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INSTITUTE

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COMMISSION
FORUM

2017 MIDWEST REGIONAL BANKRUPTCY SEMINAR AUGUST 23-24, 2017

THE WESTIN CINCINNATI

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2017 MIDWEST REGIONAL BANKRUPTCY SEMINAR AUGUST 23-24, 2017

THE WESTIN CINCINNATI

Join us this summer to connect with colleagues, build new relationships and gain valuable insights for all stages of your career.

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CONTINUING EDUCATION CREDIT*

Midwest Regional Bankruptcy Seminar

Approval for approximately **13.5 hours** of CLE credit, including **2 hours** of ethics, is pending in states calculating CLE on a 60-minute hour, which include Indiana, Kentucky, Ohio and Pennsylvania, and **15.5 hours** of CLE credit, including **2 hours** of ethics, are pending in 50-minute-hour states. **Credit hours granted are subject to approval from each state.** **NY MCLE:** This traditional program has been approved in accordance with the requirements of the CLE Board for a maximum of **15.5 credit hours**, of which **2 hours** of credit can be applied toward the ethics professionalism requirement. **15.5 hours** of CPE credit, including **2 hours** of ethics, are also available.

Midwest Regional Bankruptcy Consumer Program

Approval for approximately **13.5 hours** of CLE credit, including **2 hours** of ethics, is pending in states calculating CLE on a 60-minute hour, which include Indiana, Kentucky, Ohio and

The American Bankruptcy Institute and the Midwest Regional Bankruptcy Seminar return with another outstanding event in Cincinnati. Earn up to 15.5 hours of CLE credit, including 2 hours of ethics. Hear the latest on a variety of key industry issues from a distinguished faculty that features eight bankruptcy judges and many nationally recognized insolvency professionals.

Pennsylvania, and **15.5 hours** of CLE credit, including **2 hours** of ethics, are pending in 50-minute-hour states. **Credit hours granted are subject to approval from each state.** **NY MCLE:** This traditional program has been approved in accordance with the requirements of the CLE Board for a maximum of **15.5 credit hours**, of which **2 hours** of credit can be applied toward the ethics professionalism requirement. **15.5 hours** of CPE credit, including **2 hours** of ethics, are also available.

* ABI offers intermediate-level courses, which assume that attendees have some knowledge in insolvency matters (pursuant to the "Statement on Standards for CPE Programs" established by AICPA and NASBA). 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.

2017 MIDWEST REGIONAL BANKRUPTCY SEMINAR RATES

	Regular (BY 7/14/17)	Late (AFTER 7/14/17)
ABI Member	\$425	\$495
New ABI Member*	\$520	\$590
Govt./Aca. ABI Member	\$125	\$150
Govt./Aca. New ABI Member*	\$220	\$245

CONSUMER PRACTITIONER PRICING

ABI Member	\$295	\$345
New ABI Member*	\$390	\$440

* Includes a one-year ABI membership for first-time members only — a \$325 value! Expired members should select the member rate and add in the membership renewal fee on this form. You must be an ABI member to attend the conference.

ABI Member Exhibitor Registration**	\$625
New ABI Member Exhibitor Registration***	\$720
Additional Booth Representative	\$95

*** Includes one 6' table and full registration for one booth representative.
**** Includes one 6' table and full registration for one booth representative AND a one-year ABI membership.

OPTIONAL EVENTS

Cincinnati Reds vs. Chicago Cubs	\$50
Thursday Networking Reception Guest	\$40

ABI DEFINES A "GUEST" AS A SPOUSE, CHILD OR COMPANION — NOT A PROFESSIONAL COLLEAGUE. A professional colleague is defined as someone who consults with or is employed by an organization whose members are eligible for ABI membership. If a professional colleague is found to be registered as a guest, ABI reserves the right to cancel his or her event registration. Any person not meeting the criteria of "guest" who wishes to participate in any ABI function at the conference is required to register separately at the full conference rate.

