FEATURED ARTICLES

COMING UP AT THE SPRING MEETING
APRIL 10 - 12, 2014
LOS ANGELES, CALIFORNIA

Programs Sponsored by the Business Bankruptcy Committee at the 2014 Spring Section Meeting in Los Angeles, CA

HOT TOPICS AND RECENT DEVELOPMENTS

2013 Kathryn R. Heid Memorial Award Presented to Paul R. Hage

Materials from the Business Bankruptcy Committee 2013 Fall Meeting

WANT TO...
» WRITE FOR AN OFFICIAL ABA PUBLICATION?
» BE PUBLISHED, WITHOUT COMMITTING ALL OF YOUR FREE TIME?
» MAKE CONNECTIONS WITH OTHER MEMBERS?

Submit Articles for the Business Bankruptcy Committee Newsletter

While the disposition of a business in a chapter 11 bankruptcy case has become fairly routine, there are many legal, practical and logistical issues and challenges that can impede the sale process or create unexpected detours, road blocks or distractions. If you have questions regarding the merits and ramifications of selecting a stalking horse...
bidder or allowing a lenders to credit bid, concerns and queries regarding purchase agreements or bid procedures, doubts or reservations about the merits of hiring an investment banker, crave tips and strategies to facilitate a robust auction or simply wish to stay current on developing issues and trends, this is THE program for you to attend.

The dynamic and indefatigable Judge Sheri Bluebond will moderate a program populated by seasoned attorneys, Mette Kurth, Richard Pachulski and Mark Stingley, and well regarded investment bankers, Josh Scherer and Teri Stratton. Our panel will canvass key issues and challenges critical to successfully navigating the section 363 sales process from the motion to approve bid procedures through to the entry of a final order approving the sale, all the while providing legal and strategic insights that bankruptcy and business law lawyers will find invaluable.

**PROGRAM: SECURED CREDITORS SUBCOMMITTEE LUNCH: Loan to Own: Distress M&A: How Distressed Debt Investors Utilize the Acquisition of Secured Debt as a Means to Acquire a Target Company in Bankruptcy**

Thursday, April 10, 2014, 12:30 PM - 2:30 PM

**Sponsored by the Secured Creditors Subcommittee of the Business Bankruptcy Committee, as well as the Private Equity and Venture Capital Committee**

**Program Co-chairs:** Susan M. Freeman, Lewis Roca Rothgerber LLP, Phoenix, AZ; Michael H. Reed, Pepper Hamilton LLP, Philadelphia, PA

**Moderator:** Todd Feinsmith, Pepper Hamilton LLP, Boston, MA

**Speakers:** Janet E. Bostwick, Janet E. Bostwick, PC, Boston, MA; Ronit Berkovich, Weil Gotshal & Manges LLP, New York, NY; Michael Epstein, Deloitte CRG, Deloitte Financial Advisory Services LLP, Boston, MA; Larry Klaff, Gordon Brothers Credit Partners, Boston, MA

**Meeting Materials Coordinator:** Lesley S. Welwarth, Pepper Hamilton LLP, Southfield, MI

The distressed company market has become an increasing fertile market place for distressed investors (Hedge and PE Funds) seeking "buy" opportunities. Investors utilize a variety of strategies, including acquisition of secured debt, DIP Financing, plan sponsorship and "stalking horse" agreements in Section 363 sales, to achieve their objectives.

**PROGRAM: No More Ad Lib: The Nuts and Bolts of Ad Hoc Committees**

Thursday, April 10, 2014, 3:00 PM - 4:00 PM

**Sponsored by the Bankruptcy Committees Subcommittee of the Business Bankruptcy Committee**

**Program Co-chair:** Henry Kevane, Pachulski Stang Ziehl & Jones, LLP, San Francisco, CA

**Moderator:** Hon. Margaret Mann, United States Bankruptcy Court for the Southern District of California, San Diego, CA

**Speakers:** William K. Harrington, U.S. Trustee for Massachusetts, New Hampshire, Maine and Rhode Island (Region 1), and New York, Connecticut and Vermont (Region 2); Edward S. Weisfelner, Brown Rudnick LLP, New York, NY; Andrew I. Silfen, Arent Fox LLP, New York, NY; Mark Shinderman, Milbank, Tweed, Hadley & McCloy LLP, Los Angeles, CA

**Program Materials Coordinators:** Jeffrey T. Kucera, K&L Gates LLP, Miami, FL and Matthew J. Ochs, Holland & Hart LLP, Denver, CO

