



Summary

Fees

Agenda

Speakers

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Agenda for Attendees Needing CPE

CPE provided by Armstrong & Associates
International DBA American College of
Bankruptcy

🕒 Viewing in Mountain Time **Adjust**

March 31, 2022

> **Foundation Board of Directors Meeting**

3:30 PM-5:30 PM MT

The American College of Bankruptcy is having its annual Induction Ceremony for new Fellows and a two-day conference for all Fellows of the College on bankruptcy and related topics. We offer dynamic panels on:

Friday, April 1:

2:15-4:15pm: DEI/ESG - and the advantage firms have on adopting these principles (Requesting two hours of ethics credit)

4:30-5:30pm: Lessons Learned from bankruptcies in the Continuing Care Retirement Community (Requesting one-hour general bankruptcy credit.)

Saturday, April 2

9:00-10:00am: A judges roundtable on a potpourri of current caselaw controversies, developments, and trends (Requesting one-hour general bankruptcy credit.)

10:15-11:15am: Strategy and Gamesmanship in Bankruptcy: A panel studying The Bankruptcy Code which contains a number of technical requirements that apply both at the beginning and the end of the case, and the strategy required to pursue them (Requesting one-hour general bankruptcy credit.)

11:30am-12:30pm: A panel on Third Party Releases and whether we are facing a backlash (Requesting one-hour general bankruptcy credit.)

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> **President's Reception (Leadership, International Fellows, Distinguished Students)**

6:00 PM-7:00 PM MT

April 1, 2022

> **College Board of Directors Meeting**

8:00 AM-11:30 AM MT

> **Circuit Luncheons-Offsite**

12:00 PM-2:00 PM MT

> **ELIMINATION OF BIAS PANEL The Compelling Business Case for ESG and DEI – Why Adopting Firms Have a Competitive Advantage: 2.4 CPE credits (Regulatory Ethics)**

2:15 PM-4:15 PM MT

> **Break**

4:15 PM-4:30 PM MT

> **Look Before You Leap: Lessons Learned From CCRC Bankruptcies: .9 CPE Credits (Business Law)** 4:30 PM-5:15 PM MT

> **Induction Ceremony for Class 33, Includes Reception and Dinner** 6:30 PM-10:30 PM MT

April 2, 2022

> **New Fellows Orientation Breakfast** 7:30 AM-8:30 AM MT

> **Judicial Outreach Committee Meeting** 7:45 AM-8:45 AM MT

> **Senior Fellows Committee Meeting** 7:45 AM-8:45 AM MT

> **Continental Breakfast** 7:45 AM-9:00 AM MT

> **Judges' Roundtable: 1.2 CPE Credits (Business Law)**

9:00 AM-10:00 AM MT

Break

10:00 AM-10:15 AM MT

> **Strategy and Gamesmanship in Bankruptcy: Incompatible or Part of the Process? .9 CPE credits (Business Law)**

10:15 AM-11:15 AM MT

Break

11:15 AM-11:30 AM MT

> **Third Party Releases: Are We in For a Backlash? 1.2 CPE credits (Business Law)**

11:30 AM-12:30 PM MT

> **All Fellows Luncheon**

1:00 PM-2:30 PM MT

> **Bankruptcy Archives Committee Meeting**

2:30 PM-4:00 PM MT

> **DEI Commission and Committee Meeting**

2:30 PM-4:00 PM MT

> **Education and Meetings Committees Meeting**

2:30 PM-4:00 PM MT

> **Board of Regents Meeting**

2:30 PM-4:00 PM MT


> **Pro Bono Committee Meeting**

2:30 PM-4:00 PM MT

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The American College of Bankruptcy is having its annual Induction Ceremony for new Fellows and a two-day conference for all Fellows of the College on bankruptcy and related topics. We offer dynamic panels on:

- DEI/ESG - and the advantage firms have on adopting these principles
 - What is ESG? Integration of ESG factors into investment analysis, processes, and decision-making
 - Drill down on DEI on why it matters and what it means: Women and people of color are the majority of law students today and they are placing increasing emphasis on DEI when making career choices
 - How ESG Is Driving Massive Market Investment Decisions
 - McKinsey has been researching the returns on investing in diversity for years and has found that those companies with the highest levels of gender and racial/ethnic diversity in management outperform those with the lowest levels.
- Lessons Learned from bankruptcies in the Continuing Care Retirement Community
 -  covid-19-aging-essay-rappaport.pdf
- Judges Roundtable Panel: A judges roundtable on a potpourri of current caselaw controversies, developments, and trends
 - Guide to the Small Business Reorganization Act
 - Supplement to the Guide to the Small Business Reorganization Act
 - GYPC Case 17-30130
 - Projected Disposable Income in Sub V cases by Judge Paul Bonapfel
- A panel on Third Party Releases
 - *Protective Comm. v. Anderson*, 390 U.S. 414 (1968); Code § 1123(b)(3)(A)
 - *See, e.g., In re Munford, Inc.*, 97 F.3d 449 (11th Cir. 1996)
 - *Compare, e.g., In re Indianapolis Downs, LLC*, 486 B.R. 286 (Bankr. D. Del. 2013) (yes), with *In re Emerge Energy Servs. LP*, 2019 WL 7634308 (Bankr. D. Del. Dec. 5, 2019) (no)
- Strategy & Gamesmanship Panel: A panel studying The Bankruptcy Code which contains a number of technical requirements that apply both at the beginning and the end of the case, and the strategy required to pursue them
 - Re: Vortex Fishing Systems, Inc
 - Montana Department of Revenue v. Blixeth
 - Re Transwest Resort Properties 881

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- DEI/ESG - and the advantage firms have on adopting these principles
- Lessons Learned from bankruptcies in the Continuing Care Retirement Community
- A judges roundtable on a potpourri of current caselaw controversies, developments, and trends
- A panel on Third Party Releases
- A panel studying The Bankruptcy Code which contains a number of technical requirements that apply both at the beginning and the end of the case, and the strategy required to pursue them

