



2007

19th Annual Winter Leadership Conference

December 6–8, 2007

The Westin Mission Hills Resort & Spa • Rancho Mirage, Calif.



Endowment Fund

The ABI Endowment Fund was created in 1989 to provide a resource for the Institute's mission of scholarly research and education.

Projects eligible for funding include research relating to bankruptcy or insolvency; surveys or other analytical investigation; the education of judges, court personnel, governmental personnel and the general public; scholarships or other educational grants; and projects with a material research or educational benefit to the bankruptcy and insolvency community.

Since 1998, when the first grant from the Fund was issued, over \$750,000 in grants and scholarships have been approved or awarded by the Endowment Fund.

The Fund also supports the Robert M. Zinman Resident Scholar program. Each Zinman Scholar is a leading member of the bankruptcy academic community, on leave from full-time teaching to assist ABI in research and educational activities.

To donate to the fund, please check the appropriate box on the registration form, or contact one of the following:

- **Anthony H.N. Schnelling**
ABI Vice President—Development, (212) 207-4710
- **Karen Ogden Olmstead**
Development Manager, (703) 739-0800

2007 Winter Leadership Conference Program

Thursday, December 6

8:00 a.m.

Golf Tournament

*Sponsored by Great American Group
and Summit Investment Management LLC*

8:00–11:30 a.m.

Optional Event

Windmill & Thousand Palms Oasis Eco-Tour

9:00 a.m.–5:00 p.m.

American Board of Certification Exams

12:00 noon–6:00 p.m.

Registration Desk Open

1:00 p.m.

Tennis Tournament

*Sponsored by The Bank of New York,
Corporate Trust and Snell & Wilmer LLP*

4:00 p.m.

Exhibitor Hall Open

5:00–6:00 p.m.

New Member/Ambassador Reception
(by invitation only)

Sponsored by CRG Partners

6:00–8:00 p.m.

Opening Reception

*Sponsored by Arent Fox LLP, CIT, Loeb &
Loeb LLP, NachmanHaysBrownstein, Inc.,
RSM McGladrey and Winston & Strawn LLP*

Friday, December 7

7:30–8:00 a.m.

Continental Breakfast

Sponsored by Jenner & Block LLP

8:00 a.m.–12:00 noon

Optional Event

Palm Springs Aerial Tramway Tour

8:00–9:15 a.m.

Plenary Session

Presentation of the Landmark ABI Fee
Study: Conclusions and Ramifications

- **Michael P. Richman**, Moderator
Foley & Lardner LLP; New York
- **C. R. “Chip” Bowles, Jr.**
*Greenebaum Doll & McDonald PLLC
Louisville, Ky.*
- **John Wm. Butler, Jr.**
*Skadden, Arps, Slate, Meagher
& Flom LLP; Chicago*
- **Prof. Stephen J. Lubben**
Seton Hall Law School; Newark, N.J.

- **Deirdre A. Martini**

CIT Group, Inc.; New York

- **Prof. Nancy B. Rapoport**

*William S. Boyd School of Law
University of Nevada; Las Vegas*

- **Hon. Wesley W. Steen**

U.S. Bankruptcy Court; Houston

- **Albert Togut**

Togut, Togut & Segal, LLP; New York

- **Clifford J. White III**

*Executive Office for U.S. Trustees
Washington, D.C.*

9:15–9:30 a.m.

Refreshment Break

Sponsored by MorrisAnderson & Associates, Ltd.

9:30–11:00 a.m.

Committee Education Sessions

- Bankruptcy Litigation/Commercial Fraud
Task Force (joint)
- Business Reorganization/Employee
Benefits in Bankruptcy (joint)
- Finance and Banking
- Financial Advisors/Investment Banking/
Professional Compensation/Public
Companies and Claims Trading (joint)
- Legislation

11:00–11:15 a.m.

Refreshment Break

Sponsored by BDO Seidman, LLP

11:15 a.m.–12:45 p.m.

Concurrent Sessions

A. Loan-to-Own Strategies of Hedge Funds and Private Equity Firms

• **Stephen S. Gray**, Moderator

CRG Partners; Boston

• **Paul Coughlin**

*Longroad Asset Management, LLC
Stamford, Conn.*

• **Hon. Allan L. Gropper**

U.S. Bankruptcy Court; New York

• **Larry G. Halperin**

Richards Kibbe & Orbe LLP; New York

• **Aziz Hassanali**

Anchorage Advisors, LLC; New York

• **Andrew I. Silfen**

Arent Fox LLP; New York

B. BAPCPA in the Courts: How Judicial

Interpretation of the New Provisions Affects Your Cases

• **Joseph Samet**, Moderator

Baker & McKenzie LLP; New York

• **Patti H. Bass**

Bass & Associates, P.C.; Tucson, Ariz.