Creditors or equity holders routinely organize as unofficial or "ad hoc" committees in chapter 11 bankruptcy cases. Rule 2007 contemplates that the members of a committee organized by creditors before the commencement of a case may later qualify for appointment as a
statutory committee but, often, such committees choose to remain separate. Unlike their counterparts under Section 1102 of the Bankruptcy Code, ad hoc committees are largely unregulated and, as a result, their purpose, composition and influence remain a regular source of scrutiny and debate. Recent decisions, however, have started to more closely monitor the role and function of an ad hoc committee in cases with otherwise active official committees. This program will discuss the nuts and bolts of ad hoc committees and focus on the organization, management, costs, disclosure and ethical issues confronting courts and practitioners. Particular attention will be given to recent developments in governance, fiduciary duties and compensation. The panelists will provide a core understanding of these issues and also discuss how evolving views and practices may affect the role of ad hoc committees in the future.

PROGRAM: UNICITRAL Projects: A Model Law for Recognition of Insolvency Judgments & Other Recent Developments
Thursday, April 10, 2014, 3:00 PM - 4:30 PM

Sponsored by the Business Bankruptcy Committee Task Force on UNICITRAL and the International Bankruptcy Sub-Committee of the Business Bankruptcy Committee

Program Co-chairs: Christopher Redmond, Husch Blackwell, Kansas City, MO; Charles D. Booth, Professor, Richardson School of Law, University of Hawaii at Manoa, Honolulu, HI

Speakers: Hon. Elizabeth Stong, United States Bankruptcy Court for the Eastern District of New York, Brooklyn, NY; Susan Johnston, Weinstein, Pinson & Riley P.S., Larchmont, NY; Edward J. Janger, Professor, Brooklyn Law School, Brooklyn, NY

At the Fourth Colloquium held by UNICITRAL in Vienna, Austria, in December 2013, ongoing and future projects were discussed. The UNICITRAL Working Group V (Insolvency) closed meeting, which followed, held similar discussions. At our joint ABA meeting, we will discuss the results and rankings of projects at these meetings, including a Model Law for Recognition of Insolvency Judgments.

PROGRAM: CEDC Prepack Case Study: Using Chapter 11 to Reorganize a Non-U.S. Business
Friday, April 11, 2014, 9:30 AM -11:00 AM

Sponsored by the Chapter 11 Business Transactions Subcommittee of the Business Bankruptcy Committee

Program Chair/Co-chairs: Mark S. Chehi, Skadden, Arps, Slate, Meagher & Flom, LLP, Wilmington, DE
Moderator: Mark S. Chehi, Skadden, Arps, Slate, Meagher & Flom, LLP, Wilmington, DE
Speakers: Mark A. McDermott, Skadden, Arps, Slate, Meagher & Flom, LLP, New York, NY; Surbhi Gupta, Houlihan Lokey, New York, NY
Meeting Materials Coordinator: Matthew J. Ochs, Holland & Hart LLP, Denver, CO

The meeting panel will describe and discuss the innovative recent prepackaged Chapter 11 reorganization of Central European Distribution Corp., a vodka distribution business centered in Moscow. This prepackaged financial restructuring transaction included a "reverse Dutch auction" process.

PROGRAM: The Changing Face of Chapter 11 and the "Ice Cube Bond" Solution
Friday, April 11, 2014, 2:30PM - 3:30PM

Sponsored by the Administration & Courts Subcommittee of the Business Bankruptcy Committee

Program Chair and Moderator: Sandra A. Riemer, Phillips Nizer LLP,
New York, NY; Sidney P. Levinson, Jones Day, Los Angeles, CA

Speakers: Hon. Elizabeth Stong, United States Bankruptcy Court for the Eastern District of New York, Brooklyn, NY; Jonathan M. Landers, Scarola Malone & Zubatov LLP, New York, NY; Gary E. Klausner, Stutman Treister & Glatt, Los Angeles, CA

The program explores the many changes that have taken place in Chapter 11 cases over the years, with particular emphasis on the growing use of Section 363 sales in lieu of true reorganization, and discusses the "Ice Cube Bond," a proposed method of mitigating the resulting losses to unsecured creditors.

