



26th Annual

Advanced Business Bankruptcy

Course



LIVE
Austin
May 1-2, 2008



HIGHLIGHTS

- The Sale of Assets in Bankruptcy
- Real Estate Bankruptcy Cases
- Hedge Fund Corporate Governance
- Receiverships and Bankruptcy

Come a day early
and attend the
**Nuts & Bolts of
Business Bankruptcy!**

Advanced Business Bankruptcy Course

Thursday

7.25 hrs including .25 hr ethics

- 7:45 **Registration & Continental Breakfast**
- 8:00 **Breakfast with Judges** .5 hr
- 8:45 **Welcoming Remarks and Announcements**
Course Director
Mark E. Andrews, *Dallas*
Cox Smith Matthews Incorporated
- 9:00 **Case Update** .75 hr
Hon. Harlin D. "Cooter" Hale, *Dallas*
Judge, U.S. Bankruptcy Court
Northern District of Texas
Gerrit M. Pronske, *Dallas*
Pronske & Patel
- 9:45 **The Sale of Assets in Bankruptcy: A Demonstrative Examination of Critical Issues** .75 hr
Moderator
Joseph J. Wielebinski, Jr., *Dallas*
Munsch Hardt Kopf & Harr
Ray W. Battaglia, *San Antonio*
Oppenheimer Blend Harrison & Tate

- Bernard R. Given, II, *El Paso*
Beck & Given
- Wayne Kitchens, *Houston*
Hughes Watters Askanase
- Hon. Russell F. Nelms, *Fort Worth*
Judge, U.S. Bankruptcy Court
Northern District of Texas

10:30 **Break**

- 10:45 **Chapter 15** .5 hr
Laurie Anne Babich, *Dallas*
Baker & McKenzie
- William Louis Wallander, *Dallas*
Vinson & Elkins
- 11:15 **Real Estate Bankruptcy Cases** .75 hr
Shelby A. Jordan, *Corpus Christi*
Jordan, Hyden, Womble & Culbreth
- Kyung S. Lee, *Houston*
Diamond McCarthy Taylor Finley & Lee

12:00 **Break**

- 12:15 **Luncheon Presentation: How the Restructuring Practice Has Transformed Over the Years** .5 hr
Myron M. Sheinfeld, *Houston*
King & Spalding

12:45 **Break**

- 1:00 **Hedge Fund Corporate Governance** .75 hr (.25 ethics)
Patrick J. Neligan, Jr., *Dallas*
Neligan Foley
*Additional Speakers to be Announced
- 1:45 **D & O Insurance** .5 hr
Peter Tierney, *Dallas*
Carrington, Coleman, Sloman & Blumenthal
- 2:15 **Rights Offerings and Backstops** .5 hr
Patrick H. Daugherty, *Dallas*
Highland Capital Management
Lenard M. Parkins, *New York, NY*
Haynes and Boone
- 2:45 **Current Issues in Oil, Gas and Energy Reorganizations** .75 hr
Rhett G. Campbell, *Houston*
Thompson & Knight
Harry A. Perrin, *Houston*
Vinson & Elkins
- 3:30 **Break**

BREAKOUT SESSION A

- 3:45 **Utilities After BAPCPA: Give and Take** .5 hr
Gilbert L. Hamberg, *Yardley, PA*
Sole Practitioner
Michael R. Rochelle, *Dallas*
Rochelle, Elrod & Hutcheson
- 4:15 **Enforcement of Orders Through Civil & Criminal Contempt and the U.S. Marshals** .5 hr
Davor Rukavina, *Dallas*
Munsch Hardt Kopf & Harr
- 4:45 **Adjourn**
Sponsored Reception

BREAKOUT SESSION B

- 3:45 **Weighing Alternatives in Chapter 11 - Strategies for Chapter 11 Liquidating Plans & Wind Downs** .5 hr
Moderator
William A. Wood III, *Houston*
Bracewell & Giuliani
Deborah L. Clark, *Houston*
Managing Director, Strategic Capital Corporation
Harold Kessler, *Dallas*
Director, Barrier Advisors
- 4:15 **Receiverships and Bankruptcy** .5 hr
Sharon Marie Beausoleil-Mayer, *Houston*
Fulbright & Jaworski
- 4:45 **Adjourn**
Sponsored Reception

11.5 HOURS (1.25 ETHICS)

MCLE COURSE NO: 900037008

Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in Bankruptcy Law.

TexasBarCLE gratefully acknowledges the following sponsors of the Thursday evening reception.