• **Robert N.H. Christmas**

Nixon Peabody LLP; New York

• **Hon. Bruce A. Markell**

U.S. Bankruptcy Court; Las Vegas

• **Hon. Thomas F. Waldron**

U.S. Bankruptcy Court; Dayton, Ohio

C. Trying Valuation (on a Budget): Consumer Case Examples

• **Dillon E. Jackson**, Moderator

Foster Pepper PLLC; Seattle

• **Ford Elsaesser**

*Elsaesser, Jarzabek, Anderson, Marks,
Elliott & McHugh, Chtd.; Sandpoint, Idaho*

• **Richardo I. Kilpatrick**

*Kilpatrick & Associates, PC
Auburn Hills, Mich.*

• **Claire Ann Resop**

Brennan, Steil & Basting, SC; Madison, Wis.

• **Hon. Steven W. Rhodes**

U.S. Bankruptcy Court; Detroit

12:30–2:00 p.m.

Optional Event

Chefs' Cooking Class

12:45–2:00 p.m.

Luncheon Featuring Christopher Buckley

Editor of *ForbesLife* and Best-Selling Social and Political Satirist

Sponsored by *Foley & Lardner LLP* and *Jefferies & Company, Inc.*



Brandishing a savvy understanding of the truth behind the headlines and a perceptive wit that holds no target sacred, Christopher Buckley delivers a comedic look at national politics and world affairs. He is the author of 11 books, including his latest, *Boomsday*, released last April. His other works include *God Is My Broker*, *Little Green Men*, *No Way To Treat A*

First Lady, Washington Schleppeed Here and *Florence of Arabia*, several of which are national best-sellers. *Thank You for Smoking* was developed into a major motion picture. In 1989, the late Malcolm Forbes hired him to start a new magazine, *Forbes FYI*. Buckley has written for most national newspapers and magazines, including *The New York Times*, *Wall Street Journal*, *Washington Post*, *Time*, *The Atlantic Monthly*, *Smithsonian*, *US News and World Report*, *Vanity Fair*, *Vogue* and *Conde Nast Traveler*. Buckley is a recipient of the Washington Irving Medal for Literary Excellence, and the distinguished Thurber Prize for American Humor.

2:00–3:30 p.m.

Concurrent Sessions

A. Subprime Paradigm: Lessons on Maximizing Value from the Subprime, 1031 and Servicer Cases

• **Lawrence E. Young**, Moderator

AlixPartners LLP; Dallas

• **John Anderson**

RBS Greenwich Capital; Greenwich, Conn.

• **Melanie L. Cyganowski**

Greenberg Traurig, LLP; New York

• **Jeffrey W. Dulberg**

*Pachulski Stang Ziehl Young Jones & Weintraub LLP
Los Angeles*

• **Hon. Linda B. Riegler**

U.S. Bankruptcy Court; Las Vegas

• **Eric Sagerman**

Winston & Strawn LLP; Los Angeles

B. Health Care Cases: Financing, Financial Management and Exit

• **Samuel R. Maizel**, Moderator

Pachulski Stang Ziehl Young Jones & Weintraub LLP; Los Angeles

- **Paul E. Harner**
Paul, Hastings, Janofsky & Walker LLP; Chicago
- **Shane A. Passarelli**
Healthcare Finance Group, Inc.; Los Angeles
- **Louis E. Robichaux, IV**
Bridge Associates, LLC; New York
- **Joseph Tutera**
The Tutera Group; Kansas City, Mo.

C. Individual Chapter 11: The New “Small Business” Option?

- **James T. Markus, Moderator**
Block, Markus & Williams, LLC; Denver
- **Barry Lefkowitz, CIRA**
Virchow Krause & Company, LLP; Southfield, Mich.
- **Patricia A. Redmond**
Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, PA; Miami
- **James Patrick Shea**
Shea & Carlyon, Ltd.; Las Vegas

3:30–3:45 p.m.

Refreshment Break

Sponsored by Benesch, Friedlander, Coplan & Aronoff LLP

3:45–5:15 p.m.

Committee Education Sessions

- Asset Sales
- Health Care
- International/Uniform Commercial Code (joint)
- Mass Torts
- Unsecured Trade Creditors

6:00–7:00 p.m.

