

**DAY 1 MONDAY, SEPTEMBER 28**

<b>7:30-8:45</b>	<b>TMA Breakfast Program</b>	<b>Glimmer 5</b>
<b>8:45-9:00</b>	<b>Introductions</b>	<b>Sparkle East-West</b>
<b>9:00-10:00</b>	<b>Circuit Splits</b>	<b>Sparkle East-West</b>

**PROGRAM CONTENT:**

The panel will discuss cases where there is a circuit split on important bankruptcy issues which may ultimately head to the Supreme Court.

**MODERATOR:**

**Craig Goldblatt**, Wilmer Hale, Washington, DC

**PANELISTS:**

**Hon. Julie A. Robinson (D. Kan.)** Kansas City, KS

**Hon. Bernice B. Donald (6th Circuit)** Memphis, TN

**Hon. Marjorie O. Rendell (3d Circuit)** Philadelphia, PA

<b>10:30-11:30</b>	<b>Consumer Roundtables, Session 1</b>	<b>Glimmer 1-2</b>
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**Show Me the Money: Debtor's Attorney's Fees in Consumer Cases**

**PROGRAM CONTENT**

- Limiting fees by limiting work – “Unbundling” in Chapter 7 cases, *i.e.*, limiting the scope of services to be provided; use of “appearance counsel.”
- Determination of amount of fees in Chapter 13 cases – allowance of fees based on court-imposed limits (“no-look” or “presumptive” fees”) versus case-by-case review (“market” approach).
- Payment of fees for representation in Chapter 7 case when debtor cannot pay entire fee before filing – dischargeability of pre-petition agreement to pay fees post-petition; filing of Chapter 13 case with expectation of conversion after payment of enough money for attorney’s fees; standards for permitting fee-only Chapter 13 plans and professionalism concerns.

**MODERATOR:**

**Professor Lois R. Lupica**, Univ. of Maine School

**PANELISTS**

**John Rao**, National Consumer Law Center, Boston, MA

D. Sims Crawford, Chapter 13 Trustee, Birmingham, AL

**10:30-11:30 Consumer Roundtables, Session 2**

**Glimmer 3-4**

**Student Loans: Issues and Strategies in Litigation**

**PROGRAM CONTENT:**

The panel will have a litigation focus with a hypothetical problem involving a hardship discharge and the question of “for profit” versus “not for profit” loans.

**MODERATOR:**

**Professor Susan Hauser**, North Carolina Central Univ., Durham, NC

**PANELISTS:**

**Richard H. Nemeth**, Nemeth & Associates LLC, Cleveland, OH

**Daniel Fisher**, Education Credit Management Corporation, Oakdale, MN

**10:30-11:30 Concurrent Business Panel**

**Sparkle East-West**

**Un-*Till* Death Do Us Part?**

**PROGRAM CONTENT:**

This panel will examine the current state of the judicial split over the application to chapter 11 cases of the Supreme Court’s decision in *Till v. SCS Credit Corp.*, including the ruling in *In re MPM Silicones, LLC* and recommendations by the ABI Commission to Study the Reform of Chapter 11.

**MODERATOR:**

**Professor Douglas G. Baird**, Univ. of Chicago Law School, Chicago, IL

**PANELISTS:**

**Teri L. Stratton**, Piper Jaffray & Co., El Segundo, CA

**Hon. Robert D. Drain** (Bankr. S.D.N.Y.) White Plains, NY

**Heather Lennox**, Jones Day, Cleveland, OH

**11:45-12:45 Consumer Roundtables, Session 1**

**Glimmer 1-2**

**The Good, the Bad, the Ugly: A Discussion of Mortgage Servicers, Loss Mitigation, Modifications, & Claims in Consumer Bankruptcy**

**PROGRAM CONTENT:**

The panel will focus on current issues relating to residential mortgages, claims, and notices as well as consider the proposed amendments to the Bankruptcy Rules that may impact mortgages.

**MODERATOR:**

**Hon. John E. Waites** (Bankr. D.S.C.) Columbia, SC

**PANELISTS:**

**Michael T. Bates**, Senior Counsel, Wells Fargo, Des Moines, IA

**David G. Peake**, Chapter 13 Trustee, Houston, TX

**Robert Branson**, Branson Law, Orlando, FL

**11:45-12:45 Consumer Roundtables, Session 2**

**Glimmer 3-4**

**Take My House – PLEASE!: Getting Rid of Encumbered Property in Consumer s**

**PROGRAM CONTENT:**

Surrendering real property in a consumer case does not necessarily end the debtor's obligations with regard to the property if the mortgage lender does not promptly complete foreclosure. The debtor may face continuing burdens of ownership, including post-petition fees and assessments charged by a homeowner's, condominium, or cooperative association and compliance with local laws requiring maintenance and upkeep of the property.