Panel 1: The Compelling Business Case for ESG and DEI – Why Adopting Firms Have a Competitive Advantage

Jack Birch, Birch Lake Holdings

One of the most highly regarded dealmakers and thought leaders in the restructuring, corporate reorganization and M&A communities, Jack has been credited as one of the principal architects of restructuring solutions for dozens of companies across a diverse range of industries, including Delphi Corporation, Kmart Corporation, Masonite International, Inc., Per-Se Technologies, Inc., Rite Aid Corporation, Sprint Corporation, Warnaco Group, Inc., Xerox Corporation and on behalf of creditors in the American Airlines' reorganization and merger with US Airways Group, Inc. He co-founded the corporate restructuring practice at Skadden, Arps, Slate, Meagher & Flom LLP, where he was a practice leader for twenty-three years and previously served on the executive leadership team at Hilco Global. Jack's recent transactions at Birch Lake include leadership of merchant banking relationships in the food, consumer electronics, legal tech and transportation industries, among others. Jack is a member of the M&A Advisor Hall of Fame and the Turnaround, Restructuring and Distressed Investing Industry Hall of Fame. He is a recipient of the Ellis Island Medal of Honor, which is awarded to Americans who exemplify outstanding qualities in both their personal and professional lives. In 2016, Jack received the Harvey R. Miller Outstanding Achievement Award for Service to the Restructuring Industry and he and his family were honored with the Anti-Defamation League's Jerold S. Solovy Freedom Award. A founder and past chairman of the Turnaround Management Association, Jack has served in leadership positions for many other industry organizations, including the American Bankruptcy Institute, American Board of Certification, Commercial Finance Association and its Education Foundation, INSOL International and New York Institute of Credit. He is also a Fellow in the American College of Bankruptcy and International Insolvency Institute. Jack received an A.B. from Princeton University and a J.D. from the University of Michigan Law School. In addition to serving in leadership positions with numerous civic and charitable organizations, he officiated high school and college football for many years and is a lifetime member of the American Football Coaches Association.

David Curran - Speakers

Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York

Dave Curran is Co-Chair of the Sustainability and Environmental, Social and Governance (ESG) Advisory Practice and Executive Director of the ESG and Law Institute. He is responsible for continuing to develop and promote the firm's ESG practices. In this role, he also works with the firm's lawyers to lead its Sustainability and ESG Advisory Practice Group. Dave is a recognized leader in helping complex organizations build resilience. In addition to his work in the ESG space, he has more than 30 years of experience in legal, technology, compliance, risk and ethics roles. Dave has led many popular Thought Leadership conversations with senior executives on a variety of topics where business and technology intersect with the legal, compliance and risk ecosystems, including Transforming Law, Big Data, #MeToo and many others. Dave began his career as a media trial and appellate lawyer before moving to senior in-house legal, compliance and regulatory affairs positions. He was previously Senior Vice President and Chief Business

Officer at FiscalNote, a legal AI/technology company, and held senior business and legal leadership roles with Thomson Reuters, IntraLinks, Integrity Interactive, Havas, Vertis and Campbell Soup Company. Dave serves as co-chair of the New York State Bar Association's ESG Committee, which aims to educate and engage New York lawyers, law students and faculty on ESG practices and developments through thought leadership and robust educational programs.

Hon. Jeffery P. Hopkins - Moderators

U.S. Bankruptcy Court, Cincinnati

PROFESSIONAL EXPERIENCE U.S. BANKRUPTCY COURT, CINCINNATI, OHIO U.S. Bankruptcy Judge, April 1996 - present U.S. ATTORNEY'S OFFICE, COLUMBUS, OHIO Chief, Civil Division, March 1993 - March 1996 Assistant U.S. Attorney, October 1990 - March 1993 Litigation concerning all federal programs agencies. SQUIRE, SANDERS & DEMPSEY, COLUMBUS, OHIO Associate: Labor/Litigation/Corporate Departments, 1987 -1990 SENIOR LAW CLERK TO U.S. CIRCUIT JUDGE, COLUMBUS, OHIO Law Clerk - Honorable Alan E. Norris, Ohio Court of Appeals, 1985 Elevated to Sixth Circuit Clerk upon Judge Norris' appointment to the U.S. Court of Appeals for the Sixth Circuit, 1986-1987 PROFESSIONAL ACTIVITIES JUDICIAL CONFERENCE OF THE UNITED STATES JUDICIAL BRANCH COMMITTEE, Washington, D.C. Appointed by Chief Justice John G. Roberts, Jr., 2009 – present JUDICIAL CONFERENCE OF THE UNITED STATES ADVISORY COMMITTEE ON BANKRUPTCY RULES, Washington, D.C. Appointed by Chief Justice John G. Roberts, Jr., 2007 – 2009 AMERICAN BAR ASSOCIATION BUSINESS BANKRUPTCY COMMITTEE SUBCOMMITTEE ON RULES Vice-Chair, 2008-present AMERICAN BANKRUPTCY INSTITUTE Director and Co-Chair of Legislative Committee, 2008-2009 AD HOC COMMITTEE ON FEDERAL JUDICIAL SALARIES, Washington, D.C. Appointed by Chief Justice John G. Roberts, Jr., 2007 – 2009 FEDERAL JUDICIAL CENTER'S ADVISORY COMMITTEE ON BANKRUPTCY JUDGE EDUCATION, Washington, D.C. Appointed by Chief Justice William H. Rehnquist, 2003; Reappointed by Chief Justice John G. Roberts, Jr., 2005 – 2009 MEMBERSHIPS • American College of Bankruptcy, Fellow, 2009-present • American Law Institute, Member, 2009-present • Past President, National Conference of Bankruptcy Judges, 2007 • Board of National Conference of Bankruptcy Judges, 2002-2005 • Moritz College of Law National Council, 2004-present • Board of Trustees, Mount St. Joseph College, Cincinnati, Ohio, 1998-