Register online at abi.org/events

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SPECIAL THANKS

We extend our special thanks to Donlin Recano & Company, Inc. for sponsoring the conference app, Gavin/Solomone LLC for the daily e-newsletter, Grant Thornton LLP for the conference lanyards and Wilmington Trust for the tote bags.

abi.org/events

2017MIDWEST REGIONAL BANKRUPTCY SEMINAR PROGRAM

COMMERCIAL SESSIONS ■ ■ ■ ■ ■ ■ ■ ■ ■ ■
CONSUMER SESSIONS ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

TUESDAY, AUGUST 22

Optional Event: A Night at the Ballpark
Cincinnati Reds vs. Chicago Cubs

Sponsored by Conway MacKenzie, Inc.

Gates Open: 5:40 p.m.; Opening Pitch: 7:10 p.m.

Enjoy the game from the Great American Ballpark’s private Triple Play Suites, located on the ballpark’s third level down the left field line. Mingle comfortably indoors while enjoying access to an outdoor viewing deck with padded ballpark seating for prime views of the baseball action and the Ohio river. Tickets cost **\$50 per person** and include a Ballpark Buffet, unlimited soft drinks and two beers per person. Limited seating is available; please check the appropriate box on the registration form.

WEDNESDAY, AUGUST 23

7:00 a.m.

Registration Desk and Exhibits Open

7:30-8:30 a.m.

Networking Hot Breakfast

8:20-8:30 a.m.

Welcome Remarks

8:30-9:30 a.m.

Case Law Update: Part I

This session will highlight particularly interesting case law developments to date in 2017 and their impact on bankruptcy law and practice.

William J. Rochelle, III

Editor-at-Large

American Bankruptcy Institute; New York

9:30-10:30 a.m.

Making It Rain Without Getting Muddy:
Developing Business the Ethical Way

This expert panel will discuss different approaches to business development, including lawyer advertising, law firm websites, social media, beauty contests and wining and dining, and factors that may influence the effectiveness of various approaches. Examples will be used to illustrate business-development methods and explain how the Model Rules of Professional Conduct apply to the methods being discussed.

Raymond J. Pikna, Jr., Moderator

Wood & Lamping LLP; Cincinnati

Edward T. Gavin

Gavin/Solmonese LLC; Wilmington, Del.

Jeffrey N. Pomerantz

Pachulski Stang Ziehl & Jones LLP; Los Angeles

John M. Simms

Atkinson, Simms & Kermod PLLC; Lexington, Ky.

10:30-11:00 a.m.

Networking Break

Sponsored by Allen Kuehnle Stovall & Neuman LLP

and Stoll Keenon Ogden PLLC

11:00 a.m.-12:00 noon

Restructuring Rules of the Road: Making the

Right Decision as a Restructuring Professional

While financial and economic issues generally dictate whether a restructuring is likely to be successful, the success of a restructuring often will be meaningfully impacted, either positively or negatively, by more intangible factors that are at play. This presentation will examine the ways in which restructuring professionals, rather than the company’s balance sheet and industry outlook, may materially affect the restructuring landscape, including how such professionals approach financial and operational distress, prepare the restructuring game plan, communicate with the client and its stakeholders, and generally manage the restructuring process. Restructuring professionals’ adherence to applicable ethical obligations and professionalism best practices are critical to this process. Learn the essential “dos” and “don’ts” and other “rules of the road” for professionals in restructurings.

Stephen D. Lerner


Squire Patton Boggs; Cincinnati

12:00-1:30 p.m.

Luncheon Presentations

12:15-12:45 p.m.

ABI CONSUMER COMMISSION FORUM



Join Hon. Eugene R. Wedoff (ret.), ABI president and member of the ABI Commission on Consumer Bankruptcy, for a discussion of the Commission’s recommendations for improving the consumer bankruptcy system within the existing structure. Attendees will have the opportunity to offer ideas and feedback on key issues, in advance of the Commission’s December 2018 release of its recommendations. To learn more about the ABI Commission on Consumer Bankruptcy, visit consumercommission.abi.org.

Hon. Eugene R. Wedoff (ret.)
Oak Park, Ill.

12:45-1:30 p.m.

Keynote: Reflections from the Bench & Practice

Join Judge Walter as he reflects on his more than 14 years on the bankruptcy bench. He’ll share his thoughts on building a successful practice, the importance of professionalism and ethical conduct, the duty of attorneys as officers of the court (and threats to that authority), and much more.

Hon. Lawrence S. Walter

U.S. Bankruptcy Court (S.D. Ohio); Dayton

1:30-2:30 p.m.