Women’s Networking Reception

Sponsored by Bridge Associates, LLC

6:00–7:00 p.m.

American Board of Certification Reception

(ABC Certified Attorneys and ABC Board Members Only)

Sponsored by ABC Officers

7:00–11:00 p.m.

Rock ‘n Roll Dance Party

Featuring ABI’s Own Indubitable Equivalents!

Sponsored by Mesirov Financial Consulting, LLC; Navigant Capital Advisors, LLC; Nixon Peabody LLP; Paul, Hastings, Janofsky & Walker LLP; and RBS Greenwich Capital

9:00 p.m.

Dessert Reception

Sponsored by Union Bank of California

Saturday, December 8

7:30–9:30 a.m.

Breakfast Presentation

Supreme Court Year in Review (and in Prospect):

Judges’ Roundtable

Sponsored by Medical Capital Corporation

- **Hon. Eugene R. Wedoff, Moderator**
U.S. Bankruptcy Court; Chicago
- **Hon. Dennis R. Dow**
U.S. Bankruptcy Court; Kansas City, Mo.
- **Hon. Joan N. Feeney**
U.S. Bankruptcy Court; Boston

- **Hon. Judith K. Fitzgerald**

U.S. Bankruptcy Court; Pittsburgh

- **Hon. Jim D. Pappas**

U.S. Bankruptcy Court; Boise, Idaho

9:30–11:00 a.m.

Committee Education Sessions

- Alternative Dispute Resolution
- Bankruptcy Taxation/Consumer Bankruptcy (joint)
- Court Administration
- Ethics
- Real Estate/Young & New Members (joint)
- Technology and Telecommunications Cases

11:00–11:15 a.m.

Refreshment Break

Sponsored by Development Specialists, Inc.

11:15 a.m.–12:45 p.m.

Plenary Session

Ethics, E-mail, the Web and the Blogosphere: Rules and Values for Practice in Cyberspace

- **Terri L. Gardner, Moderator**
Poyner & Spruill LLP; Raleigh, N.C.
- **Hon. Samuel L. Bufford**
U.S. Bankruptcy Court; Los Angeles
- **Prof. Paula Franzese**
Seton Hall Law School; Newark, N.J.
- **Will Hornsby**
American Bar Association; Chicago
Author; Boundaries of Legal Marketing
- **J. Charles Mokriski**
Day Pitney; Boston

2007 Winter Leadership Conference Information

Hotel Accommodations



Set on 360 acres within the Rancho Mirage community, The Westin Mission Hills Resort & Spa is surrounded by landscaped courtyards and extensive waterways. You will enjoy elegant accommodations, ample meeting space, a relaxing desert climate, two world-class golf courses and extensive recreational facilities, a first-class spa, various pools, and five bars and lounges. ABI has arranged a special conference rate of **\$195/night**. Make your reservations before **November 12, 2007**, to obtain the special rate. *Rooms are held on a first-come, first-served basis. ABI cannot guarantee anyone a room once the special-rated ABI room block is filled.* You will not be able to book your room reservations until you have registered for the conference. You will receive special room reservation instructions after you have registered with ABI.

Transportation

Air: Palm Springs Airport (PSP) is a 15-minute cab ride to The Westin Mission Hills Resort & Spa. Ontario International Airport (ONT) is approximately 1 hour away, and Los Angeles International Airport (LAX) is approximately 1 hour and 45 minutes away. American Airlines is the official carrier for the American Bankruptcy Institute. Conference attendees are eligible for a 5% discount off coach and first-class fares on travel between December 1-13, 2007, to Palm Springs. For fare and schedule information and to make reservations, please visit www.aa.com or call American Airlines Meeting Services at (800) 433-1790 and provide the multi index number **S19773**. Please use promotion code **A98D7AJ**.

Ground: Avis car rental discounts are available using the Avis Worldwide discount number **J789009**. Call (800) 331-1600 or book online at www.avis.com.



Continuing Education

Approval for approximately **11.75** hours of CLE credit, including **3.0** hours of ethics, is pending. CPE credit is also available; approval for **14.1** CPE credits, including **3.6** of ethics, is pending. Mark the appropriate box on the registration form. California MCLE – ABI certifies that this activity has been approved for MCLE credit by the State Bar of California in the amount of 11.75 hours, of which 3.0 hours will apply to legal ethics.