Laurel Myerson Isicoff

UNITED STATES BANKRUPTCY JUDGE

CURRENT POSITION

U.S. Bankruptcy Court
301 North Miami Avenue
Room 817
Miami, FL 33128
USA

Tel: 305-714-1752

Fax: 305-714-1759

Email: laurel_m_isicoff@flsb.uscourts.gov

CLASS: XVII (2006) CIRCUIT: ELEVENTH

EDUCATION

Barnard College, New York, New York, B.A., *cum laude* (1978)

New York University School of Law (1979-80)

University of Miami School of Law, J.D., *cum laude* (1982)

PROFESSIONAL CAREER

Shareholder, Kozyak Tropin & Throckmorton (1992-06)

Associate, Squire Sanders & Dempsey (1984-91)

Judicial Clerk, Hon. Daniel S. Pearson, Florida 3rd District Court of Appeal (1982-84)

AFFILIATIONS

The Florida Bar (1982)

American Bankruptcy Institute (2001)

Bankruptcy Bar Association of the Southern District of Florida, Past President (1985)

Dade County Bar Association (1984)

Florida Association of Women Lawyers, Former Director (1984)

Cuban American Bar Association (2002)

Gwen S. Cherry Black Women Lawyers Association (2004)

University of Miami, Iron Arrow Honor Society (2002)

11th Circuit Court of Appeals (1992)

Southern District of Florida (1984)

Middle District of Florida (1985)

National Conference of Bankruptcy Judges

PUBLICATIONS

"Clogging and Workouts A Brief Overview," The Florida Bar Business Section 1997

"Consensual Use of Cash Collateral, A Practical View," Southeastern Bankruptcy Law Institute 2004

"Surrender, Redeem or Reaffirm- A Brief Overview of the Chapter 7 Requirements," *Behind the Bench*, Vol. 13, Issue 2 June 2006

"Securitized Residential Loans in Bankruptcy," Franklin and Nealon Co-author (with Charles W. Throckmorton)

"Mortgage and Asset Backed Securities Litigation Handbook," West 2009

"Credit Card Transfers, Preferences or Protected: Survey of a Failed Challenge," *5 Fla. Int'l. U. L. Rev.* 123 2009 Author with Terry Ryan

AWARDS

Bankruptcy Bar Association of the Southern District of Florida, Second Annual President's Pro Bono Award (2001)

University of Miami Law Women Honoree, Women Who Make a Difference: "Spirit of Service" (2002)

Listed in *Best Lawyers in America*, (2002-06)

South Florida Legal Guide Published by Florida Media Affiliates, Voted one of the Top Lawyers in South Florida (Bankruptcy) (2004-06)

Voted one of *Florida's Trends*, Florida's Legal Elite (Bankruptcy) (2005)

Listed in Chambers USA *Client's Guide* Chambers & Partners Bankruptcy, America's Leading Lawyers for Business (2005)

Recipient of Trail Blazer Award, Committee of One Hundred (2006),

Recipient of Mattie Belle Davis Award, Florida Association of Women Lawyers (Miami-Dade Chapter), (2006)

Recipient of Breaking the Glass Ceiling Award, Jewish Museum of Florida, (2010)

Recipient of the Devorah Award, Miami Jewish Legal Society

Danyale Price - Speakers

Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York

Danyale Price is the Chief Inclusion Officer at Paul, Weiss. She is responsible for continuing to develop and promote all diversity and inclusion practices across the firm, while ensuring that these principles and values are reflected in our client work, policies and daily interactions.

Anne Weisberg - Speakers

Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York

Anne Weisberg is Director of the Women's Initiative at Paul, Weiss, Rifkind, Wharton & Garrison, LLP, where she is responsible for designing and implementing a gender strategy that fosters a high performing, inclusive work environment for all. She is also an adjunct professor of management at the NYU Stern School of Business, where she teaches a course on inclusive leadership. Anne joined Paul Weiss from the Families and Work Institute, where she conceived and directed three reports: Family Matters: The Business Case for Investing in the Transition to Parenthood; Modern Families: Same-sex and Opposite-sex Couples Negotiating at Home; and Leadership in Today's Economy: The View of Pipeline Leaders. She was one of five leaders invited to dine at the Pentagon with the Secretary of Defense to advise him on the Force of the Future Initiative. Anne has also worked at BlackRock on an award-winning women's leadership program that is the subject of a Harvard Business School case study. She joined BlackRock from Deloitte, where she co-authored *Mass Career Customization: Aligning the Workplace to Today's Nontraditional Workforce* (Harvard Business Press, 2007) that coined the phrase "corporate lattice." Anne also managed the Deloitte Women's Initiative, helping to close the gender gap in turnover and advance women into leadership. Anne joined Deloitte from Catalyst, the preeminent non-profit working to advance women in business, where she directed *Women in Law: Making the Case*, and advised law firms and other clients on gender strategies. Anne, a cum laude graduate of Harvard Law School, has practiced law and written extensively on the

topic of women and the workforce, including a New York Times op-ed titled “What Flying Nannies Won’t Fix” about workplace culture and co-authoring What Every Working Mother Needs to Know (Doubleday, 1994). She and her husband reside in New York and have five children between them.

Danyale Price - Speakers

Paul, Weiss, Rifkind, Wharton & Garrison LLP, New York

Danyale Price is the Chief Inclusion Officer at Paul, Weiss. She is responsible for continuing to develop and promote all diversity and inclusion practices across the firm, while ensuring that these principles and values are reflected in our client work, policies and daily interactions.