- Haynes and Boone
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Friday

4.25 hrs including 1 hr ethics

8:15 **Continental Breakfast Provided**

8:45 **Announcements**
Assistant Course Director
Thomas A. Howley, *Houston*
Haynes and Boone

9:00 **Creditors' Committees Issues in Multi-Debtor Cases**
.5 hr (.25 ethics)
J. Michael Sutherland, *Dallas*
Carrington Coleman Sloman & Blumenthal

Deborah D. Williamson, *San Antonio*
Cox Smith Matthews Incorporated

9:30 **Mass Tort Claims** .75 hr
Sander L. Esserman, *Dallas*
Stutzman, Bromberg, Esserman & Plifka

Jack L. Kinzie, *Dallas*
Baker Botts

10:15 **Chapter 5: New Preference/ Fraudulent Transfer Claims** .5 hr
Hon. Stacey G. C. Jernigan, *Dallas*
Judge, U. S. Bankruptcy Court
Northern District of Texas

Dan B. Lain, *Dallas*
Lain Faulkner

10:45 **Break**

11:00 **Evidence Issues in Bankruptcy**
.75 hr
Hon. Marvin Isgur, *Houston*
Judge, U. S. Bankruptcy Court
Southern District of Texas

E. Lee Morris, *Dallas*
Munsch Hardt Kopf & Harr

Patrick Kelley, *Tyler*
Ireland, Carroll & Kelley

Stephen M. Pezanosky, *Fort Worth*
Haynes and Boone

11:45 **Break - Lunch on your own**

1:15 **Who's on First?** .75 hr ethics
Hon. Russell F. Nelms, *Fort Worth*
Judge, U.S. Bankruptcy Court
Northern District of Texas

2:00 **Judges' Panel** 1 hr
Moderator
Thomas A. Howley, *Houston*
Haynes and Boone

Hon. Harlin D. "Cooter" Hale,
Dallas
Judge, U.S. Bankruptcy Court
Northern District of Texas

Hon. Marvin Isgur, *Houston*
Judge, U.S. Bankruptcy Court
Southern District of Texas

3:00 **Adjourn**

Nuts & Bolts of Business Bankruptcy

LIVE Austin April 30, 2008 Four Seasons Hotel Austin

Separate registration fee required. See registration form for details.

11:45 **Registration**

12:00 **Welcoming Remarks and Program Introductions**
Moderator
Johnathan C. Bolton, *Houston*
Fulbright & Jaworski

12:15 **Panel Discussion 1**
• First Day Orders (Role Playing) .75 hr
• Representing a Debtor or a Creditors' Committee (Panel) .75 hr

Moderator
Elizabeth Carol Freeman, *Houston*
Locke Lord Bissell & Liddell

Vickie L. Driver, *Dallas*
Greenberg Traurig

Christopher D. Johnson, *Houston*
Diamond McCarthy

1:45 **Break**

2:00 **Panel Discussion 2**
• Cash Collateral Use/ DIP Financing .75 hr
• Plans and Disclosure Statements in Large and Small Business Cases .75 hr

Moderator
Johnathan C. Bolton, *Houston*
Fulbright & Jaworski

Eleanor Heard Gilbane, *Houston*
Weil Gotshal & Manges

Rakhee V. Patel, *Dallas*
Pronske & Patel

3:30 **Break**

3:45 **Panel Discussion 3**
• Litigating in Bankruptcy Court .75 hr
• Claim Objections and Avoidance Actions .75 hr

Moderator
Debra L. Innocenti, *San Antonio*
Oppenheimer, Blend, Harrison & Tate

Eric M. Van Horn, *Austin*
Diamond McCarthy

Elliott S. Cappuccio, *San Antonio*
Pulman, Cappuccio & Pullen

5:15 **Adjourn**

4.5 HOURS
MCLE COURSE NO: 900037009

Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in Bankruptcy Law.

COURSE INFORMATION

Register Early and Save \$50

by registering no later than two weeks before each presentation date. Early registrations help us ensure that sufficient course books, seating, and refreshments will be available. Registrations are accepted on a space-available basis. Course materials and seating will be reserved for pre-registrants until the start of the first presentation. No confirmation will be sent; pick up your name tag and course materials at the program.

Bankruptcy Section Members Can Save Up To \$75

because the Section cosponsors this course with TexasBarCLE. If you are a Section member, or you agree to become one by the date of registration, you save \$25; see the registration form. To join the Section, please contact the State Bar's Sections Coordinator, Kathy Casarez, at 800-204-2222, x1420. Please do not send payment for Section membership with your registration fee.

Qualifying Judges

may attend free of charge, provided (1) the course is directly related to the jurisdiction of their tribunal, (2) they are full-time judges or judges retired under the judicial retirement system, and (3) space is available after admission of all paid registrants. Judges must actually attend to receive course materials. This privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity.