*ABI offers intermediate-advanced level courses, which have no prerequisites for attendance. ABI is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE sponsors. State boards of accountancy have the final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Ave. North, Suite 700, Nashville, TN 37219-2417, or www.nasba.org. For more information regarding administrative policies such as complaint and refund, please contact the American Bankruptcy Institute at (703) 739-0800. ABI acknowledges that in some instances there will be persons who need to attend an educational seminar for CLE credit who are not able to pay full registration fees. ABI will handle such instances on a case-by-case basis and will work with the individual on alternative solutions. For persons who cannot meet the full registration rate, ABI will offer a reduced rate based on what the individual can reasonably afford to cover of the cost of meals and materials. For persons unable to pay a reduced rate, we may allow the individual to work at our registration area for a few hours during attendee check-in, or assist in conference set-up. ABI also has reduced rates for government employees, professors, law clerks and students. For information on tuition assistance, send an e-mail to jgood@abiworld.org.

Cancellation Policy

All fees, except a **\$75** handling fee, will be refunded if written notice of cancellation is received by **November 9, 2007**. No refunds will be honored after November 9, but substitutions will be allowed.

Attorney Specialist Certification—First Exam Based on New Law

The American Board of Certification (ABC) will offer its business bankruptcy, consumer bankruptcy and creditors' rights exams at The Westin Mission Hills Resort & Spa on **Thursday, December 6, from 9:00 a.m.–5:00 p.m.** Details on the certification process, exam composition and sample exam can be obtained by calling ABC at (319) 365-2222, by e-mailing certification@abcworld.org or by visiting the ABC Web site at www.abcworld.org. The ABC certification programs are sponsored by the American Bankruptcy Institute and the Commercial Law League of America, and all three programs are accredited by the American Bar Association.



American Board of Certification Exams

Thursday, December 6, 9:00 a.m.–5:00 p.m. at The Westin Mission Hills Resort & Spa.

Call (319) 365-2222 or e-mail certification@abcworld.org for details.

Consumer Bankruptcy Exam Business Bankruptcy Exam Creditors' Rights Exam

(\$125 exam fee) Make check payable to American Board of Certification and return with this clipping to:
American Board of Certification, The American Building, 101 Second Street SE, Ste. 904, Cedar Rapids, Iowa 52401.

Credit Card (Charge to account no. provided for conference.)

A Short Form Application and fee (\$495) are also required prior to the exam.

Please go to www.abcworld.org/shortform if you have not submitted the application.

2007 Winter Leadership Conference Optional Events

Golf Tournament

Thursday, December 6, 8:00 a.m.

Sponsored by Great American Group and Summit Investment Management LLC

The Pete Dye Resort Course is one of the area's loveliest but toughest courses. Diabolically Dye, the course is distinguished by hidden pin placements, carries over water, pot bunkers, elevated tees and railroad ties. This 6,706-yard par 70 award-winning championship course is just steps away from the resort, and as such shares the same majestic mountain views. The **\$140** fee includes breakfast, unlimited range balls, greens and tournament fees, golf cart and prizes. Check the appropriate box on the registration form, and please indicate your handicap.



Tennis Tournament

Thursday, December 6, 1:00 p.m.

Sponsored by The Bank of New York, Corporate Trust and Snell and Wilmer LLP

After lunch, and prior to the commencement of the annual mixed doubles round-robin tournament, you'll take part in a Doubles Strategy Session conducted by the resident professionals of the Reed Anderson Tennis School. The session covers the fundamentals of doubles play, court positioning, shot selection and winning tactics. The session is fun and informative, concluding with questions and answers. Then it's on to tournament play on The Westin's seven lighted courts, including a tournament court with stadium seating. **\$60** includes boxed lunch, Doubles Strategy Session, balls, tournament fees and prizes. Check the appropriate box on the registration form.

Windmill & Thousand Palms Oasis Eco-Tour

Thursday, December 6, 8:00–11:30 a.m.



