“Business Bankruptcy Committee: The World’s Largest Organization of Bankruptcy Restructuring Lawyers” The Business Bankruptcy Committee looks forward to seeing you at the Business Bankruptcy Committee Fall Meeting held in conjunction with the National Conference of Bankruptcy Judges in Las Vegas, Nevada October 8, 2017 to October 10, 2017. We have a dynamite lineup of interesting and informative programs for bankruptcy and business law practitioners.

As a reminder, you can now register for the ABA Business Bankruptcy Committee Fall meeting alone on the ABA website. Register Here

Programs sponsored and co-sponsored by the Business Bankruptcy Committee in conjunction with the 2017 National Conference of Bankruptcy Judges in Las Vegas, Nevada

CLE Programs

Sunday, October 8, 2017 - CLE Programs

3:00 p.m.-5:00 p.m.: Pro Bono in the Digital Age: The Benefits of Technology and Ethical Issues Implicated by its Use

Location: Paris Hotel, Champagne 4

Co-Chairs: Honorable Elizabeth S. Stong, U.S. Bankruptcy Court, E.D.N.Y, Brooklyn, NY
Grace E. Robson, Markowitz Ringel Trusty & Hartog, PA, Fort Lauderdale, FL
Moderator: Honorable Elizabeth A. Stong, U.S. Bankruptcy Court, E.D.N.Y, Brooklyn, NY

Speakers: Warren E. Agin, Analytic Law LLC, Boston, MA
Lois R. Lupica, University of Maine School of Law, Maine Law Foundation Professor of Law, Portland, ME
Freddi Mack, Jones Day, Miami, FL
Jonathan Petts, Upsolve, New York, NY

Program Material Coordinator: Latriece Jones, University of Miami School of Law, Miami, FL

Description: Use of technology and social media, including benefits and risks, including ethical issues regarding attorney competence and other issues that can arise before and during the course of representation of a client.

3:00 p.m.-5:00 p.m.: Securities Law for Bankruptcy Dummies

Location: Paris Hotel, Champagne 2

Program Chair: Henry C. Kevane, Pachulski Stang Ziehl & Jones, LLP, San Francisco, CA
Moderator: Honorable Magdeline Coleman, U.S. Bankruptcy Court, Eastern District of Pennsylvania, Philadelphia, PA

Speakers:
Description: Bankruptcy lawyers frequently encounter securities law issues when confirming a plan of reorganization, yet they often rely on securities law experts to guide the formulation of many critical plan provisions. This program will introduce fundamental securities rules and policies and then explore their application under the Bankruptcy Code. The panel will address the Section 1145 registration "safe harbor," the charter requirements under Section 1123, the requirements for prepackaged plans, the applicability of corporate governance requirements in bankruptcy, and continued public reporting obligations, among many other matters.

Monday, October 9, 2017 - CLE Programs

1:15 p.m.-3:15 p.m.: Chapter 11 Luncheon, Heidt Award Presentation and CLE Program: Who's My Client: The Practice and Ethics of Third Party Financing in Bankruptcy?

Location: Paris Hotel, Vendome A

Co-Sponsoring Committees: Chapter 11 Subcommittee and the Professional Ethics Committee

Ticketed Event, Tickets $90, Available at ABA Registration Desk

Program Co-Chairs: David Fournier, Pepper Hamilton, Wilmington, DE
Richard M. Meth, Fox Rothschild LLP, Morristown, NJ
Rob Charles, Lewis Roca Rothberger Christie, Tucson, AZ

Moderator: Clay Roberts, Genovese Joblove & Battista, P.A., Miami, FL

Speakers:
Justin Brass, Chelsea Grove LLC, New York, NY
Jessica Cino, Georgia State University College of Law, Atlanta, GA
Allan Diamond, Diamond McCarthy, LLP, Houston, TX
Benjamin Finestone, Quinn Emanuel Urquhart & Sullivan, LLP, New York, NY
Hon. Laurel M. Isicoff, United States Bankruptcy Court for the Southern District of Florida, Miami, FL

Description: A distinguished panel will discuss the practice of third party funding in bankruptcy cases along with the ethical issues which might arise as a result of litigation funding. The panel is cosponsored by the Chapter 11 Subcommittee and the Professional Ethics Subcommittee.