Bettina Whyte - Speakers

Bettina Whyte Consultants, LLC. Jackson, WY

Bettina M. Whyte serves as Independent Director of the Company. She has been the president and owner of Bettina Whyte Consultants, LLC since 2015. Ms. Whyte served as a managing director and senior advisor at Alvarez and Marsal Holdings, LLC, a world-wide business consulting firm, from 2011 to 2015. She has served as an interim CEO and crisis manager of numerous billion dollar corporations and has been instrumental in the debt restructuring of Puerto Rico. Ms. Whyte has served as a director of Amerisure Insurance since 2002, and she serves as a trustee of the National Museum of Wildlife Art of the United States. Ms. Whyte’s roles in the financial and operational restructuring of complex international and domestic businesses, her service as an executive of numerous troubled multinational public and private companies and her past service as a director of other public companies provide her with broad experience with financial and operational issues, as well as with governance issues.

Panel 2: Look Before You Leap: Lessons Learned From CCRC Bankruptcies

Daniel Bleck - Speakers

Mintz, Boston

Dan’s practice focuses on representing institutional investors, lenders and creditors in financial restructurings, litigation, and creditors’ rights. Dan is predominately known for his representation of bondholders, bond trustees and other creditor groups in various distressed continuing care retirement communities and health care related entities nationwide. In addition, Dan has a broad practice in representing distressed tax-exempt debt holders in a number of other sectors ranging from hospitality and manufacturing to clients in distressed acquisitions and divestitures. Dan is highly regarded for his client service and favorably recognized as one of today’s leading financial restructuring lawyers by key industry publications. He has lectured on legal and technical matters within the municipal and restructuring fields and also serves on boards and committees for both charitable and bankruptcy-related organizations.

Richard Carmody - Speakers

Adams and Reese, Birmingham

Richard Carmody has practiced law for more than 40 years, has a nationwide reputation for solid counsel in the field of insolvency law (C&I) and secured lending, and has a network of referral sources that he has developed throughout his career. Richard is one of the firm's principal bankruptcy attorneys, representing clients in difficult financial matters. He also provides counsel to lenders for complex commercial transactions and internal policies. In 1992, Richard became the first lawyer in Alabama to become certified as a specialist in Business Bankruptcy by the American Board of Certification. On the state level, Richard helped establish and served as the first chair of the Alabama State Bar section on bankruptcy and commercial law, and he is a member of the Alabama Law Institute's committees for revision of the UCC (Articles 3, 4, 4A, 5 and 9). Nationally, Richard is a founding member of the American Bankruptcy Institute, and he established and served as co-chair of the ethics committee of the ABI (1999-2005). Additionally, he served as vice chair of the ABI's 2013 Task Force for Ethical Standards. Richard was inducted as a Fellow in the American College of Bankruptcy in 1999 and currently serves as a director of the college foundation and member of the foundation's pro bono committee. He is a frequent writer and lecturer on bankruptcy and commercial law topics. In 2017, the Alabama State Bar presented Richard with the Albert L. Vreeland Pro Bono Award.

James Feltman - Speakers

Kroll, Miami, FL

James (Jim) Feltman is a managing director in the Restructuring Advisory practice. His practice is focused on providing fiduciary, advisory consulting and expert witness testimony in the areas of insolvency, restructuring, money laundering, Ponzi schemes, asset tracing and recovery, accounting and financial statement reporting issues, causes of action against officers, directors and third parties, securities fraud, misrepresentation, and hedging and trading in complex securities schemes. Based in New York, Jim has more than 30 years of experience in a broad range of litigation, forensic and investigative services. He has substantial experience leading cross-border forensic and investigative engagements on behalf of U.S. and foreign government agencies and is an established expert in determining the underlying fact pattern, establishing liability and determining damages in myriad engagements. Jim has served as an appointed fiduciary with a branch of the United States Department of Justice spanning nearly 30 years. He has been appointed as an advisor by both Federal (U.S. District and U.S. Bankruptcy) and State Courts, served as an arbitrator and mediator and has been appointed as a Monitor by the U.S. Federal Trade Commission (FTC). Recently, Jim was named a Top 25 Consultant in the "Excellence in Client Service" category for 2015 by Consulting Magazine. Prior to joining Kroll, Jim had over two decades of experience with Big 4 Accounting firms, and was previously a partner at Mesirow Financial, Arthur Andersen LLP and KPMG LLP. Jim earned a M.P.S. from Cornell University and a B.A. from the University of Wisconsin, Madison. He is a Certified Public Accountant.

Demetra Liggins - Speakers

McGuire Woods, Houston

Demetra has nearly two decades of experience in business finance and restructuring for a variety of large and small public and private companies. As a trusted business advisor, Demetra partners with her clients to identify and achieve their goals in the bankruptcy process, navigating through complex corporate reorganizations and distressed acquisitions. Demetra has led many representations of bankruptcy clients, working on both in-court and out-of-court restructurings. A thoughtful and creative problem solver, she is highly regarded for her ability to quickly and efficiently help clients assess the effects of a bankruptcy on their corporate and financial transactions. Demetra works with her clients to purchase and sell assets in distressed situations, secure financing, and negotiate structure and implement cash collateral orders and debtor-in-possession financing agreements. Her clients include health care systems, retail corporations, financial institutions, oil and gas companies, partnerships, and private-equity funds, among others. Demetra is a frequent speaker on bankruptcy and finance-related topics, in addition to speaking on career goals, branding, and mentorship to minority and female audiences ranging from established professionals to students. EXPERIENCE Representation of the debtor, a senior living facility, in the U.S. Bankruptcy Court for the Southern District of Texas. Representation of the debtor, an upstream oil and gas exploration company and affiliates, in *In re: Approach Resources Inc. et al*, as lead counsel in connection with relief under Chapter 11 of the Bankruptcy Code due to, among other things, the prolonged and continuing period of commodity price decline and subsequent volatility. Representation of the official unsecured creditors' committee in *In re: Nuvectra Corporation*, in the U.S. Bankruptcy Court for the Eastern District of Texas. Representation of the debtor, a senior living facility, in *In re Senior Living Center at Corpus Christi, Inc. d/b/a Mirador*, in the U.S. Bankruptcy Court for the Southern District of Texas, as lead counsel and responsible for formulating a pre-negotiated plan resulting in sale approval and confirmation within 65 days of case filing. Representation of the agent for the primary secured creditors in *In re III Exploration II, LLP*, in the U.S. Bankruptcy Court for the District of Utah; debtor was an oil and gas exploration company.