If You Register But Cannot Attend

you can still earn participatory MCLE credit and receive the written materials. As a registrant, you are entitled to special benefits via our web site (see "Two Free Online Benefits For Course Registrants," below). However, if you wish to receive a refund instead, mail or fax (512-427-4111) your request so that we receive it at least one business day before the program. Registrants who do not attend will be sent the course materials.

Two Free Online Benefits for Course Registrants

will be available 4-8 weeks after the course: (1) streaming video and audio versions of each presentation and (2) electronic versions of the course materials. Actual length of a presentation may vary from that which was advertised. To access these benefits, log onto TexasBarCLE.com. To view videos, look under "Your Online Classroom" and click on "Free Classes from Seminars You've Attended." For course materials, check our home page for "Your Online Library." Below that, click on "Free Articles from Seminars You've Attended." Remember: there's no extra charge. As a registrant, you're already entitled!

MP3 CDs

require an MP3-compatible device (e.g., an iPod or a portable or non-portable CD/MP3 player) for playback. Older CD Players may not play MP3 CDs. Most computers can play MP3 CDs; many can be used to extract MP3 files and burn them onto audio CDs playable in car stereos. MP3-compatible devices may be combined with a commercially available adaptor to transmit sound to a car's FM radio or audiocassette player.

Persons with Disabilities

who need special accommodations to attend should contact us as soon as possible at 1-800-204-2222 x1797.

Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

Reserve Your Hotel Room Early

Hotel rooms have been blocked at special rates on a space available basis. To make a reservation, indicate that you will be attending the State Bar of Texas Advanced Business Bankruptcy Course.

Austin LIVE

Four Seasons Hotel Austin
98 San Jacinto Blvd.
Austin, Texas 78701
(512) 478-4500
\$220 Cityview/\$250 Lakeview *

*ACT NOW! Early reservation deadline is March 30, 2008 unless the reserved block of rooms fills up before then.



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Mark E. Andrews Dallas

Asst. Course Director

Thomas A. Howley Houston

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Keith Miles Aurzada Dallas
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Planning Team

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Advanced Business Bankruptcy Course and Nuts & Bolts of Business Bankruptcy

1 Check boxes to select course:

- | | |
|-------------------------------------------------------------------------|------|
| <input type="checkbox"/> Advanced Business Bankruptcy Course | 5070 |
| <input type="checkbox"/> Austin LIVE, May 1-2 \$495 | |
| <i>Early Registration Deadline: April 17</i> | |
| <input type="checkbox"/> Nuts & Bolts of Business Bankruptcy | 5071 |
| <input type="checkbox"/> Austin LIVE, April 30 \$85 | |
| <i>(No discounts or late fees under #2 apply.)</i> | |

2 Check all applicable boxes below to calculate your fee:

- Add \$50** if registering for the Advanced Course after the Early Registration Deadline. (If registration is by mail, date of post-mark will determine if this fee applies.)
 - Subtract \$25** if you are a member of the State Bar Bankruptcy Law Section -OR- State Bar College -OR- State Bar Legal Administrators or Paralegal Division -OR- if licensed two years or less.
 - No charge** for Qualifying Judge
- My payment after all calculations above: \$ _____**

3 I can't attend. Just send course materials.* **Free Shipping & Handling!**

- Advanced Course book \$155 each[†]
- Nuts & Bolts Course book \$40 each[†]
- Set of Advanced Course audio MP3 speeches on CD^{††} \$150 per set[†]
- Set of Advanced Course audio CDs \$230 per set[†]

4 I am paying by:

- Check (enclosed) payable to State Bar of Texas for \$ _____
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QUESTIONS? 800-204-2222, x1574 or 512-427-1574

*Online versions (PDFs) of course materials will be available for purchase 6-8 weeks after the course in the Online Library at TexasBarCLE.com. Course registrants receive access to the PDFs at no additional charge (see "Two Free Online Benefits for Course Registrants" in this brochure).

[†]Plus 7.25% tax (8.25% for Austin address) on total. Book orders and audio CD orders are shipped separately and filled approximately 4-6 weeks after the live program. You will be billed unless you authorized a credit card charge above.

^{††}CDs require MP3-compatible player for playback. Older CD players may not play MP3s. See "MP3 CDs" under "Course Information."

STATE BAR OF TEXAS BANKRUPTCY LAW SECTION



MEMBERSHIP APPLICATION FORM (Bar Year is from June 1, 2008– May 31, 2009) (Please Print Legibly)

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

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Bar Number: _____ E-Mail: _____

DUES AMOUNT: \$20.00

Please return to:

**State Bar of Texas - Attn: Sections Department
P.O. Box 12487 - Austin, TX 78711-2487**

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LIVE May 1-2, 2008 Austin

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