March 2015

In This Issue

Programs Sponsored by the Business Bankruptcy Committee at the Business Law Section Spring Meeting

The Kathryn R. Heidt Memorial Award

Submit Articles for the Business Bankruptcy Newsletter

Important Dates

Business Law Section Spring Meeting
April 16-18, 2015
San Francisco, CA
Register Now

Kay Standridge Kress
Chair, Committee on Business Bankruptcy
kressk@pepperlaw.com

Editorial Board

Brett D. Fallon
Editor-in-Chief
Morris James LLP
BFallon@morrisjames.com

Mariaelena Gayo-Guitian
Co-Editor-in-Chief
Genovese Joblove & Battista, P.A.
mguitian@gjb-law.com

Programs Sponsored by the Business Bankruptcy Committee at the Business Law Section Spring Meeting

COMING UP AT THE SPRING MEETING
APRIL 16-18, 2015
SAN FRANCISCO, CA

Thursday, April 16, 2015

10:30 a.m. - 12:30 p.m. Marriott Marquis, Salon 14 & 15, Yerba Buena

CLE Program: Access to Information in Bankruptcy Cases Ballroom, Lower B2 Level

Presented by: Professional Ethics Subcommittee and Litigation Subcommittee

Description:
This program will examine issues frequently arising in the context of asset sales, motions to restrict access to trade secrets, confidential research, development or commercial information, and joint defense agreements including discussion on dealing with scandalous allegations, attorney-client privilege, sealing of court documents, protection of customer information and confidentiality of settlements.

12:30 p.m. - 2:30 p.m. Marriott Marquis, Golden Gate Ballroom B, B-2 Level

Secured Creditors Luncheon: Cutting Edge Issues in Asset Sales

Presented by: Secured Creditors Subcommittee

Description:
The experienced panel of practitioners will discuss recent trends and cutting edge issues affecting bankruptcy sales. The issues will include credit bidding, executory contract assumption in retail bankruptcy cases, and bid procedures. The presentation will provide practice pointers that will assist both experienced bankruptcy lawyers and transactional lawyers.

12:30 p.m. - 2:30 p.m. Marriott Marquis, Salon 10 & 11, Yerba Buena

Chapter 11 Luncheon: Taking it to the Bank: Cramming Up in Ballroom, Lower B2 Level

Chapter 11

Presented by: Chapter 11 Subcommittee

Description:
This program brings together a distinguished faculty of restructuring experts to discuss emerging issues and current developments affecting the right of senior secured creditors in chapter 11 sale and confirmation proceedings. Key discussion topics include make-whole premiums, interest rate issues, credit bidding rights and confirmation strategies.

4:30 p.m. - 6:30 p.m. Marriott Marquis, Golden Gate Ballroom B, B2 Level

Meeting of the Chairs and Vice Chairs of Business Bankruptcy

Subcommittees, Working Groups and Task Forces
7:30 p.m. - 10:00 p.m. 54 Mint, 16 Mint Plaza

Business Bankruptcy Committee Dinner

Friday, April 17, 2015

10:30 a.m. - 11:30 a.m. Marriott Marquis, Foothill F, Second Level

Dealing with Non-Debtor Spouses in Individual Chapter 11 Cases

Presented by: Individual Chapter 11 Subcommittee

Description:
A panel of attorneys will discuss the issues encountered in individual Chapter 11 cases when the debtor's spouse is not a co-debtor in the bankruptcy case. Issues such as privileges, payment of living expenses, and valuation of jointly owned property will be explored.

2:30 p.m. - 4:00 p.m. Marriott Marquis, Sierra 1, Fifth Level

Current Developments in Bankruptcy

Presented by: Current Developments Task Force

Description:
A panel of experienced bankruptcy practitioners will discuss recent developments in bankruptcy law.

4:30 p.m. - 5:30 p.m. Sierra B, Fifth Level

Programs Subcommittee (working meeting)

Saturday, April 18, 2015

8:00 a.m. - 10:00 a.m. Marriott Marquis, Golden Gate Ballroom C2, B2 Level

CLE Program: When Antitrust, Healthcare and Financial Distress Collide: Navigating New Health Delivery Systems and Combinations in the World of Competition and Distress

Presented by: Healthcare and Nonprofit in Bankruptcy Subcommittee

Co-Sponsors: Antitrust Committee, Health Law and Life Sciences Committee, and Government Powers Subcommittee

Description:
The program will discuss the impact of the Affordable Care Act on combinations of similar providers (e.g., two hospitals) and combinations of different kinds of providers (e.g., a hospital and physician group), the economic pressures to combine, antitrust concerns in distressed and non-distressed situations, and proving anticompetitive effect, using the St. Luke's case.

9:00 a.m. - 10:00 a.m. Marriott Marquis, Foothill J, Second Level

Government Powers Subcommittee: Discussion of Recent Cases

Presented by: Government Powers Subcommittee

Description:
Governmental regulatory authorities are involved in virtually all restructuring, both in and out of court. We will provide an update of recent cases concerning the intersection of insolvency law and government powers. Additionally, we will have an open forum to plan our work future work for upcoming meetings.
10:00 a.m. - 11:30 a.m. Marriott Marquis, Golden Gate Ballroom A, B2 Level

Business Bankruptcy Brunch: Who Will Be There To Shut Out the Lights

Presented by: Corporate Governance Committee

Co-Sponsor: Partnerships and Limited Liability Entities in Bankruptcy

Description:

The program will deal with fiduciary duties of directors/members in winding down, dissolving corporations/LLC's, etc., such that they are not subject to any personal liability.

Additional information for the programs, including the program chairs and panelists, will be listed in the ABA materials.

The Kathryn R. Heidt Memorial Award

Please consider nominating a worthy candidate for this prestigious award of honor of a past chair of the Business Bankruptcy Committee. Nominations are due June 30, 2016.

Submit Article 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 Mariaelena Gayo-Guitian at mguitian@gjb-law.com.