

## GENERAL SESSION EDUCATION

### FRIDAY MAY 15

11:00am – 12:00pm

#### **Competency: Kelp! I Need Somebody!**

Among lawyers, rates of problematic use of alcohol, anxiety, and depression far exceed rates estimated in the general population. Attorneys in private practice, attorneys in their first ten years of practice, and male attorneys are all at increased risk of problematic use of alcohol. Abuse of alcohol and other substances can be triggered by stress, anxiety and depression but can also contribute to and exacerbate mental health disorders, putting lawyers at increased risk of self-injurious behaviors and suicidal thoughts. These findings, the results of a joint study by the American Bar Association and the Hazelden Betty Ford Foundation, reveal a crisis in the legal profession. This panel will discuss how lawyers can help protect each other, their clients, and their colleagues by learning to identify and address signs of impairment. The panel will also provide attendees with an understanding of the underlying causes of attorney impairment and the related California Rules of Professional Conduct. This panel will qualify for competency specialty MCLE credit.

#### **Producers:**

**Kenneth Shemwell**; Law Offices of David Brody, San Diego

**Ariella T. Simonds**; Klee Tuchin Bogdanoff & Stern LLP, Los Angeles

11:45am – 1:00pm

#### **Luncheon and Bingo Games 1 & 2**

1:15pm – 2:15pm

#### **Keynote Address featuring**

**Bill Dedman, Pulitzer Prize-winning journalist and The New York Times best-selling author**

#### **Empty Mansions: Lessons from the Life of Huguette Clark**

Join Pulitzer Prize-winning journalist and The New York Times best-selling author Bill Dedman as he takes the audience on a visual tour of Bellosguardo in Santa Barbara and the life of Huguette Clark, the reclusive heiress to a copper fortune, and the lessons learned from her choices of how to use her \$300 million fortune. Bill's book, *Empty Mansions, The Mysterious Life of Huguette Clark and the Spending of a Great American Fortune*, spent months on The New York Times and Los Angeles Times bestseller lists.

2:15pm – 3:15pm

#### **Judges' Roundtable**

#### **Producers:**

**Sharon Kopman**; Oak Point Partners, Los Angeles

**Shane Moses**; Foley & Lardner, LLP, San Francisco

3:30pm – 4:30pm

**Concurrent Session: IP Assets Caught in the Bankruptcy Rip Tide**

Intellectual Property assets present unique challenges in bankruptcy. Article 9 financing statements may or may not be enforceable, and, in some instances, may actually be to your client's detriment. Can a debtor assume and assign IP rights? Revoke them by rejecting a license? How is a security interest in intellectual property perfected and enforced? How you define the intellectual property assets can greatly impact your client's rights, and those rights are constantly changing. This panel will help you spot the issues and navigate your way out of the bankruptcy rip tide, whether you represent a secured lender, debtor, or contract counter-party.

**Producers:**

**Kimberly S. Fineman;** Nuti-Hart, LLP. Oakland

**Marshall Hogan;** Snell and Wilmer, Costa Mesa

3:30pm – 4:30pm

**Concurrent Session Real Estate – When the Tide Recedes: Real Estate Bankruptcies**

Low interest rates, high property values, and the record 10-year bull market have largely washed real estate bankruptcy issues into the backwater. But the high-water mark may not be far off, and a retail sector that is already struggling will face further pressure if the broader economy declines. This panel will survey real estate bankruptcy issues (new and old) that are likely to surface in the next economic downturn.

**Producers:**

**Nathan Schultz;** Goodwin Procter LLP, San Francisco

**Kelly Tran;** Small Law PC, San Diego

4:45pm – 5:45pm

**Walk the Plank: Debates on Hot Topics in Bankruptcy**

Pull up your oars and bear witness to a legal duel – will the judge throw the candidates a life-line or verbal cement shoes? Watch the candidates walk the plank or live to tell their tales as they examine, argue and support their positions on important issues facing bankruptcy professionals in a quick-fire, mock political debate format.

**Moderator:** John Tedford IV; Danning Gill Israel Krasnoff, Los Angeles

**Producers:**

Jeannie Kim; Friedman & Springwater LLP, San Francisco

Roksana Moradi-Brovvia; Resnick Hayes Moradi LLP, Los Angeles

## SATURDAY MAY 16

8:30 – 9:30am

### **Match Game 2020**

#### **Producers:**

**Jeffrey S. Kwong**; Levene Neale Bender Yoo & Brill LLP; Los Angeles

**Brian Osborne**; Omni Agent Solutions, Los Angeles

10:00am – 11:00am

### **Concurrent Session: Small Fish in A Big Tide Pool: Individual and Small Business Chapter 11s**

Chapter 11 is often synonymous with large corporate filings, but its provisions cast a far wider net. This panel will focus on considerations unique to individual and small business Chapter 11 filings, and will delve into recent, nuanced developments in the law. The discussion will include feedback from the first few months of implementation of the Small Business Reorganization Act of 2019, as well as new case law on the absolute priority rule and the debtor's retention of exempt property, whether a large non-dischargeable judgment can preclude plan confirmation, and other recent changes likely to impact Chapter 11 practitioners.