PROGRAM: Current Developments
Friday, April 11, 2014, 2:30 PM - 4:00 PM

Sponsored by the Task Force on Current Developments of the Business Bankruptcy Committee

Program Co-chairs: Martin J. Bienenstock, Proskauer Rose LLP, New York, NY; Judith Ross, Law Offices of Judith Ross, Dallas, TX
Moderator: Martin J. Bienenstock, Proskauer Rose LLP, New York, NY
Speakers: Martin J. Bienenstock, Proskauer Rose LLP, New York, NY; Michael R. Enright, Robinson & Cole, LLP, Hartford, CT; Christopher Combest, Quarles & Brady LLP, Chicago, IL; Monique D. Hayes, Genovese Joblove & Battista PA, Miami, FL; Robert B. Millner, SNR Denton, Chicago, IL
Meeting Materials Coordinator: Judith Ross, Law Offices of Judith Ross, Dallas, TX

In this highly popular program, Martin Bienenstock will lead a panel discussion of case law developments in Chapter 11 and other cases in the last six months.

CLE PROGRAM: The Appointment of Independent Directors on the Eve of Bankruptcy: Why the Growing Trend?
Saturday, April 12, 2014, 11:00 AM - 1:00 PM

Sponsored by the Corporate Governance, Examiners & Trustees, and the Avoiding Powers Subcommittees of the Business Bankruptcy Committee

Program Co-chairs: Regina Stango Kelbon, Blank Rome, LLP, Philadelphia, PA; Rafael X. Zahralddin-Aravena, Elliott Greenleaf, Wilmington, DE; David Waguespack, Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux LLC, New Orleans, LA; Judith Ross, Law Offices of Judith Ross, Dallas, TX; Bruce Borrus, Riddell Williams, Seattle, WA
Moderator: Regina Stango Kelbon, Blank Rome, LLP, Philadelphia, PA
Speakers: Former Chief Justice Myron T. Steele, Potter Anderson & Corroon LLP, Wilmington, DE; Mary E. McCutcheon, Farella Braun + Martel LLP, San Francisco, CA; Keith Maib, Mackinac Partners LLC, Bloomfield Hills, MI; Martin Sosland, Weil, Gotshal & Manges LLP, Dallas, TX;
Program Materials Coordinators: Jeffrey T. Kucera, K&L Gates LLP, Miami, FL and Matthew J. Ochs, Holland & Hart LLP, Denver, CO

The panel will focus on corporate governance issues with respect to struggling companies, and then examine the growing trend in which companies - near or at the time of insolvency - appoint independent directors to help them navigate difficult situations.

Programs Presented in conjunction with the Young Lawyer Institute and Sponsored or Co-Sponsored by the Business Bankruptcy Committee

INSTITUTE PROGRAM: What Every Business Lawyer Should Know About Avoidance Actions in Bankruptcy
Saturday, April 12, 2014, 2:00 AM - 3:30 PM
Sponsored by the Business Bankruptcy Committee

Program chair: Monique D. Hayes, Genovese Joblove & Battista PA, Miami, FL

One of the goals of bankruptcy is to ensure that similarly situated creditors are treated alike and share in the distribution of debtor assets. Yet, oftentimes we find that prior to (or even after filing of a bankruptcy petition) the debtor may have transferred assets to third parties and/or select creditors. This intermediate level program will examine and discuss the bankruptcy trustee’s power to avoid such transfers under chapter 5 of the United States Bankruptcy Code. Among the issues to be discussed are hypothetical lien creditor and bonafide purchaser rights; fraudulent transfers and preferences.

Click here for a brochure of all presentations and meetings of subcommittees and task forces of the Business Bankruptcy Committee that will take place at the Business Law Section Spring Meeting.

HOT TOPICS AND RECENT DEVELOPMENTS

2013 Kathryn R. Heidt Memorial Award Presented to Paul R. Hage

On October 31, 2013, the ABA Business Law Section Business Bankruptcy Committee was delighted to award the annual Kathryn R. Heidt Memorial Award to attorney Paul R. Hage. More...

Materials from the Business Bankruptcy Committee 2013 Fall Meeting

At the ABA Annual 2013 Summer Meeting in San Francisco, California and at the ABA Business Bankruptcy Committee 2013 Fall Meeting in Atlanta, Georgia, the Business Bankruptcy Committee and its members presented various informative and interesting programs. Below is a link to all of the materials provided at these programs. (Access to some of the articles requires your ABA password.) More...

Submit Articles for the Business Bankruptcy Committee 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 Marvin Ruth at mruth@lrflaw.com or Editor Mariaelena Gayo-Guitian at mguitian@gjb-law.com
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Mission

The mission of the Business Bankruptcy Committee is to be the principal Business Law Section resource dealing with business bankruptcy, corporate restructuring and insolvency through cutting-edge educational programming and to be a resource for bankruptcy reform.