The thousands of windmills dotting the foothills of the fabled San Gorgonio Pass are familiar sights to freeway travelers and airline passengers. These windmills tower over the desert with their huge wind turbine blades silently sweeping overhead. Half the length of a football field, the Palm Springs wind farms have been a source of mystery to many visitors. You will enjoy a private tour showing the history of wind energy, current utilization of wind power, its ecological impact and a look at the future of energy. Your next stop, the 17,000-acre Coachella Valley Preserve, is home to the spectacular Thousand Palms Oasis, fed by water seeping out of the San Andreas Fault. There are also several other Palms Oases, including the Willis, Hidden Horseshoe and Indian Palms. Located in the center is the Paul Wilhelm Grove, which is also the location of the Preserve's visitor's center. Descending into grotto-like coolness, the sudden air-conditioned feeling you will experience is not just from the shade of the fan palms. Like an evaporative

cooler, their huge leaves and dozens of other plants' leaves transpire water during the day. Within the heart of the oasis, it is 10-20 degrees cooler than in the desert outside. You will stroll through hundreds of Washingtonian Palms whose shaggy skirts hide creatures from the glaring sun. Pupfish swim in quiet pools. Emerald grass drifts in the wind and lounging Coachella Valley fringe-toed lizards—found nowhere else in the world—burrow into their favorite sand dunes. Life is cool and easy at this oasis straddling the infamous San Andreas Fault zone and the Indio Hills. The **\$75** fee includes deluxe transportation, expert naturalist guide, guided nature walk in the windmill farm and Palms Oasis, plus all taxes and gratuities. Check the appropriate box on the registration form.



Palm Springs Aerial Tramway Tour

Friday, December 7, 8:00 a.m.–12:00 noon

Soar from the warm desert floor to the alpine mountain station at 8,516 feet in approximately 14 breathtaking minutes. Leaving the resort, your knowledgeable guide will tell you of the legends of Palm Springs, talk about the San Andreas Fault and how the Native Americans lived off the land, and point out the homes of the rich and famous. State-of-the-art tramcars from Switzerland are some of the largest in the world, offering a large viewing area and featuring an innovative rotating floor design that provides a 360-degree viewing experience that you will not soon forget! Once atop Mount San Jacinto, explore the 13,000-acre State Wilderness Park, eat at the restaurant, relax while viewing a 22-minute film about the tram, or just enjoy the unique panorama of the desert below. The **\$70** fee includes deluxe transportation, narrated tour *en route*, admission to the tram and all taxes and gratuities. Check the appropriate box on the registration form.



Chefs' Cooking Class

Friday, December 7, 12:30–2:00 p.m.

Rub elbows with the chefs of The Westin Mission Hills Resort & Spa as together you prepare a fantastic meal! This hands-on class begins with a demonstration of the recipes—with an emphasis on technique. Attendance is limited to 25 people so that the chef can give you individual attention. When the food is done, sit down with your classmates and the chef and enjoy the meal you helped prepare. The **\$75** fee includes instruction, menus and ingredients, and lunch! Check the appropriate box on the registration form.

Rock 'n Roll Dance Party, Featuring ABI's Own Indubitable Equivalents!

Friday, December 7, 7:00–11:00 p.m.

Sponsored by Mesirow Financial Consulting, LLC; Navigant Capital Advisors, LLC; Nixon Peabody LLP; Paul, Hastings, Janofsky & Walker LLP and RBS Greenwich Capital



Come shake, rattle and roll to music performed by the “Indubitable Equivalents,” the world’s only all-ABI member rock-and-roll band. Featuring *Andy Caine*, Saxophone (Pachulski Stang Ziehl Young Jones & Weintraub PC; Los Angeles); *Jack Esher*, Bass (Altman Riley Esher LLP; Boston); *Steven Golick*, Keyboards and Wind Controller (Osler, Hoskin & Harcourt LLP; Toronto); *John C. Good*, Trombone (ABI; Alexandria, Va.); *Dillon Jackson*, Autoharp and Pedal Steel Guitar (Foster Pepper & Shefelman PLLC; Seattle); *George Kelakos*, Lead Guitar (Kelakos Advisors LLC; Greenwich, Conn.); *Jordan Kroop*, Keyboards (Squire, Sanders & Dempsey LLP; Phoenix); *Hon. Steven Rhodes*, Guitar (U.S. Bankruptcy Court; Detroit); *Michael P. Richman*, Keyboards (Foley & Lardner LLP; New York); *Mitch Ryan*, Lead Vocals (Epic Systems; Orange, Calif.); and *Tom Salerno*, Percussion (Squire, Sanders & Dempsey LLP; Phoenix); PLUS guest artists galore! The fee is **\$25** for conference attendees and **\$75** for guests, which includes drinks, dinner, dancing and the Dessert Reception. Check the appropriate box on the registration form.

Dessert Reception

Friday, December 7, 9:00 p.m.

Sponsored by Union Bank of California

The Dessert Reception is available as a stand-alone event for **\$25** per person; please check the appropriate box on the registration form. NOTE: The Dessert Reception is included with the Dance Party.