#### **Producers:**

**Nicholas A. Koffroth**; Dentons, Los Angeles

**Allison Rego**; Barnes & Thornburg LLP, San Diego

10:00am – 11:00am

### **Concurrent Session: Raising the White Flag: Why Consider Abandoning Bankruptcy to an Alternative Choice**

Bankruptcy is not the only option, and often times not the best. Co-sponsored with the California Receivers Forum, this panel will discuss the benefits of alternatives to bankruptcy and which factors should be examined to determine the method that best suits the situation. Professionals may understand the fundamentals of their options outside of bankruptcy, but could overlook underlying benefits of a Receiver, Assignee or Mediator and their ability to efficiently and effectively administer a case as opposed to restrictions placed on Court bounded Trustees.

#### **Producers:**

**Gerard F. Keena, II**; Bay Area Receivership Group, Berkeley

Joe Zagajeski; Development Specialists, Inc., Chicago

11:00am – 12:00pm

### **Judges' Roundtable**

#### **Producers:**

**Joseph Boufadel**; Salvato Law Offices, Los Angeles

**Cara M. Porter**; California Department of Justice, San Francisco

## YIP EDUCATION

*The Young Insolvency Professionals (YIP) programming is geared toward providing YIPs with the tools and support they need to further their professional development in the fields of bankruptcy and insolvency. The CBF envisions its YIP constituents as being either within their first five to eight years of practice, generally, or within the insolvency community.*

1:30pm – 2:30pm

### **Party Waves: Consensus Building in Bankruptcy**

Whether the case is a “locals only” small business or a major surf spot attracting parties from across the country, it is crucial to build consensus quickly before the tide turns. We will discuss identifying potential sticking points at the start of the case, mediating to resolve matters quickly and inexpensively, and maintaining your client’s credibility as an estate fiduciary that has all parties in interest in mind.

2:45pm – 3:45pm

### **Gidget Goes Bankrupt: The First 120 Days of a Chapter 11 Case**

Young insolvency attorneys find themselves paddling out to draft first day motions or preparing schedules and statements with modest appreciation for how it all fits into the strong currents and tides of a new chapter 11. Get stoked about first day motions, working efficiently with the client or financial advisor to prepare your case, and encouraging a productive (and non-adversarial) relationship with the US Trustee in preparation for the IDI and 341(a) Meeting.

4:00pm – 5:00pm

### **Big Wipeout: Making the Automatic Stay work for you**

Like a coral reef below the surface, the automatic stay is something new bankruptcy surfers cannot afford to ignore. Learn about what actions are stayed and when the stay expires, carving radical ideas for conditional relief, and preparing for and defending against gnarly motions for stay relief.

## CONSUMER EDUCATION

### **SATURDAY, MAY 16**

1:30pm – 2:30pm

### **Representing Consumers When the Big Wave Hits**

When companies like Ditech, PG&E or national retail stores file for bankruptcy, thousands of consumers have their rights affected. This session will provide insight on how consumer lawyers can protect their client’s interests when the “big guy” turns out to be the debtor.

### **Producers:**

**Anthony Bisconti**; Bienert I Katzman, PLC, San Clemente

**Sabina Jacobs Margot**; Gibson Dunn, Los Angeles

2:30pm – 2:45 pm

### **Networking Break**

2:45pm – 3:45 pm

**The Paddle Battle: When Bankruptcy and Family Law Collide**

Surfer girl and surfer boy divorce; then, surfer boy files for bankruptcy! Now what? Unique challenges and issues accompany bankruptcy cases, for both creditors and the debtor, when a consumer debtor files bankruptcy after dissolution of marriage. This session will provide a primer on, as well as the latest developments in, such issues as child and spousal support claims, the impact of bankruptcy on a property marital settlement agreement, and the treatment of debts incurred during marriage in bankruptcy.

**Producers:**

**Nicholas Kohlmeyer**; Desmond, Nolan, Livaich, and Cunningham, Sacramento

**Larry Simons**; Law Offices of Larry D. Simons, Mission Hills

3:45pm – 4:00pm

**Networking Break**

4:00pm – 5:00pm

**The Wipe Out!**

For the consumer debtor, the discharge order is the financial fresh start motivating the bankruptcy filing. This session will explore the latest developments in enforcing the discharge injunction, including the Supreme Court's recent decision in *Taggart v. Lorenzen*, in calculating damages for discharge violations, and procedural considerations to discharge.

**Producers:**

Ahren Tiller; Bankruptcy Law Center, San Diego

J. Jackson Waste, Baker Manock & Jensen PC, Fresno

**Any Insolvency Conference registrant may attend the consumer-focused afternoon programs.**