Patricia Redmond
Chair, Business Bankruptcy Committee
Welcome from the Chair

Hello members and friends of the Business Bankruptcy Committee,

We are delighted that you are joining us for the Committee’s 2014 Spring Meeting. (The Committee holds two major meetings each year. This is the first; the second occurs in October). From April 10-12, 2014, our Committee will enjoy Los Angeles’ beautiful (we trust) Spring weather, as we meet jointly with the other Committees of the Business Law Section. The Spring Meeting is especially productive and informative because it presents many opportunities to interact with other Committees and enhance our mutual understanding of the intersections among our practice areas.

As one of more than 1,800 professionals attending the Spring Meeting, you can earn CLE credit from more than 60 programs, and choose from more than 350 Committee and Subcommittee meetings, all of which are open to any Spring Meeting registrant. Stay up-to-date on business law developments, and learn something new.

As you can see from this brochure, the Business Bankruptcy Committee is sponsoring or co-sponsoring several extremely timely and insightful CLE programs, as well as our popular and always well-attended luncheon programs, and Saturday brunch program. I urge you to attend as many of these as your schedule permits.

When you find a moment between programs, I also encourage you to stop by a subcommittee or task force meeting that interests you, introduce yourself to the chairs and vice-chairs, and volunteer to get involved – it’s the best way to network, get to know your colleagues around the country, and make the most of your Business Law Section membership!

I look forward to seeing you in L.A. for what promises to be a wonderfully informative and enjoyable Spring Meeting.

Patricia Redmond
Chair, Business Bankruptcy Committee

Meetings and Programs

This booklet contains a chronological listing of all Meetings and Programs sponsored or co-sponsored by the Business Bankruptcy Committee. Bankruptcy Court Structure and Insolvency Process Committee meetings are also included for your convenience.

CLE Programs are identified by a

Luncheon meetings requiring a ticket are indicated by a

Thursday, April 10, 2014

8:00 am – 10:00 am CLE PROGRAM
JW Marriott
Diamond Ballroom Salon 3, Fourth Level
Jargony: Insurance Basics for Business Lawyers
“I will have "Terms Only an Underwriter Would Know" for $400.” Match wits with our panelists as they explore the basic, and the not so basic, insurance issues every business lawyer should be able to identify. Root for your favorite panelist: learn more about insurance and its impact on business
Sponsor: Business Bankruptcy Committee
Insurance Subcommittee
Mass Tort and Environmental Claims
Subcommittee
Program Chairs:
Robert B. Millner, SNR Denton, Chicago, IL
Margaret M. Anderson, Fox Swibel Levin & Carroll LLP, Chicago, IL
Moderator:
Margaret M. Anderson, Fox Swibel Levin & Carroll LLP, Chicago, IL
Speakers:
Peter J. Benvenutti, Keller & Benvenutti LLP, San Francisco, CA
Leslie A. Davis, Crowell & Moring LLP, Washington, DC
Jeffrey A. Liesemer, Caplin & Drysdale Chtd, Washington, DC
Wendy M. Simkulak, Duane Morris LLP, Philadelphia, PA
Materials Coordinator:
Margaret M. Anderson, Fox Swibel Levin & Carroll LLP, Chicago, IL

9:00 am – 10:00 am
JW Marriott
Atrium 2, Third Level
Alternative Dispute Resolution Working Group
Working meeting
Working Group Chair:
B. Gail Reese, Willis and Knight PC, Nashville, TN
10:00 am – 11:00 am  
JW Marriott  
Atrium 2, Third Level  
**Model Asset Purchase Agreement Working Group**  
Working meeting  
*Working Group Chair:*  
Marc J. Carmel, Paul Hastings, Chicago, IL

11:30 am – 12:30 pm  
JW Marriott  
Atrium 2, Third Level  
**Small Business Subcommittee**  
Working meeting  
*Subcommittee Chairs:*  
Bradford F. Englander, Whiteford Taylor Preston LLP, Falls Church, VA  
Jeffrey P. Bast, Bast Amron, Miami, FL