2007 Winter Leadership Conference Sponsors

Arent Fox LLP
The Bank of New York, Corporate Trust
BDO Seidman, LLP
Benesch, Friedlander, Coplan & Aronoff LLP
Bridge Associates, LLC
CIT
CRG Partners
Development Specialists, Inc.
Foley & Lardner LLP

Great American Group
Jefferies & Company, Inc.
Jenner & Block LLP
Loeb & Loeb LLP
Medical Capital Corporation
Mesirow Financial Consulting, LLC
MorrisAnderson & Associates, Ltd.
NachmanHaysBrownstein, Inc.
Navigant Capital Advisors, LLC

Nixon Peabody LLP
Paul, Hastings, Janofsky & Walker LLP
RBS Greenwich Capital
RSM McGladrey
Snell & Wilmer LLP
Summit Investment Management LLC
Union Bank of California
Winston & Strawn LLP

Special thanks to Thomson/West for the educational materials and totebags. Hotel keycards sponsored by



CD-Roms sponsored by



KPMG Corporate Finance LLC

2007 Winter Leadership Conference Committee Descriptions

Alternative Dispute Resolution

Is Arbitration the Right Decision for Your Client?

That boilerplate arbitration clause can be a gift—or a problem. Learn more about enforcing it, getting out of it and the alternatives.

Asset Sales

Continuing Turmoil and Crisis in Subprime Mortgages

Challenges and opportunities for restructuring professionals.

Bankruptcy Litigation/Commercial Fraud Task Force (joint)

Gotcha! Replacing Management for Fraud and Other Evil Deeds

Under §1104, you need to meet an evidentiary burden to oust management on issues of fraud, dishonesty, incompetence or gross mismanagement. Most frauds go unnoticed in private companies, and public companies have not exactly been fast to eliminate members of the debtor's rat pack.

Attend this session and obtain the information you need to expose the “Seven Deadly Sins” and win the appointment of trustee or examiner. This will be followed by “20 Questions for Management of the Debtor at the 341 When Fraud and Other Evil Deeds Are Suspected.”

Hon. Barry Russell (U.S. Bankruptcy Court; Los Angeles), *Jordon W. Siev* (Anderson, Kill & Olick; New York), *Brian C. Walsh* (Bryan Cave LLP; St. Louis), *Cyrus Noshir Pardiwala* (PricewaterhouseCoopers LLP; New York) and *Deirdre A. Martini* (CIT Group Inc.; New York).

Bankruptcy Taxation/Consumer Bankruptcy (joint)

Tax Issues in Consumer Bankruptcy

Ken C. Weil (Seattle), *Henry E. Hildebrand* (Lassiter, Tidwell, Davis, Keller & Hogan PLLC; Nashville, Tenn.) and *Willis Douglas* (U.S. DOJ, C.D. Calif.).

Business Reorganization/Employee Benefits in Bankruptcy (joint)

Section 1114 Issues in Large and Middle-Market Cases

Charles M. Dyke (Thelen Reid Brown Raysman & Steiner LLP; San Francisco), *Trent Cornell* (Stahl Cowen Crowley LLC; Chicago), *David Jury* (United Steelworkers of America; Pittsburgh), *Stuart Wohl* (Segal Co.; Washington, D.C.) and *Andrew Yearley* (Lazard; New York).

Court Administration

ECF and Issues Surrounding Proofs of Claim

Kelly Beaudin Stapleton—Moderator (Office of the U.S. Trustee; Philadelphia), *Kathy L. Yeatter* (Wells Fargo Trumbull; New York), *Kenneth M. Freda* (The Garden City Group, Inc.; Melville, N.Y.) and *Barry K. Lander* (U.S. Bankruptcy Court; San Diego).

Finance and Banking

First- and Second-Lien Issues

This committee will discuss the interplay and strategies associated with first-lien/second-lien disputes; from valuation to

2007 Winter Leadership Conference Committee Descriptions (*continued*)

intercreditor rights to economic agendas (*i.e.*, loan-to-own vs. sale now, etc.). The panel will feature an investment banker, a “company-side” lawyer, a first-lien-side representative/lawyer and a second-lien lender (hedge fund).

