code Committee Program, Co-Sponsored by Business Bankruptcy Committee
Friday, March 23, 2012, 2:30PM - 4:30PM

PROGRAM: Security Interests in Proceeds of Collateral: The Rules and Recent Developments in Case Law and Bankruptcy

Business Transactions Subcommittee and Litigation Subcommittee Joint Meeting
Friday, March 23, 2012, 4:00PM - 5:30PM
Mark S. Chehi, Program Chair and Moderator

PROGRAM: Jackson Hewitt, Inc.: Formulating, Negotiating, Litigating and Confirming a Prepackaged Chapter 11 Plan

This program will use the Jackson Hewitt case as a vehicle to discuss a host of issues relating to prepacked Chapter 11 cases, including the strategic use of prepacks as compared to alternatives; financial versus operational restructurings; stakeholders and other advisors; prepack timing issues; formulation of a prepack plan; prepack litigation issues and strategies; the interplay of restructuring transactional and commercial issues; and modifications to and confirmation of the prepack plan.

Business Bankruptcy Committee Brunch
Saturday, March 24, 2012, 10:00AM - 12:00PM
Professor Karen M. Gebbia, Program Chair
William Schorting, Moderator
PROGRAM: The Government Seized The Assets!?! What Can You Do?

What can and must you do when the government seizes your client's assets as the proceeds of someone else's crime, or seize a debtor's assets that your client was relying on for collection? Experts in forfeiture law, white collar crime, and business bankruptcy will discuss criminal and civil forfeiture, third party claims against forfeited assets, distribution of assets through forfeiture proceedings, the intersection between forfeiture law and insolvency law, and the Project on White Collar Crime and Business Bankruptcy.

Submit Articles for the Business Bankruptcy Newsletter

The Business Bankruptcy Committee invites you to submit articles for possible publication in future issues. The articles do not need to be long or in-depth, and it is a great way to get involved in the Business Bankruptcy Committee. Articles can survey the law nationally or locally, discuss particular business bankruptcy issues, or examine a specific case. If you are interested in submitting an article, please contact Newsletter Editor-in-Chief Christopher Alston at alstc@foster.com or Editor Marvin Ruth at mruth@lrlaw.com.