3:30 p.m.-5:00 p.m.: Mindful Mediation - The Ways and Means of Successful Bankruptcy Mediation

Location: Paris Hotel, Champagne 3

Program Chair and Moderator: David F. Waguespack, Carver Darden LLC, New Orleans, LA

Speakers:
Peter L. Borowitz, Mediator (Debevoise & Plimpton (Ret.)), Bonita Springs, FL
Arthur J. Gonzalez, Senior Fellow, NYU School of Law, Chief Judge, U.S. Bankruptcy Court, Southern District of New York (retired), New York, NY
Judith W. Ross, Law Offices of Judith W. Ross, Dallas, TX
Description: This program will explore bankruptcy mediation in the context of plan confirmation and mass claims by or against the estate. The panel will discuss Court authority to force parties to mediate, court involvement and mass claims in the mediation process, initiating mediation, when mediation works, techniques that help build consensus, ways to overcome obdurate behavior, evaluation of strengths and weaknesses, brokering a deal, the importance of preparation and the relentless search for pathways to resolution.

Tuesday, October 10, 2017 - CLE Programs

1:15 p.m. - 3:15 p.m.: Secured Credit Luncheon and CLE Program: Single Asset Real Estate Cases on the Horizon - Round 2

Location: Paris Hotel, Concorde C

Ticketed Event, Tickets $90, Available at ABA Registration Desk

Program Chair: Corali Lopez-Castro, Kozyak Tropin & Throckmorton LLP, Coral Gables, FL
Moderator: Eric W. Anderson, Parker Hudson Rainer & Dobbs LLP, Atlanta, GA
Speakers:
James Howard, GlassRatner Advisory & Capital Group LLC, Fort Lauderdale, FL
Hon. Victoria S. Kaufman, United States Bankruptcy Court, Central District of California, Woodland Hills, CA
Kyung S. Lee, Diamond McCarthy LLP, Houston, TX

Description: This panel will provide an overview of the state of real estate and also discuss the next wave of Single Asset Real Estate Cases (office and residential) including trends, secured creditors issues and the new type of investor (domestic and foreign).

3:30 p.m.- 5:00 p.m.: Current Developments

Location: Paris Hotel, Versailles 3-4

Program Chair and Moderator: Martin J. Bienenstock, Proskauer Rose LLP, New York, NY
Speakers:
Christopher Combest, Quarles & Brady LLP, Chicago, IL
Monique D. Hayes, The Hayes Firm PLLC, Miami, FL
Robert B. Millner, Dentons, US LLP, Chicago, IL

Description: A panel of experienced business bankruptcy lawyers from around the country will update attendees on recent developments in areas of particular meaning to practitioners in the insolvency community. This panel has been known to generate lively debate and active audience participation in discussing cutting edge bankruptcy topics.

3:30 p.m. - 5:00 p.m.: ABLJ-ABA Symposium: Giving Colleges a Fresh Start: Using the Bankruptcy Code to Retool Higher Education

Location: Paris Hotel, Rivoli A

Sponsoring Committee: The American Bankruptcy Law Journal and ABA Business Bankruptcy Committee

Program Co-Chairs: Honorable Colleen A. Brown, United States Bankruptcy Court, District of Vermont, Burlington, VT
Honorable Melvin S. Hoffman, United States Bankruptcy Court, District of Massachusetts, Boston, MA
Moderator: Karen Gross, Washington, DC
Speakers:
Dalie Jimenez, University of Connecticut School of Law, Associate Professor of Law, Hartford, CT
Robert Rasmussen, USC Gould School of Law, J. Thomas McCarthy Trustee Chair in Law and Political Science, Los Angeles, CA
Matthew Bruckner, Howard University School of Law, Assistant Professor of Law, Washington, DC