The discussion will include exploration of non-bankruptcy solutions (continued residency in the property without making mortgage payments); whether local legislative attempts to address the problem are enforceable; and whether a debtor in a Chapter 13 case can require a lender to accept title to the property through a surrender or transfer provision in a plan or through a § 363(f) sale with the lender having the right to credit bid.

**MODERATOR:**

**Hon. Eugene R. Wedoff** (Bankr. N.D. Ill.) Chicago, IL

**PANELISTS:**

**Miriam Trubek Goott**, Walker & Patterson, PC, Houston, TX

**Richardo I. Kilpatrick**, Kilpatrick & Associates PC, Auburn Hills, MI

**11:45-12:45 Concurrent Business Panel**

**Sparkle East-West**

**Chapter 11 Reform: Considering the ABI Report**

**PROGRAM CONTENT:**

The American Bankruptcy Institute's comprehensive and controversial report and recommendations serve as the centerpiece of this program. How would the suggested reforms play out in practice? Experts (including those in the audience) will have the opportunity to consider, debate, and compare what happens in chapter 11 practice now with what would happen under the recommendations suggested by the report. Expect a lively program!

**MODERATOR:**

**Hon. Barbara J. Houser** (Bankr. N.D. Tex.) Dallas, TX

**PANELISTS:**

**Jonathan N. Helfat**, Otterbourg P.C., New York, NY

**Robert Keach**, Bernstein Shur, Portland, ME

**Jane Vris**, Millstein & Co., New York, NY

**Deborah D. Williamson**, Cox Smith, San Antonio, TX

<b>1:00-2:45</b>	<b>CLLA Luncheon &amp; King Award</b>	<b>Fontaine</b>
<b>1:00-2:45</b>	<b>ABA Luncheon &amp; Heidt Award</b>	<b>Splash 9-12</b>
<b>3:00-5:30</b>	<b>CLLA (2 programs)</b>	<b>Sparkle East</b>
<b>3:15-4:15</b>	<b>International Judicial Committee Roundtable</b>	<b>Glimmer 1</b>
<b>3:15-5:30</b>	<b>ABA programs (3 Programs)</b>	<b>Splash 3-4, 5-6 &amp; 7-8</b>

**DAY 2 TUESDAY, SEPTEMBER 29**

<b>7:30-8:30</b>	<b>AIRA Breakfast Program</b>	<b>Splash 9-10</b>
<b>8:45-9:00</b>	<b>Inns of Court Award Presentation</b>	<b>Sparkle East-West</b>
<b>9:00-10:00</b>	<b>Bankruptcy Auctions</b>	<b>Sparkle East-West</b>

**How to Win (or Lose) Bankruptcy Auctions**

**PROGRAM CONTENT:**

The main event in many bankruptcy cases is an auction of the debtor's business and assets. The panel will discuss strategies for structuring bid and auction procedures, best practices, and challenging or defending auction procedures and results, including the circumstances in which an auction may be reopened.

**MODERATOR:**

**Hon. Robert A. Gordon** (Bankr. D. Md.) Baltimore, MD

**PANELISTS:**

**Shaunna D. Jones**, Willkie Farr & Gallagher LLP, New York, NY

**Edward T. Gavin**, Gavin/Solmonese, Wilmington, DE

**Coral Lopez-Castro**, Kozyak Tropin, & Throckmorton, Coral Gables, FL

<b>9:00-10:00</b>	<b>ABI Roundtables</b>	<b>Glimmer 2, 3 and 4</b>
<b>10:30-11:30</b>	<b>Attorney-Client and Co-client Privileges</b>	<b>Sparkle East-West</b>

**Joint Defense, Common Interest, Attorney-Client and Co-client Privileges: Why I Don't Have to Answer That Question**

**PROGRAM CONTENT:**

Long recognized as a strong shield from discovery, the attorney-client privilege is often used by counsel to expand its protection beyond the traditional attorney-client relationship. This panel will present an engaging examination of the use and ethics issues associated with expansion of this privilege to include joint defense, common interest, and co-client attorney-client relationships and the risks when an estate fiduciary is substituted for the client or co-client.

**MODERATOR:**

Professor Laurie L. Levenson, Loyola Law School of Los Angeles, Los Angeles, CA

**PANELISTS:**

**Hon. Michael Williamson** (Bankr. M.D. Fla.) Tampa, FL

**Maria Ellena Chavez-Ruark** - Saul Ewing, Baltimore, MD

**10:30-11:30 ABI Roundtables Glimmer 1, 2 and 3**

**11:45-12:45 Buying Claims in Consumer Cases Sparkle East-West**

**PROGRAM CONTENT:**

What are the issues and risks associated with buying and collecting consumer-debt claims? The panel will offer insights from both the debtor's and creditor's perspectives and examine recent decisions on creditor liability for asserting stale claims in bankruptcy.

