

# MEDIATION IN COMMERCIAL BANKRUPTCY



**Wednesday, December 10, 2014**

**9:00 a.m. - 5:00 p.m.**

**(Lunch provided)**

**Doubletree Hotel, 700 N. King St., Wilmington, DE**

**6.3 hours CLE credit including 1.8 hours Enhanced Ethics  
for Delaware and Pennsylvania attorneys**

Come to this first-time seminar with the Bankruptcy Judges of the District of Delaware, and many experienced practitioners and mediators from Delaware and around the country, to discuss the ever growing breadth of mediation in commercial bankruptcy. Members of one of the most renowned benches in the U.S. Bankruptcy Courts will lead panel discussions on just about every area of Chapter 11 and Chapter 7 practice that are now touched by and subject to alternative dispute resolution.

The seminar will investigate the origins and growth of alternative dispute resolution in Delaware commercial bankruptcy practice, as well as practical considerations and discussions of preparation for and participation in mediation. Whether you are an experienced mediator or practitioner, learn not only the Court's expectations, but also how to successfully run mediations to reach the best results for your clients.

The seminar will conclude with 1.8 hours of enhanced ethics in *The Ethics of Mediation: Mediators, Advocates and the Bounds of R. 408*. This seminar is not to be missed by anyone who actively practices before the United States Bankruptcy Court for the District of Delaware and those who want to take advantage of an opportunity to meet judges and other attorneys to discuss this important topic.



***Sponsored by***

**The Bankruptcy Section  
of the Delaware State Bar Association**

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## MODERATORS

William P. Bowden, Esquire

Steven K. Kortanek, Esquire

Kimberly A. LaMaina, Esquire

## PROGRAM

8:30 a.m. – 9:00 a.m.

### Registration and Continental Breakfast

9:00 a.m. – 9:15 a.m.

### Opening Remarks

The Honorable Brendan L. Shannon, Chief Judge  
*U. S. Bankruptcy Court for the District of Delaware*

9:15 a.m. – 10:15 a.m.

### Introduction to Local Rules 9019-2 through 9019-7: Origins, History, and Evolution

The Honorable Mary F. Walrath, Judge  
*U. S. Bankruptcy Court for the District of Delaware, Moderator*  
David D. Bird, Clerk of Court  
*U. S. Bankruptcy Court for the District of Delaware*  
Kimberly A. LaMaina, Esquire  
*Skadden Arps Slate Meagher & Flom LLP*  
*Chair of Local Rules Committee,*  
*U. S. Bankruptcy Court for the District of Delaware*  
Marcos A. Ramos, Esquire  
*Richards, Layton & Finger, P.A.*  
James E. O'Neill, Esquire  
*Pachulski Stang Ziehl & Jones LLP*

10:15 a.m. – 11:15 a.m.

### Bringing and Defending Mass Litigation Under 11 U.S.C. § 547, et seq. & L.R. 9019-2, et seq.

William P. Bowden, Esquire  
*Ashby & Geddes, Moderator*  
Lori Costner  
*Office of the Clerk*  
*U. S. Bankruptcy Court for the District of Delaware*  
Donna L. Culver, Esquire  
*Morris Nichols Arsht & Tunnel LLP*  
Joseph L. Steinfeld, Jr. Esquire  
*ASK Financial*  
Ericka F. Johnson, Esquire  
*Womble Carlyle Sandridge & Rice, LLP*

11:15 a.m. – 11:30 a.m. | Morning Break

11:30 a.m. – 12:30 p.m.

### Effective Mediation, Preparation, Styles and Mediators: Getting to 9019

The Honorable Brendan L. Shannon, Chief Judge  
*U. S. Bankruptcy Court for the District of Delaware, Moderator*

Jason S. Pomerantz, Esquire

*Pachulski Stang Ziehl & Jones LLP*

Robert S. Brady, Esquire

*Young Conaway Stargatt & Taylor, LLP*

Mark E. Felger, Esquire

*Cozen O'Connor*

Ian Connor Bifferato, Esquire

*Bifferato LLC*

12:30 p.m. – 1:45 p.m. | Lunch

1:45 p.m. – 2:45 p.m.

### Getting to Mediation in Non-Mandatory Contexts

The Honorable Christopher S. Sontchi, Judge  
*U. S. Bankruptcy Court for the District of Delaware, Moderator*  
Derek C. Abbott, Esquire  
*Morris Nichols Arsht & Tunnell LLP*  
Pauline K. Morgan, Esquire  
*Young Conaway Stargatt & Taylor, LLP*  
Francis A. Monaco, Jr., Esquire  
*Womble Carlyle Sandridge & Rice, LLP*  
David B. Stratton, Esquire  
*Pepper Hamilton, LLP*

2:45 p.m. – 3:00 p.m.

### The Effective and Useful Mediation Statement

Edward E. Neiger, Esquire  
*ASK Financial*

3:00 p.m. – 3:15 p.m. | Afternoon Break

3:15 p.m. – 5:00 p.m.

### The Ethics of Mediation: Mediators, Advocates and the Bounds of R. 408

The Honorable Kevin J. Carey, Judge  
*U. S. Bankruptcy Court for the District of Delaware, Moderator*  
Patricia Bartley Schwartz, Esquire  
*Office of Disciplinary Counsel*  
Daniel J. DeFranceschi, Esquire  
*Richards, Layton & Finger, P.A.*  
Steven K. Kortanek, Esquire  
*Womble, Carlyle, Sandridge & Rice, LLP*  
Jason S. Pomerantz, Esquire  
*Pachulski Stang Ziehl & Jones LLP*  
The Honorable Joseph R. Slights III, Judge  
*(Retired), Superior Court of Delaware*  
*Morris James, LLP*

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11 U.S.C. § 547, et seq. & L.R. 9019-2, et seq.**

**The Effective and Useful Mediation Statement**

**Effective Mediation, Preparation, Styles  
and Mediators: Getting to 9019**

**The Ethics of Mediation: Mediators, Advocates  
and the Bounds of R. 408**

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### Mediation in Commercial Bankruptcy • Wednesday, December 10, 2014

Please return by December 3, 2014 • DSB12102014MEDIA

**Tuition:** Members and Staff Registering Before 12/3/14:  
Members and Staff Registering On or After 12/3/14:  
Non-Members:  
 PA Credit – Add \$18.00 PA ID No. \_\_\_\_\_

Seminar and Download materials - \$295.00  
 Seminar and Download materials - \$315.00  
 Seminar and Download materials - \$415.00

Name: \_\_\_\_\_ DE ID No.: \_\_\_\_\_

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Firm: \_\_\_\_\_ Phone: \_\_\_\_\_

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Check/Charge in the amount of \$ \_\_\_\_\_ enclosed. Please make checks payable to DSBA.

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#### General Information

Return registration form to Delaware State Bar Association, 405 N. King St., Suite 100, Wilmington, DE 19801, or fax to (302) 658-5212. Refunds issued if cancellation is received no later than one week prior to a seminar. All refund requests must be in writing. Unpaid registrants who fail to attend the seminar are responsible for the full registration fee. Call DSBA at (302) 658-5279 for more information. Visit [www.dsba.org](http://www.dsba.org) for all seminar policies.

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