Financial Advisors/Investment Banking/Professional Compensation/Public Companies and Claims Trading (joint) PART I: Full Disclosure: The Results of the ABI Professional Fee Study

Prof. *Stephen J. Lubben* takes your questions on the landmark ABI-funded Fee Study and its ramifications. The Q&A session will also feature a panel moderated by *C.R. “Chip” Bowles Jr.*, chair of the Fee Study Steering Committee and Practitioner’s Panel (Greenebaum Doll & McDonald PLLC; Louisville, Ky.), *Gerald A. Shapiro* (CRG Partners; Wilton, Conn.), *J. Scott Victor* (National City Capital Markets-Investment Banking; Conshohocken, Pa.) and *Keith J. Shapiro* (Greenburg Traurig LLP; Chicago).

PART II: Hedge Fund Competition for Control of Public Chapter 11 Debtors and Their Reorganizations

A panel will discuss issues relating to the prevalence of hedge funds competing for control of and/or substantial ownership of public chapter 11 debtors and their reorganizations.

H. Slayton Dabney (King & Spalding; New York), *James D. Decker* (Alvarez & Marsal; Atlanta), *Peter M. Gillhuly* (Latham & Watkins LLP; Los Angeles) and *M. Steven Liff* (Sun Capital Partners, Inc.; Los Angeles).

Health Care

Roundtable on Reform, Legislation, Case Law and Business Operations

The panel will discuss the impact of the new BAPCPA provisions on sales of nonprofits (§§363(d)(1) and 1129(a)(16)), self-insurance of health care claims, the interplay of state court receiverships and subsequent bankruptcies, and the new ombudsman provisions.

International/Uniform Commercial Code (joint)

Securing Your Transactions Across Borders

The panel will present a comparison of secured transactions law of the United States, Canada, Mexico and England. *Kenneth Samuel Atlas* (Borden Ladner Gervais LLP; Montreal) and *Ian G. Williams* (Geldards LLP; Nottingham, England).

Legislation

Current Developments in the “Oversight” Congress

Mass Torts

The Mass Tort in a Chapter 11: What’s a Debtor to Do?

Real Estate/Young & New Members (joint)

The New American Skyline: Builder/Developer Workouts and Restructurings

Jeffrey L. Hubbard (Sheldon Good & Co.; New York), *Leslie Ann Berkoff* (Moritt Hock Hamroff & Horowitz LLP; Garden City, N.Y.), *Joseph H. Smolinsky* (Chadbourne & Parke LLP; New York) and *Heidi Jan Sorvino* (Katten Muchin Rosenman LLP; New York).

Technology and Telecommunication Cases

The Month Before: The People and Technology You Need to Get Your Case Filed

During the critical 30 days prior to the filing of a chapter 11, it is crucial that the proper people and systems be put into place to provide the smoothest possible entry into the bankruptcy arena. This program focuses on the practical and practice side of bankruptcy planning (as opposed to venue selection, DIP financing, first-day motions, etc.).

H. Jason Gold (Wiley Rein LLP; Washington, D.C.), *Ray C. Schrock* (Kirkland & Ellis LLP; Chicago), *Jeff Pirrung* (Administrative Services Group LLC; Jacksonville, Fla.), *Neil Gilmour III* (Executive Sounding Board Associates Inc.; Wilmington, Del.) and *Guy A. Davis* (Protiviti, Inc.; Richmond, Va.).

Unsecured Trade Creditors

Creditors’ Committees: Do They Still Bring Value to Chapter 11?

Hon. James D. Gregg (U.S. Bankruptcy Court; Grand Rapids, Mich.) will moderate a roundtable of committee members.



Friday, December 7

8:30–9:15 a.m.

- Plenary Session: Presentation of the Landmark ABI Fee Study: Conclusions and Ramifications

9:30–11:00 a.m.

(please select one)

Committee Education Sessions

- Bankruptcy Litigation/Commercial Fraud Task Force (joint)
- Business Reorganization/Employee Benefits in Bankruptcy (joint)
- Finance and Banking
- Financial Advisors/Investment Banking/Professional Compensation/Public Companies and Claims Trading (joint)
- Legislation

11:15 a.m.–12:45 p.m.

(please select one)

- Loan-to-Own Strategies of Hedge Funds and Private Equity Firms
- BAPCPA in the Courts: How Judicial Interpretation of the New Provisions Affects Your Cases
- Trying Valuation (on a Budget): Consumer Case Examples

2:00–3:30 p.m.

(please select one)

- Subprime Paradigm: Lessons on Maximizing Value from the Subprime, 1031 and Servicer Cases
- Health Care Cases: Financing, Financial Management and Exit
- Individual Chapter 11: The New “Small Business” Option?

3:45–5:15 p.m.