12:30 pm – 2:30 pm  
**Chapter 11 Luncheon Program**  
JW Marriott  
Platinum Ballroom Salon E, Second Level  
**Winning Strategies in Chapter 11 Bankruptcy Sales: Getting the Most Out of the Section 363 Sales Process**  
While the disposition of a business in a chapter 11 bankruptcy case has become fairly routine, there are many legal, practical and logistical issues and challenges that can impede the sale process or create unexpected detours, road blocks or distractions. If you have questions regarding the merits and ramifications of selecting a stalking horse bidder or allowing a lender to credit bid, concerns and queries regarding purchase agreements or bid procedures, doubts or reservations about the merits of hiring an investment banker, crave tips and strategies to facilitate a robust auction or simply wish to stay current on developing issues and trends, this is THE program for you to attend.  
The dynamic and indefatigable Judge Sheri Bluebond will moderate a program populated by seasoned attorneys, Mette Kurth, Richard Pachulski and Mark Stingley, and well regarded investment bankers, Josh Scherer and Teri Stratton. Our panel will canvass key issues and challenges critical to successfully navigating the section 363 sales process from the motion to approve bid procedures through to the entry of a final order approving the sale, all the while providing legal and strategic insights that bankruptcy and business law lawyers will find invaluable.  
*Sponsor: Business Bankruptcy Committee Chapter 11 Subcommittee*  
*Program Chairs:*  
Sheryl Seigel, McMillan LLP, Toronto, ON  
Corinne Ball, Jones Day, New York, NY  
*Moderator:*  
Hon. Sheri Bluebond, US Bankruptcy Court for the Central District of California, Los Angeles, CA

12:30 pm – 2:30 pm  
**Secured Creditors Luncheon**  
JW Marriott  
Platinum Ballroom Salon E, Second Level  
**Loan to Own: Distress M&A: How Distressed Debt Investors Utilize the Acquisition of Secured Debt as a Means to Acquire a Target Company in Bankruptcy**  
The distressed company market has become an increasing fertile market place for distressed investors (Hedge and PE Funds) seeking “buy” opportunities. Investors utilize a variety of strategies, including acquisition of secured debt, DIP Financing, plan sponsorship and “stalking horse” agreements in Section 363 sales, to achieve their objectives  
*Sponsors: Business Bankruptcy Committee Secured Creditors Subcommittee Private Equity and Venture Capital Committee*  
*Program Chairs:*  
Susan M. Freeman, Lewis Rothgerber LLP, Phoenix, AZ  
Michael H. Reed, Pepper Hamilton LLP, Philadelphia, PA  
*Moderator:*  
Todd Feinsmith, Pepper Hamilton LLP, Boston, MA  
*Speakers:*  
Ronit Berkovich, Weil Gotshal, New York, NY  
Janet E. Bostwick, Janet E. Bostwick PC, Boston, MA  
Michael Epstein, Deloitte CRG, Deloitte Financial Advisory Services LLP, Boston, MA  
Larry Klaff, Gordon Brothers Credit Partners, Boston, MA  
*Materal Coordinator:*  
Lesley S. Welwarth, Pepper Hamilton LLP, Southfield, MI

3:00 pm – 4:30 pm  
**Task Force Program**  
JW Marriott  
Atrium 2, Third Level  
**UNCITRAL Projects: A Model Law for Recognition of Insolvency Judgments & Other Recent Developments**  
At the Fourth Colloquium held by UNCITRAL in Vienna, Austria, in December 2013, ongoing and future projects were discussed. The UNCITRAL Working Group V (Insolvency) closed meeting, which followed, held similar discussions. At our joint ABA meeting, we will discuss the results and rankings of projects at these meetings, including a Model Law for Recognition of Insolvency Judgments.  
*Speakers:*  
Mette H. Kurth, Arent Fox LLP, Los Angeles, CA  
Richard Pachulski, Pachulski Stang Ziehl & Jones LLP, Los Angeles, CA  
Joshua S. Scherer, Perella Weinberg Partners, New York, NY  
Mark G. Stingley, Bryan Cave LLP, Kansas City, MO  
Teri Stratton, Piper Jaffray & Co, Los Angeles, CA  
*Material Coordinator:*  
W. Adam Coady, Foster Pepper PLLC, Seattle, WA
Sponsor: Business Bankruptcy Committee
UNCITRAL Task Force
International Bankruptcy Subcommittee

Program Chairs:
Christopher Redmond, Husch Blackwell, Kansas City, MO
Prof. Charles D. Booth, Richardson School of Law
University of Hawai’i at Manoa, Honolulu, HI