Richard Mikels - Speakers

Pachulski Stang Ziehl & Jones, Boston

Mr. Mikels has extensive experience in commercial law, workouts, and reorganizations. He is known for representing significant debtor companies (both in chapter 11 and in out-of-court workouts), but also represents creditors' committees, boards of directors, insurance companies, hedge funds, claims traders, and acquirers of businesses. Mr. Mikels served as an adjunct professor at Boston University School of Law for nine years. He has been listed in Chambers USA since 2003, Best Lawyers in America for Bankruptcy and Creditor Debtor Rights / Insolvency and Reorganization Law and Litigation - Bankruptcy since 1983, and Massachusetts Super Lawyers since 2004. Best Lawyers named him Bankruptcy and Creditor-Debtor Rights Lawyer of the Year in 2010 and Bankruptcy Lawyer of the Year in 2013. In 2004, Boston University awarded Mr. Mikels the Silver Shingle Award for Distinguished Service to the School of Law. He also holds an AV Preeminent Peer Rating, Martindale-Hubbell's highest rating for ethical standards and legal ability. He has been ranked as a "star performer" in Chambers for Massachusetts from 2008 through 2016, and is currently listed in New York and nationally. He

was listed by Lawdragon as one of the 2020 "Lawdragon 500 Leading Global Restructuring & Insolvency Lawyers."

Panel 3: Judges' Roundtable

Hon. Paul Bonapfel - Speakers
U.S. Bankruptcy Court, Atlanta

Honorable Paul W. Bonapfel has been a United States Bankruptcy Judge for the Northern District of Georgia since 2002. Prior to his appointment, he practiced law in Atlanta, Georgia, with the law firm of Lamberth, Bonapfel, Cifelli & Stokes, P.A., now known as Lamberth, Cifelli, Stokes, Ellis & Nason, P.A. As an attorney, Judge Bonapfel represented all types of parties in both business and consumer bankruptcy cases, including consumer and business debtors in liquidation cases, business debtors in reorganization cases, chapter 7 and 11 bankruptcy trustees, creditors' committees, and creditors in both consumer and business cases. Judge Bonapfel received his B.A. cum laude in government from Florida State University in 1972 and his J.D. magna cum laude from the University of Georgia School of Law in 1975, where he was Notes Editor of the Georgia Law Review. He was a judicial law clerk for United States District Judge Wilbur D. Owens, Jr., in Macon, Georgia. A fellow of the American College of Bankruptcy, Judge Bonapfel has served as chairperson of the Bankruptcy Sections of the State Bar of Georgia and the Atlanta Bar Association. He was also a director, and is a former president, of the Southeastern Bankruptcy Law Institute, a non-profit organization, which presents an annual seminar on bankruptcy law and procedure. Judge Bonapfel has lectured at numerous continuing legal education seminars. He is a co-author, with Judge W. Homer Drake, Jr., and Adam Goodman, of Chapter 13 Practice and Procedure (Thomson/West).

Hon. Catherine Furay - Speakers
U.S. Bankruptcy Court, Madison

EDUCATION University of Wisconsin - Madison, J.D. (1978-80) University of Wisconsin - Stout, M.S. (1974-75) University of Wisconsin - Eau Claire, B.A. (1970-74) PROFESSIONAL CAREER Chief Judge, United States Bankruptcy Court for the Western District of Wisconsin (January 2013 to present) AFFILIATIONS National Conference of Bankruptcy Judges, Board of Governors (2015-18); Technology Committee (2013-16); NextGen Committee (2013-15); Finance Committee (2014-); Elections Committee (2018-19); E-Learning Committee (2017 --) (2013 to present) Turnaround Management Association, Author: Body of Knowledge-Legal Principals; Certification Oversight Committee (2017 to Present), Past President and Chair; Board of Trustees (2019 -), Executive Committee (2017-18) (2016 to present) American Bankruptcy Institute, Member; Past member of Asset Sales Committee, Bankruptcy Litigation Committee, Business Reorganization Committee; Wedoff Consumer Bankruptcy Advisory Committee; Central States Bankruptcy Seminar Advisory Committee, Judicial Co-Chair (1992 to present) State Bar of Wisconsin, Board of Governors (1988-1993); Executive Committee (1988-90 and 1992-93); Board of Bar Examiners Review Committee (1991-93); Board of Professional Responsibility Study Committee (1990-97); Convention Committee Chair (1994-96); Wisconsin Law Foundation Strategic Planning Committee (2006-08); (1981 - present) Western District of

Wisconsin Bankruptcy Bar Association, Co-Founder; Board of Directors (2001-03); Program Chair (2001) PUBLICATIONS Contributing Author LexisNexis Construction Law - Bankruptcy Chapter June 2017 and March 2019 Contributing Author Business Advisor Series: Collections and Bankruptcy Pinnacle Books Bankruptcy and Insolvency 2015, 2017 and 2019 CO-Author Ginsberg & Martin On Bankruptcy Wolters Kluwer Book 2019 to present Editor In Chief AWARDS State Bar of Wisconsin, Distinguished Service Award (1994) Turnaround Management Association, TMA Chairman's Award (2016)

Hon. Randolph Haines - Speakers

U.S. Bankruptcy Court (retired), Phoenix

EDUCATION University of Wisconsin, B.A., with Honors (1970) Yale University, Ph.D. in

Philosophy (1975) Stanford Law School, J.D., Order of the Coif (1978) PROFESSIONAL CAREER

U.S. Bankruptcy Judge Partner, Lewis and Roca, LLP, Phoenix, Arizona (1982-00) Associate,

Lewis and Roca, Phoenix, Arizona (1978-82) AFFILIATIONS Arizona State Bar National

Conference of Bankruptcy Judges American Bankruptcy Institute Scribes Selden Society

PUBLICATIONS "The Uniformity Power: Why Bankruptcy Is Different," 77 Amer. Bankr. L. J. 129

Issue 2, 2003 "Getting to Abrogation," 75 Amer. Bankr. L.J. 447 Fall 2001 Norton Bankruptcy

Law and Practice, 2d Contributing Editor (Chapter 11) "The Unwarranted Attack on New Value,"

72 Amer. Bankr. L.J. 387 Summer 1998 Norton Bankruptcy Law Adviser Managing Editor Author

of several articles, Norton Bankruptcy Law Institutes (Chapter 11 outlines).