(please select one)

Committee Education Sessions

- Asset Sales
- Health Care
- International/Uniform Commercial Code (joint)
- Mass Torts
- Unsecured Trade Creditors

Saturday, December 8

7:30–9:30 a.m.

- Breakfast Presentation: Supreme Court Year in Review (and in Prospect): Judges’ Roundtable

9:30–11:00 a.m.

(please select one)

Committee Education Sessions

- Alternative Dispute Resolution
- Bankruptcy Taxation/Consumer (joint)
- Court Administration
- Ethics
- Real Estate/Young & New Members (joint)
- Technology and Telecommunications Cases

11:15 a.m.–12:45 p.m.

- Plenary Session: Ethics, E-mail, the Web and the Blogosphere: Rules and Values for Practice in Cyberspace

2007 Winter Leadership Conference Registration Form

Complete this registration form, make check payable to American Bankruptcy Institute and return to: ABI, 44 Canal Center Plaza, Suite 404, Alexandria, VA 22314, ATTN: WLC07.

If paying by credit card, FAX to (703) 739-1060, or register online at www.abiworld.org/WLC07.

Name _____

Firm/Company _____

E-mail _____

Address _____

City _____ State _____ Zip _____

Phone _____ Fax _____

1. Conference Rates

	<u>Early Bird</u> (postmarked by 9/21/07)	<u>Regular</u> (9/22/07–11/9/07)	<u>Late</u> (after 11/9/07)
ABI Member	<input type="checkbox"/> \$695	<input type="checkbox"/> \$745	<input type="checkbox"/> \$795
ABI Govt./Academic Member	<input type="checkbox"/> \$345	<input type="checkbox"/> \$395	<input type="checkbox"/> \$445
Non-member*	<input type="checkbox"/> \$895	<input type="checkbox"/> \$945	<input type="checkbox"/> \$995
Govt./Academic Non-member*	<input type="checkbox"/> \$440	<input type="checkbox"/> \$490	<input type="checkbox"/> \$540
Member Exhibitor Registration**		<input type="checkbox"/> \$2,595	
Non-member Exhibitor Registration***		<input type="checkbox"/> \$2,845	
Additional Exhibit Booth Representative****		<input type="checkbox"/> \$500	

* Includes one-year ABI membership for first-time members only—a \$250 value! You must be an ABI member to attend. Membership is individual and nonrefundable. If your membership has expired, select the member rate and add in your membership renewal fee (see step 5).

** Includes one 6' table and full registration for one booth representative.

*** Includes one 6' table and full registration for one booth representative AND one-year ABI membership. First-time members only.

**** The \$500 fee does not include any functions/optional events, and does not include ABI membership.

2. Continuing Education Credit

CLE/CPE Credit State(s) _____ Bar No. _____

(circle one)

3. ABI Endowment Fund (Optional)

Yes, I'd like to contribute to the ABI Endowment Fund.

\$100 \$250 \$500 Other \$ _____

Yes, I'd like to make a pledge. Please contact me regarding billing.

Name _____

List As _____

(as you want it to appear in ABI acknowledgement materials)

4. Guest Information (If Applicable)*

1. Guest Name _____

2. Guest Name _____

3. Guest Name _____

* Please attach additional page if more than 3 guests. A guest is a spouse or companion, not a professional colleague.

5. ABI Annual Membership Renewal (Optional)

Regular (\$250) \$ _____ Govt./Academic (\$95) \$ _____

6. Optional Events**	Price	Self	Guest 1	Guest 2	Guest 3	Subtotal
Golf Tournament	\$140	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Handicap(s) _____						
Windmill & Thousand Palms Oasis	\$75	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Tennis Tournament	\$60	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Opening Reception	\$65	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Palm Springs Aerial Tramway Tour	\$70	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Chefs' Cooking Class	\$75	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Luncheon Featuring						
Christopher Buckley	\$45	*	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Women's Networking Reception	\$40	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Rock 'n Roll Dance Party (Attendee)	\$25	<input type="checkbox"/>	n/a	n/a	n/a	_____
Rock 'n Roll Dance Party (Guest)	\$75	n/a	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____
Dessert Reception Only***	\$25	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	_____

* No cost to registrant.

** Additional fees will apply for tickets purchased on-site.

***Dessert Reception is included with the Dance Party.

\$ _____

7. Payment

TOTAL \$ _____

Check payable to American Bankruptcy Institute enclosed.

Charge to Credit Card VISA  

Acct. No. _____

Exp. Date _____ Signature _____

Register online at www.abiworld.org/WLC07



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