Description: The Annual Symposium features a series of presentations by distinguished bankruptcy academics. This year's program will explore the eroding financial stability of higher educational institutions and the potential means by which to address this crisis through reorganization under the Bankruptcy Code. Four bankruptcy scholars will present the results of their research and engage in a dialogue on a myriad of topics related to the innovative use of Chapter 11 to improve higher education in this country. Each scholar will publish complete research findings and recommendations in a special issue of the American Bankruptcy Law Journal to be published in early 2018.

GENERAL PROGRAMS

Monday, October 9, 2017 - General Programs

7:30 a.m.-8:30 a.m.: Small Business Subcommittee Meeting - Small Business Debtor Provisions in Chapter 11- What is Working and What is Not?

Location: Paris Hotel, Concorde A3

Subcommittee Co-chairs: Jeffrey Bast, Bast Amron LLP, Miami, FL
Janet E. Bostwick, PC, Boston, MA
Moderator: Jeffrey Bast, Bast Amron LLP, Miami, FL
Speakers: Janet E. Bostwick, Janet E. Bostwick, PC, Boston, MA
Susan Sefflin, Brutzkus Gubner Rozansky Seror Weber LLP, Woodland Hills, CA

Description: More than 12 years has passed since BAPCPA changed the "small business debtor" provisions and made them mandatory for certain business debtors. So what have we learned since that change - both from court decisions and practical experience? An experienced panel of business bankruptcy practitioners will discuss the case law and developments regarding "Small Business Debtors" and how the provisions work both under the law and in practice.

Tuesday, October 10, 2017 - General Programs

7:30 a.m. - 8:45 a.m.: Health Care and Non-Profit Subcommittee Meeting - Cyber-Attack: Zombies, Data and Hospitals. What Do You Do in a Hospital Bankruptcy?

Location: Paris Hotel, Concorde A3

Program Co-Chairs: Leslie A. Berkoff, Moritt Hock & Hamroff LLP, New York, NY
Andrew Troop, Pillsbury Winthrop Shaw Pittman LLP, New York, NY
Moderator: Natasha Songonuga, Gibbons, Wilmington, DE and Newark, NJ
Speakers: Leslie A. Berkoff, Moritt Hock & Hamroff LLP, New York, NY
Brian E. Finch, Pillsbury Winthrop Shaw Pittman LLP, Washington, DC
Fabio Recine, Computershare, New York, NY

Description: The risk that protected patient data, credit card information, or financial records may be improperly disclosed or that critical medical devices may be hacked during a bankruptcy is real. This meeting explores preventing and dealing with data breaches, and transferring data and assets, when healthcare, cybersecurity, and bankruptcy are involved.

4:30 p.m. - 5:30 p.m.: Individual Chapter 11 Subcommittee Meeting -
Understanding Tax Requirements for Individuals in Chapter 11

Location: Paris Hotel, Concorde A5

Program Co-Chairs: Bill Norton III, Bradley Arant Boult Cummings, Nashville, TN
Eric Perkins, Deutsch, Mulvaney & Carpenters, Ridgewood, NJ

Moderator: Bill Norton III, Bradley Arant Boult Cummings, Nashville, TN

Speaker: James Kelley, Neal & Harwell, Nashville, TN

Description: Jim Kelley will review the many and often uncertain tax regulations and issues facing individual debtors and their counsel in Chapter 11 cases.