**PANELISTS:**

**Alane A. Beckett**, Beckett & Lee, Malvern, PA

**Professor Dalié Jiménez**, Univ. of Connecticut School of Law, Hartford, CT

**Nick Wooten**, Nick Wooten, LLC, Auburn, AL

**11:45-12:45 ABI Roundtables Glimmer 2 and 3**

**1:00-3:00 ABI Luncheon & Program Fontaine & Fleur de Lis**

**1:00-3:15 ABA Luncheon & Program Splash 9-12**

**3:30-6:00 ABLJ Symposium Splash 14-16**

**BAPCPA at Ten**

**PROGRAM CONTENT:**

Prominent academics and practitioners will discuss the impact of BAPCPA, over the ten years since its enactment, on particular areas of practice, including (1) how professionals have coped with the changes wrought by BAPCPA and the impact of BAPCPA on their fees; (2) treatment of retirement and social security income; (3) treatment of divorce/family claims post BAPCPA and the changed role of the trustee in consumer cases; (4) pre-BAPCPA and post-BAPCPA policy regarding state collection remedies v. bankruptcy preference recovery; and (5) filing

characteristics, and success rates, of individual chapter 11 debtors pre-BAPCPA and post-BAPCPA.

**MODERATOR:**

**Hon. Colleen Brown**, (Bankr. D. Vt.) Burlington, VT

**PANELISTS:**

**Professor Angela Littwin**, Univ. of Texas School of Law, Austin, TX

**Tara Twomey**, National Consumer Law Center, Boston, MA

**Lynne Riley**, Casner & Edwards LLP, Boston, MA

**Professor Larry Ponoroff**, University of Arizona James E. Rogers College of Law, Tucson, AZ

**Professor Anne Lawton**, Michigan State Univ. College of Law, Lansing, MI

**3:00-4:30**

**NCBJ/ACB Joint International Program**

**Glimmer 1-2**

**The Emerging Architecture for Coordinated Restructuring of International Corporate Groups**

**PROGRAM CONTENT:**

Many multinational enterprises are structured as corporate groups. The group structure can clarify entitlements, but it often complicates efforts to achieve a coordinated restructuring of the enterprise. A number of practices (including so-called “synthetic secondaries” have developed to deal with these issues, and the EU and UNCITRAL have undertaken projects to create a legal architecture to facilitate these practices. This panel will discuss these projects as well as important case law developments.

**MODERATOR:**

**Professor Edward J. Janger**, Brooklyn Law School

**PANELISTS:**

**Christopher J. Redmond**, Husch Blackwell LLP, Kansas City, MO

**Agustin Berdeja-Prieto**, Berdeja y Asociados, S.C., Mexico

**Daniel Glosband**, Goodwin, Proctor, LLP, Boston, MA

**The Hon. Mr. Justice David Richards**, High Court of England and Wales (Chancery Division), London, England

**Hon. Allan Gropper** (Retired), New York, NY

**4:00-5:30**

**ABA Program – Current Developments**

**Splash 9-12**

**DAY 3 WEDNESDAY, SEPTEMBER 30**

**8:30-9:30 Social Media and Ethics Concerns**

**Sparkle East**

**PROGRAM CONTENT:**

Social media creates unprecedented opportunities and potential risks to legal professionals. Now that participation in social media is a regular part of our lives, thought needs to be given to whether online activities create a risk of ethical violations. This panel will present scenarios where attorneys, clients, judges and judicial staff (not any of you!) can inadvertently run afoul of ethics rules in using social media.

**MODERATOR:**

**Nancy B. Rapoport**, UNLV Boyd School of Law, Las Vegas, NV

**PANELISTS:**

**Peter C. Fessenden**, Chapter 13 Trustee, Brunswick, ME

**Hon. Hannah L. Blumenstiel** (Bankr. N.D. Cal.) San Francisco, CA

**9:30-10:30 Supreme Court Review**

**Sparkle East**

**PROGRAM CONTENT:**

Supreme Uncertainty: what cases and issues affecting the bankruptcy courts, and in particular the business bankruptcy process, are on the horizon for the Supreme Court? A panel of leading constitutional experts will share their crystal ball gazing. Predictions, prognostications, equivocations, and maybe even some hand-wringing will be part of what promises to be a lively discussion.

**MODERATOR:**

**Hon. Martin Glenn** (Bankr. S.D.N.Y.) New York, NY

**PANELISTS:**

**Dean Erwin Chemerinsky**, University of California at Irvine, Irvine, CA

**Kathleen Sullivan**, Quinn Emanuel Urquhart & Sullivan LLP, New York, NY