Speakers:
Hon. Elizabeth Stong, US Bankruptcy Court for the Eastern District
of New York, Brooklyn, NY
Susan Johnston, Weinstein, Pinson & Riley PS, Larchmont, NY
Prof. Edward J. Janger, Brooklyn Law School, Brooklyn, NY

3:00 pm – 4:00 pm  Subcommittee Program
JW Marriott
Diamond Ballroom Salon 7, Fourth Level

No More Ad Lib: The Nuts and Bolts of Ad Hoc Committees
Creditors or equity holders routinely organize as unofficial or "ad hoc"
committees in chapter 11 bankruptcy cases. Rule 2007 contemplates that
the members of a committee organized by creditors before the
commencement of a case may later qualify for appointment as a statutory
committee but, often, such committees choose to remain separate. Unlike
their counterparts under Section 1102 of the Bankruptcy Code, ad hoc
committees are largely unregulated and, as a result, their purpose,
composition and influence remain a regular source of scrutiny and debate.
Recent decisions, however, have started to more closely monitor the role
and function of an ad hoc committee in cases with otherwise active official
committees. This program will discuss the nuts and bolts of ad hoc
committees and focus on the organization, management, costs, disclosure
and ethical issues confronting courts and practitioners. Particular attention
will be given to recent developments in governance, fiduciary duties and
compensation. The panelists will provide a core understanding of these
issues and also discuss how evolving views and practices may affect the
role of ad hoc committees in the future.

Sponsor: Business Bankruptcy Committee
Bankruptcy Committees Subcommittee

Program Chair:
Henry Kevane, Pachulski Stang Ziehl & Jones LLP, San Francisco, CA

Moderator:
Hon. Margaret Mann, US Bankruptcy Court for the Southern District of
California, San Diego, CA

Speakers:
William K. Harrington, US Trustee for Massachusetts, New Hampshire,
Maine and Rhode Island (Region 1), and New York, Connecticut
and Vermont (Region 2)
Edward S. Weisfeler, Brown Rudnick LLP, New York, NY
Andrew I. Sillen, Arten Fox LLP, New York, NY
Mark Shinderman, Milbank Tweed Hadley & McCloy LLP, Los Angeles CA

Materials Coordinators:
Jeffrey T. Kucera, K&L Gates LLP, Miami, FL
Matthew J. Ochs, Holland & Hart LLP, Denver, CO

4:30 pm – 6:30 pm
JW Marriott
Diamond Ballroom Salon 5, Fourth Level
Meeting of the Chairs and Vice-Chairs of Business Bankruptcy
Subcommittees, Working Groups and Task Forces
Working meeting
Committee Chair:
Patricia A. Redmond, Stearns Weaver Miller, Miami, FL

Friday, April 11, 2014

8:00 am – 9:00 am
JW Marriott
Atrium 2, Third Level
Webinars Subcommittee
Working meeting
Subcommittee Chair:
Brooke Schumm III, Daneker McIntire Schumm Prince
Manning & Widemann PC, Baltimore, MD

8:00 am – 9:30 am
JW Marriott
Plaza 2, Third Level
IP and Technology Subcommittee
Working meeting
Subcommittee Chairs:
Hon. Marc L Barreca, US Bankruptcy Court for the
Western District of Washington, Seattle, WA
John R. Knapp, Miller Nash LLP, Seattle, WA

8:30 am – 9:30 am
JW Marriott
Atrium 3, Third Level
Healthcare and Nonprofits in Bankruptcy Subcommittee
Working meeting
Subcommittee Chairs:
Jean R. Robertson, Beck Aluminum Corp, Mayfield Heights, OH
Andrew Troop, Pillsbury Winthrop Shaw Pittman LLP, New York NY

9:00 am – 10:00 am
JW Marriott
Atrium 2, Third Level
Bankruptcy Court Structure and Insolvency Process Committee
Working meeting
Committee Chair:
Hon. Jean FitzSimon, US Bankruptcy Court for the Eastern District
of Pennsylvania, Philadelphia, PA
9:30 am – 11:00 am
JW Marriott
Plaza 1, Third Level
**Business Transactions Subcommittee**
Working meeting
*Subcommittee Chair:* Mark S. Cheh, Skadden Arps Slate Meagher & Flom LLP, Wilmington, DE

10:00 am – 11:00 am
JW Marriott
Atrium 2, Third Level
**Working Group on White Collar Crime, Asset Forfeiture and Business Bankruptcy**
Working meeting
*Sponsors:*
- Bankruptcy Court Structure and Insolvency Process Committee
- Business Bankruptcy Committee
*Working Group Chair:* Prof. Karen M. Gebbia, Golden Gate University School of Law, San Francisco, CA