Hon. Erithe Smith - Speakers

U.S. Bankruptcy Court, Santa Ana, CA

The Honorable Erithe A. Smith is a United States Bankruptcy Judge for the Central District of California, Santa Ana Division. She was appointed by the Ninth Circuit Court of Appeals in 1994

and was reappointed to a second term in 2007. In 2004, Judge Smith was appointed by the

Circuit to the Bankruptcy Appellate Panel ("BAP") and served on the BAP until 2007. Comprised

of six bankruptcy judges, the BAP presides over bankruptcy appeals throughout the Ninth

Circuit. A native of Los Angeles, Judge Smith graduated from Loyola Marymount University in

1979 and from Boalt Hall School of Law (Berkeley Law) in 1982. From 1982 to 1985 she served

as law clerk to the Honorable Marcus M. Kaufman of the California Court of Appeal and to the

Honorable Peter M. Elliott of the United States Bankruptcy Court. Prior to taking the bench, she

was a partner in a "boutique" law firm in Irvine, California specializing in corporate insolvency

and bankruptcy law. In past years, Judge Smith has served as an associate editor of the

American Bankruptcy Institute Law Journal, a member of the Judicial Advisory Council of the

Association of Business Trial Lawyers (Orange County Chapter), past president of the Orange

County Bankruptcy Forum, and as an appointed member of the Bankruptcy Education

Committee of the Federal Judicial Center. In October, 2012, she was appointed by Chief Justice

John G. Roberts to the Committee on the Administration of the Bankruptcy System, a standing

committee of the Judicial Conference of the United States. Judge Smith is a frequent speaker

and lecturer at various professional conferences, seminars and workshops.

Panel 4: Strategy and Gamesmanship in Bankruptcy: Incompatible or Part of the Process?

Phillip Anker - Speakers

Wilmer Cutler Pickering Hale and Dorr LLP, New York

Philip Anker, co-chair of the firm's Bankruptcy and Financial Restructuring Practice Group, is an experienced bankruptcy litigator and counselor who has practiced for more than 25 years in the field. Among other honors, he has been inducted as a Fellow of the American College of Bankruptcy. Mr. Anker has been selected as one of the "Best Lawyers" in the areas of Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law in the Best Lawyers in America each year since 2005, with peers stating that he is "a first-class litigator who is tremendous in open court." In the 2020 edition, Best Lawyers in America named him "Lawyer of the Year" in the area of Litigation - Bankruptcy. He is also listed in the 2013-2020 editions of the Best Lawyers in America in the area of Litigation - Bankruptcy; the 2012-2020 editions of Chambers USA: America's Leading Lawyers for Business for his "excellent"

Bankruptcy/Restructuring work, where clients describe him as "amazing in court," "commercial, thoughtful and with a good command of the law" and "tough, tenacious, credible and incredibly effective;" the 2010-2021 editions of Benchmark Litigation, which have rated him as a "National Star" and "Top 10 Practitioner" for Bankruptcy Law and cites Mr. Anker's peers and clients as saying that he is "a superb lawyer, highly professional, and among the elite bankruptcy practitioners;" and in the 2018 edition of Expert Guides' Best of the Best USA as one of the leading practitioners in the country in Restructuring and Insolvency Law, as selected by his peers. Practice Mr. Anker's practice is wide-ranging. He has represented the full panoply of clients in business bankruptcy cases: debtors, Chapter 11 trustees, trustees of post-confirmation trusts, creditors' committees, secured creditors, debtor-in-possession lenders, noteholders, indenture trustees, unsecured trade creditors, equity holders, investors and purchasers of companies, claims and assets in bankruptcy. In addition, Mr. Anker has played a leading role in some of the largest, most prominent bankruptcy-related litigation matters in recent years, including actions arising out of the Adelphia, Energy Future Holdings, Enron, Global Crossing, Lyondell, Momentive, Refco and Tribune Chapter 11 cases, as well as several consumer bankruptcy class actions. Among other prominent cases,

Ogonna Brown - Speakers

Lewis Roca, Las Vegas

Ogonna Brown is a partner in the firm's Litigation and Bankruptcy and Creditors' Rights practice groups. Ogonna is a practically-minded business lawyer with years of high-stakes experience, focusing her practice on creditors' rights, secured party representation, commercial litigation, and bankruptcy litigation. She has extensive experience representing bankruptcy trustees and state court receivers. She collaborates with all of her clients to fashion creative solutions and efficient results in complex litigation matters in and out of bankruptcy. Ogonna's well-rounded practice includes breach of contract cases, protecting creditors' rights in bankruptcy cases, deficiency actions, landlord tenant matters, enforcement of judgments, and partnership disputes, along with recent experience over the last few years representing a charter school receiver, the first ever appointed by the SPCSA in the State of Nevada. She takes pride in her hard work ethic, accessibility to clients and quick turnaround to meet each client's needs, understanding that no two cases are exactly alike. Clients seek Ogonna's help with complex