MEETINGS

Sunday, October 8, 2017

3:30 p.m.-5:30 p.m.: Chairs & Vice Chairs Committee Meeting
Location: Paris Hotel, Concorde C
Presented by: Business Bankruptcy Committee

Monday, October 9, 2017

7:30 a.m.-8:30 a.m.: Administration and Courts Subcommittee Meeting
Location: Paris Hotel, Concorde A4
Presented by: Business Bankruptcy Committee

7:30 a.m. -8:45 a.m.: International Bankruptcy Subcommittee
Location: Paris Hotel, Concorde A1
Presented by: Business Bankruptcy Committee

7:30 a.m. -8:30 a.m.: Small Business Subcommittee Meeting
Location: Paris Hotel, Concorde A3
Presented by: Business Bankruptcy Committee

7:30 a.m. -8:45 a.m.: Claims & Priorities/Insurance/Mass Torts and Environmental Claims Joint Subcommittee Meeting
Location: Paris Hotel, Concorde A2
Presented by: Business Bankruptcy Committee

7:30 a.m. -9:00 a.m.: E-Newsletter Subcommittee Meeting
Location: Paris Hotel, Champagne 4
Presented by: Business Bankruptcy Committee

8:45 a.m.-9:45 a.m.: Electronic Discovery (ESI) in Bankruptcy Cases Subcommittee Meeting
Location: Paris Hotel, Concorde A2
Presented by: Bankruptcy Court Structure and Insolvency Process

9:45 a.m. -10:45 a.m.: Monetization Subcommittee Meeting
Location: Paris Hotel, Concorde A2
Presented by: Bankruptcy Court Structure and Insolvency Process

10:30 a.m.-11:30 a.m.: Asset Forfeiture and Bankruptcy/White-Collar and Business Bankruptcy Initiative Joint Subcommittee Meeting
Location: Paris Hotel, Concorde A3
Presented by: Bankruptcy Court Structure/White-Collar and Business Bankruptcy Initiative Joint Subcommittee Meeting

4:30 p.m. - 5:30 p.m.: Trustees and Examiners Working Meeting
Location: Paris Hotel, Concorde A1
Presented by: Business Bankruptcy Committee

Tuesday, October 10, 2017
7:30 a.m. - 8:45 a.m.: *Rules Subcommittee & Claims Trading Joint Subcommittee Meeting*
Location: Paris Hotel, Concorde A2
Presented by: Business Bankruptcy Committee

7:30 a.m. - 8:30 a.m.: *Bankruptcy Committee Subcommittee and Professional Ethics Subcommittee Joint Meeting*
Location: Paris Hotel, Concorde A1
Presented by: Business Bankruptcy Committee

8:45 a.m. - 9:45 a.m.: *Publications Subcommittee Meeting*
Location: Paris Hotel, Concorde A2
Presented by: Business Bankruptcy Committee

9:00 a.m. - 10:00 a.m.: *IP & Technology Subcommittee Meeting*
Location: Paris Hotel, Concorde A1
Presented by: Business Bankruptcy Committee

9:00 a.m. - 10:00 a.m.: *Ethics of Law Firm Dissolution and Bankruptcy Subcommittee Meeting*
Location: Paris Hotel, Concorde A3
Presented by: Business Court Structure and Insolvency Process

3:30 p.m. - 4:30 p.m.: *Financial Insolvency Legislation Subcommittee Meeting*
Location: Paris Hotel, Concorde A5
Presented by: Business Court Structure and Insolvency Process

3:30 p.m. - 4:30 p.m.: *Programs Subcommittee Meeting*
Location: Paris Hotel, Concorde A6
Presented by: Business Bankruptcy Committee

3:30 p.m. - 4:30 p.m.: *Model Code Project Business Subcommittee Meeting*
Location: Paris Hotel, Concorde A2
Presented by: Business Court Structure and Insolvency Process

4:30 p.m. - 5:30 p.m.: *Model Code Project Consumer Subcommittee Meeting*
Location: Paris Hotel, Concorde A6
Presented by: Business Court Structure and Insolvency Process

5:00 p.m. - 6:00 p.m.: *Bankruptcy Court Structure and Insolvency Process Committee Meeting*
Location: Paris Hotel, Concorde A2
Presented by: Business Court Structure and Insolvency Process

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 Co-Editor-in-Chief Krista L. Kulp at kkulp@moritthock.com.

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