10:00 am – 12:00 pm
JW Marriott
Diamond Ballroom Salon 7, Fourth Level
**The Model Bankruptcy Code Project**
Working meeting
*Sponsors:*
- Bankruptcy Court Structure and Insolvency Process Committee
- Business Bankruptcy Committee
*Legislation Subcommittee*
*Subcommittee Chair:* Judith Greenstone Miller, Jaffe Raitt Heuer & Weiss PC, Southfield, MI
*Project Chairs:* G. Eric Brunstad, Jr., Dechert LLP, Hartford, CT
Brian K. Gart, Berger Singerman LLP, Fort Lauderdale, FL
*Reporter:* Prof. Samuel Bufford, Penn State Dickenson School of Law, State College, PA

10:30 am – 11:30 am
JW Marriott
Room 331, Third Level
**E-Newsletter Subcommittee**
Working meeting
*Editor-in-Chief:* Marvin Ruth, Lewis Roca Rothgerber LLP, Phoenix, AZ

10:30 am – 11:30 am
JW Marriott
Platinum Ballroom Salon J, Second Level
**Individual Chapter 11 Subcommittee**
Working meeting
*Subcommittee Chair:* William Norton III, Bradley Arant Boult Cummings LLP, Nashville, TN

2:30 pm – 4:00 pm  **Task Force Program**
JW Marriott
Plaza 1, Third Level
**Current Developments**
In this highly popular program, Martin Bienenstock will lead a panel discussion of case law developments in Chapter 11 and other cases in the last six months.
*Sponsor: Business Bankruptcy Committee
*Current Developments Task Force*
*Program Chairs:* Martin J. Bienenstock, Proskauer Rose LLP, New York, NY
Judith Ross, Law Offices of Judith Ross, Dallas, TX
*Moderator:* Martin J. Bienenstock, Proskauer Rose LLP, New York, NY
*Speakers:* Martin J. Bienenstock, Proskauer Rose LLP, New York, NY
Michael R. Enright, Robinson & Cole, LLP, Hartford, CT
Christopher Combest, Quarles & Brady LLP, Chicago, IL
Monique D. Hayes, Genovese Joblove & Battista PA, Miami, FL
Robert B. Milliner, SNR Denton, Chicago, IL
*Materials Coordinators:* Judith Ross, Law Offices of Judith Ross, Dallas, TX

2:30 pm – 4:00 pm
JW Marriott
Platinum Ballroom Salon F&G, Second Level
**Administration and Court Subcommittee**
Working meeting
*Subcommittee Chairs:* Sidney Levinson, Jones Day, Los Angeles, CA
Sandra A. Riemer, Phillips Nizer LLP, New York, NY

3:00 pm – 4:00 pm
JW Marriott
Atrium 2, Third Level
**Pro Bono Services Subcommittee**
Working meeting
*Subcommittee Chair:* Hon. Elizabeth Stong, US Bankruptcy Court for the Eastern District of New York, Brooklyn, NY
3:30 pm – 4:30 pm  
JW Marriott  
Plaza 2, Third Level  
**Publications Subcommittee**  
Working meeting  
*Subcommittee Chair:*  
Prof. Karen M. Gebbia, Golden Gate University School of Law, San Francisco, CA

4:30 pm – 5:30 pm  
JW Marriott  
Plaza 2, Third Level  
**Programs Subcommittee**  
Working meeting  
*Subcommittee Chair:*  
Sharon Z. Weiss, Bryan Cave LLP, Santa Monica, CA

**Saturday, April 12, 2014**

8:30 am – 10:30 am  
JW Marriott  
Atrium 3, Third Level  
**Professional Ethics in Bankruptcy Cases Subcommittee**  
Working meeting  
*Subcommittee Chairs:*  
Andrea Hartley, Akerman Senterfitt, Miami, FL  
Claude Montgomery, Salans, New York, NY

9:00 am – 10:00 am  
JW Marriott  
Platinum Ballroom Salon I, Second Level  
**Government Powers Subcommittee**  
Working meeting  
*Subcommittee Chair:*  
Kevin D. Orr, Jones Day, Washington, DC

9:30 am – 11:00 am  
JW Marriott  
Atrium 2, Third Level  
**Monetization of Claims Working Group**  
Working meeting  
*Sponsor: Bankruptcy Court Structure and Insolvency Process Committee*  
*Working Group Chair:*  
James L. Patton, Young Conaway Startgatt & Taylor LLP, Wilmington, DE