business and bankruptcy disputes, and she often appears in both state and bankruptcy court for the same case when one of the parties seeks bankruptcy relief, resulting in efficiency for her clients. Ogonna's bankruptcy practice includes motions to terminate the automatic stay under 11 U.S.C. § 362, motions to dismiss or convert bankruptcy cases, defending claim objections, oppositions to plans of reorganization, motions to protect her clients' cash collateral, and objecting to the dischargeability of creditor's debts under 11 U.S.C. § 523. Ogonna was a judicial law clerk to the Honorable Johnnie B. Rawlinson, United States Court of Appeals, Ninth Circuit, 2001-2002. She was a lawyer representative to the Ninth Circuit Court of Appeals from 2014 through 2016. During this time, she served as lawyer representative co-chair of the Nevada Delegation and member of the Lawyer Representative Coordinating Committee, District Conference Planning Committee, and the Attorney Admission Fund Advisory Group Committee. While serving as a lawyer representative, Ogonna assisted the bankruptcy judges with presentations for the bankruptcy breakout sessions at the judicial district conferences and attended and participated with the program for the Ninth Circuit judicial conferences.

Jennifer Hagle - Speakers

Sidley, Los Angeles

JENNIFER HAGLE is a transactional bankruptcy lawyer with over 30 years of experience representing clients in bankruptcy and out-of-court restructurings. Jennifer is regularly recognized for her knowledge as a bankruptcy and restructuring lawyer and, in particular, her ability to develop creative exit strategies, drive consensus and achieve better-than-expected results efficiently and effectively. Jennifer's practice principally focuses on representing holders of senior secured, mezzanine and subordinated debt in both public and private middle market and large cap deals. Jennifer's clients include banks, hedge funds and other financial institutions in a wide range of industries, including aviation, media, oil and gas, clean energy (ethanol and biofuels), coal and natural gas, technology, internet gaming, retail and restaurants, healthcare, hospitality, real estate and for-profit higher education. In addition to her strong bankruptcy and restructuring knowledge, Jennifer also has significant experience in the area of corporate finance, having represented a number of lenders and borrowers with respect to loan originations and merger and acquisition transactions in non-distressed deals. In 2017, Jennifer was named a fellow of the American College of Commercial Finance Lawyers (ACCFL). The American College of Bankruptcy named Jennifer as a fellow for the class of 2015 and as a regent for the Ninth Circuit in 2020. Jennifer is also a contributing author of Collier's Bankruptcy Practice Guide. Awards and Recognitions Jennifer's work has been recognized by several prestigious publications and has earned her numerous accolades: "Women in Dealmaking (Restructuring)," The Dealmaker Quarterly (2021) Chambers USA: Bankruptcy/Restructuring – California (2008–2021) "2020 Leaders in Law" honoree for Bankruptcy Attorney of the Year, Los Angeles Business Journal (2020) Inaugural edition of "500 Leading Global Bankruptcy & Restructuring Lawyers," Lawdragon (2020) Who's Who Legal: Restructuring and Insolvency (2016–2020) The Best Lawyers in America (2013–2022) Southern California Super Lawyers (2012–2020) Southern California's Best Lawyers (2019–2020) "Most Influential Women Attorneys," Los Angeles Business Journal (2019) Legal Impact Honoree, Variety (2019) Leading practitioner, Restructuring and Insolvency, Euromoney Legal Media Group Expert Guides:

Women in Business Law (2019) Top Women Lawyers, Daily Journal (2019) "Women of Influence" honoree,

The Bankruptcy Code contains a number of technical requirements that apply both at the beginning and the end of the case. This panel hopes explore the question whether those requirements should be construed in a "literal" or "purposive" manner. Is it sufficient to obtain technical compliance even where the underlying purposes may be subverted? The panel will address issues that have arisen in involuntary cases, will address the requirement in chapter 11 that a plan include an accepting impaired class, will discuss issues such as vote designation and other devices affecting creditor votes such as the use of the "deathtrap," and will discuss the strategic use of the equitable mootness doctrine. Does any unifying principle emerge from the caselaw about the propriety of "strategic behavior" in bankruptcy? Should there be such a principle?

Hon. Harlin Hale - Speakers

U.S. Bankruptcy Court, Dallas

EDUCATION Louisiana State University, B.S. (1979) Paul M. Hebert School of Law, Louisiana State University, J.D. (1982) PROFESSIONAL CAREER U.S. Bankruptcy Judge, U.S. Bankruptcy Court, Northern District of Texas AFFILIATIONS National Conference of Bankruptcy Judges, 5th Circuit Governor (2011-14) Texas Bankruptcy Bar Section, Chairman (2011-12) American Law Institute, Member (2007-) American Bankruptcy Institute, Member (2003-) Commercial Law League, Member (2003-) John C. Ford Inn of Court, Member (2000-) State Bar of Texas, Member (1984-) Louisiana Bar Association, Member (1982-) PUBLICATIONS ABI Journal Regular contributor to the "Dicta" column. AWARDS Dallas Bar Association, Outstanding Mentor Award (2013) State Bar of Texas, Outstanding Mentor Award (2013) LSU School of Law, Hall of Fame (1987)

Panel 5: Third Party Releases: Are We in For a Backlash?

Prof. Ralph Brubaker - Speakers

University of Illinois, College of Law, Champaign

Ralph Brubaker is the James H.M. Sprayregen Professor of Law at the University of Illinois, where he teaches courses in bankruptcy, bankruptcy procedure, corporate reorganizations, contracts, conflict of laws (private international law), and restitution. Professor Brubaker has three degrees from the University of Illinois, including his J.D. summa cum laude and an M.B.A., and he received Bronze Tablet distinction (highest honors) and C.P.A. certification as an undergraduate. He clerked for Judge James K. Logan of the United States Court of Appeals for the Tenth Circuit, and he practiced in the bankruptcy and corporate reorganization group with the law firm Squire, Sanders & Dempsey (now Squire Patton Boggs) in Cleveland, Ohio. Professor Brubaker was a member of the faculty at the Emory University School of Law in Atlanta, Georgia from 1995 until 2004, when he returned to his alma mater. Professor Brubaker is the Editor-in-Chief and a contributing author for West's Bankruptcy Law Letter, he is co-author of a bankruptcy casebook, and he has written dozens of journal articles and essays. He is particularly expert in the complex jurisdictional and procedural facets of federal bankruptcy

proceedings. Professor Brubaker has been an editorial advisor for the American Bankruptcy Law Journal, the American Bankruptcy Institute Law Review, and the Emory Bankruptcy Developments Journal. He is a member of the American Law Institute and a Fellow of the American College of Bankruptcy, for which he has been the Scholar-in-Residence. Professor Brubaker has served on the executive committee of the board of directors of the American Bankruptcy Institute (ABI), and he was a member of the advisory committee on business enterprise sales for the ABI's 2014 Commission to Study the Reform of Chapter 11.

Hon. Daniel Collins - Speakers
U.S. Bankruptcy Court, Phoenix

Hon. Daniel P. Collins is Chief Bankruptcy Judge for the U.S. Bankruptcy Court for the District of Arizona in Phoenix, appointed as bankruptcy judge on Jan. 18, 2013, and as chief judge on March 17, 2014. Previously, he was a shareholder with the law firm of Collins, May, Potenza, Baran & Gillespie, P.C., in downtown Phoenix, practicing primarily in the areas of bankruptcy, commercial litigation and commercial transactions. Judge Collins served on the State Bar of Arizona's Subcommittee on the Uniform Fraudulent Transfer Act. He also chaired the Bankruptcy Section of the State of Arizona from 1995-96 and was a lawyer representative to the Ninth Circuit Court of Appeals. He was granted the St. Thomas More Award in 2017. Mr. Collins is a member of the National Conference of Bankruptcy Judges, ABI, Arizona Bankruptcy American Inn of Court, Federal Bar Association, National Association of Bankruptcy Trustees, State Bar of Arizona and the Maricopa County Bar. He currently serves on ABI's Board of Directors and on the board of the Federal Bar Association's Phoenix Chapter. He is also a member of the University of Arizona Law School Board of Visitors and was one of the founders of the Arizona Bankruptcy American Inn of Court. Judge Collins is a frequent speaker on such topics as professionalism and civility, fraudulent transfers, discharge litigation, trial practice, reaffirmation agreements, the intersection of bankruptcy and marital dissolution, receiverships, bankruptcy sales, bankruptcy claims classification, trustee representation, pensions in bankruptcy, bankruptcy appeals and debtor/creditor law. He received both his B.S. in finance and accounting in 1980 and his J.D. in 1983 from the University of Arizona.

Gregory Gordon - Speakers
Jones Day, Dallas

Greg Gordon represents clients in complex, high-profile chapter 11 cases and corporate restructurings. His experience includes out-of-court restructurings, prepackaged bankruptcies, distressed M&A transactions, and cross-border insolvencies. In recent years, Greg has assisted clients in achieving permanent resolutions of mass tort liabilities, including asbestos and talc liabilities. Greg represented RadioShack in its successful chapter 11 reorganization, including in connection with a going concern sale of a substantial portion of RadioShack's business following a contentious auction and sale hearing, and Bondex and Specialty Products in their successful section 524(g) chapter 11 reorganization that resolved their asbestos liabilities. Greg also represented the owners of the Vogtle nuclear plant in Westinghouse's chapter 11 case, which resulted in a full recovery on their approximate \$3.7 billion dollar claim. He is currently representing LTL Management, an affiliate of Johnson & Johnson, in a chapter 11 case it filed to resolve its talc liability, and is representing Bestwall, an affiliate of Georgia-Pacific, and DBMP,

an affiliate of CertainTeed, in chapter 11 cases they filed to resolve their asbestos liabilities. Greg is also representing Hanson Permanente Cement and Kaiser Gypsum in chapter 11 cases they filed to resolve asbestos and environmental liabilities. Other significant engagements include the successful chapter 11 reorganizations of Swift Energy, achieved in less than four months through a prepackaged plan of reorganization, and Kaiser Aluminum, which included successful restructurings of pension, retiree medical, environmental, and asbestos liabilities. Greg is a Fellow in the American College of Bankruptcy.

Natalie Ramsey - Speakers

Robinson+Cole, Wilmington

Natalie Ramsey is co-chair of the Bankruptcy + Reorganizations Group and the partner in charge of its Wilmington and Philadelphia offices. She practices in all areas of domestic and international restructurings, crisis management, financings, acquisitions in distressed situations and asset recovery litigation, often involving challenges to complex corporate transactions. Natalie is certified by the American Board of Certification accredited by the American Bar Association in Business Bankruptcy, and is a Fellow of the American College of Bankruptcy, where she presently serves as the Third Circuit Regent. Natalie's role in creditor committee representations includes the chapter 11 cases of Mallinckrodt, Aldrich Pump/Murray Bolier (affiliates of Trane), DBMP (an affiliate of CertainTeed), Imerys Talc America, Bestwall (an affiliate of Georgia Pacific), Energy Future Holdings, Specialty Products (Bondex), Maremont, NutraQuest and Nutri-System. Her lead role in company side restructurings includes a large regional real estate developer and the jointly-administered O.W. Bunker USA and O.W. Bunker, N.A. cases, which were awarded the International Restructuring Deal of the Year (Over \$500MM to \$1B) and Energy Deal of the Year (Over \$500MM to \$1B) in 2017 by M&A Advisor, a premier network of M&A, Turnaround and Finance professionals. Natalie presently serves as co-counsel to the debtor in the Chapter 11 bankruptcy case of Loot Crate pending in Delaware. Natalie's representation of asset purchasers includes serving as counsel to the successful asset purchaser in RTW Retailwinds, Inc. sale of e-commerce business, for which Robinson+Cole was awarded the 2021 E-Commerce Restructuring of the Year honor as part of the Global M&A Network's 13th Annual Turnaround Atlas Awards.