10:00 am – 11:00 am  
Committee Brunch

JW Marriott  
Platinum Ballroom Salon F&G, Second Level  
**Sponsor: Business Bankruptcy Committee**  
**Committee Chair:**  
Patricia A. Redmond, Stearns Weaver Miller, Miami, FL

11:00 am – 1:00 pm  
**CLE PROGRAM**  
JW Marriott  
Diamond Ballroom Salon 1&2, Fourth Level  
**The Appointment of Independent Directors on the Eve of Bankruptcy: Why the Growing Trend?**  
The panel will focus on corporate governance issues with respect to struggling companies, and then examine the growing trend in which companies - near or at the time of insolvency - appoint independent directors to help them navigate difficult situations.  
*Sponsor: Business Bankruptcy Committee**  
**Corporate Governance Subcommittee**  
**Examiners & Trustees Subcommittee**  
**Avoiding Powers Subcommittee**  
**Program Chairs:**  
Regina Stango Kelbon, Blank Rome LLP, Philadelphia, PA  
Rafael X. Zahralddin-Aravena, Elliott Greenleaf, Wilmington, DE  
David Waguespack, Carver Darden Koretzky Tessier Finn Blossman & Arealx LLC, New Orleans, LA  
Judith Ross, Law Offices of Judith Ross, Dallas, TX  
Bruce Borrus, Riddell Williams, Seattle, WA  
Susan M. Freeman, Lewis Roca Rothgerber LLP, Phoenix, AZ  
**Moderator:**  
Regina Stango Kelbon, Blank Rome LLP, Philadelphia, PA  
**Speakers:**  
Former Chief Justice Myron T. Steele, Potter Anderson & Corroon LLP, Wilmington, DE  
Mary E. McCutcheon, Farella Braun + Martel LLP, San Francisco, CA  
Keith Maib, Mackinac Partners LLC, Bloomfield Hills, MI  
Martin Sosland, Weil Gotshal & Manges LLP, Dallas, TX  
**Materials Coordinators:**  
Jeffrey T. Kucera, K&L Gates LLP, Miami, FL  
Matthew J. Ochs, Holland & Hart LLP, Denver, CO

2:00 pm – 3:00 pm  
JW Marriott  
Atrium 3, Third Level  
**Membership Subcommittee**  
Working meeting  
**Subcommittee Chairs:**  
Lisa Sumner, Poyner Spruill, Raleigh, NC  
Mark E. Leipold, Gould & Ratner, Chicago, IL
3:00 pm – 4:00 pm
JW Marriott
Atrium 3, Third Level
Planning Meeting
Working meeting
Committee Chair:
Patricia A. Redmond, Stearns Weaver Miller, Miami, FL

Thank you for joining the Business Bankruptcy Committee at the 2014 Spring Meeting of the ABA Business Law Section. We look forward to seeing you again soon.

Explore the Business Bankruptcy Committee:
https://apps.americanbar.org/dch/committee.cfm?com=CI180000

April 3, 2014 2:00 pm, PST
PAUL R. HAGE is a Partner in the Insolvency & Reorganization Practice Group at Jaffe Raitt Heuer & Weiss, P.C. in Detroit, Michigan. He specializes in representing debtors, secured and unsecured creditors, unsecured creditors' committees, municipalities, asset purchasers and trustees in reorganizations, liquidations and other insolvency proceedings nationwide. Paul earned his Bachelor's degree from James Madison College at Michigan State University and his Juris Doctorate from Loyola University Chicago School of Law. He earned his LL.M. in Bankruptcy from St. John's University School of Law. Paul regularly speaks and writes for a number of organizations including the American Bankruptcy Institute, the American Bar Association, the Norton Institutes on Bankruptcy Law, the State Bar of Michigan and the Turnaround Management Association. Paul is co-chair of the Claims & Priorities Subcommittee for the American Bar Association’s Business Bankruptcy Committee and is a co-editor of the ABA’s Bankruptcy Claims Handbook.

Paul was extremely honored to receive the Heidt award at such a young age. He never had the opportunity to meet Kathryn Heidt, but hopes to follow in her footsteps and continue her legacy as mentor and leader of the ABA. He credits much of his success to the wonderful support and encouragement his Firm provides to its young attorneys which has allowed him to write and publish numerous articles and be an active member of both the ABA and ABI.