Concurrent Sessions (2)

COMMERCIAL SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

HOW WILL JEVIC CHANGE CHAPTER 11 PRACTICE?

This panel features leading professionals in the chapter 11 practice area who were directly involved in the *Jevic* chapter 11 case, as well as a distinguished retired bankruptcy judge. This session will cover the underlying *Jevic* chapter 11 case, the Supreme Court’s opinion in *Jevic* and its impact on chapter 11 practice, and strategic alternatives in light of the decision.

Donald J. Rafferty, Moderator

Cohen, Todd, Kite & Stanford, LLC; Cincinnati

Daniel F. Dooley

MorrisAnderson; Chicago

Hon. Robert E. Gerber (ret.)

Joseph Hage Aaronson LLC; New York

Jeffrey N. Pomerantz

Pachulski Stang Ziehl & Jones LLP; Los Angeles

Rene S. Roupinian

Outten & Golden LLP; New York

CONSUMER SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT FORECLOSURES

(BUT WERE TOO BUSY TO ASK)

This panel will present a detailed look at filing foreclosures, state law defenses and post-judgment foreclosure matters, and when to file bankruptcy in the process.

Pamela N. Maggied, Moderator

Pamela N. Maggied Co., L.P.A.; Columbus, Ohio

Brian D. Flick

The Dann Law Firm; Cincinnati

Wayne P. Novick

Wayne Novick and Associates; Dayton, Ohio

William L. Purtell

Lerner, Sampson & Rothfuss; Cincinnati

2:30-3:30 p.m.

Concurrent Sessions (2)

COMMERCIAL SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

ENJOINING THE FUTURE: UNKNOWN CLAIMS AND THE LIMITS OF DUE PROCESS

This panel will examine the strategies for dealing with unknown claims in chapter 11, the limits that due process places on those strategies, and the impact that the Second Circuit’s recent decision in *In re Motors Liquidation* may have on those strategies going forward.

Robert G. Sanker, Moderator

Keating Muething & Klekamp PLL; Cincinnati

Hon. Robert E. Gerber (ret.)

Joseph Hage Aaronson LLC; New York

Natalie D. Ramsey

Montgomery McCracken Walker Rhoads LLP; Philadelphia

CONSUMER SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

INTERACTION BETWEEN STATE AND BANKRUPTCY COURTS

This session will feature a discussion regarding the various bear traps and pitfalls of dealing with nonbankruptcy-related claims in the bankruptcy context. Issues will include how to avoid the bankruptcy court from dismissing your claim, the reasons that you would be estopped from challenging a claim, and when you should ask for relief to return to state court.

Michael B. Baker, Moderator

The Baker Firm PLLC; Fort Mitchell, Ky.

Stuart P. Brown

Stuart P. Brown, Attorney at Law; Covington, Ky.

Michael A. Galasso

Robbins, Kelly, Patterson & Tucker; Cincinnati

Hon. Gregory R. Schaaf

U.S. Bankruptcy Court (E.D. Ky.); Lexington

3:30-3:45 p.m.

Refreshment Break

3:45-4:45 p.m.

Concurrent Sessions (2)

COMMERCIAL SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

HOW TO HEAL A HOSPITAL

The panelists will discuss the unique operational issues that arise when guiding a hospital or health care agency through the bankruptcy or restructuring process, including calculation and collection of account receivables through Medicare and private insurance, proper maintenance of patient records, and the sale and transfer of operational licenses and patient lists. The impact of the Affordable Care Act on health care operations, and what might be expected in future restructurings in today’s political climate, will also be discussed.

Ellen Arvin Kennedy, Moderator

Dinsmore & Shohl LLP; Lexington, Ky.

Adam M. Back

Stoll Keenon & Ogden PLLC; Lexington, Ky.

Shawn M. Riley

McDonald Hopkins LLC; Cleveland

Lori Ritchey-Baldwin

St. Elizabeth Healthcare; Fort Mitchell, Ky.

CONSUMER SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

COMPLEX TAX ISSUES

This session will present an in-depth analysis of the interplay among tax law, liquidation and bankruptcy. The panelists will examine some of the tax traps that exist for an individual when business obligations remain unpaid in a closure or bankruptcy, as well as how to use an insolvency defense to defeat phantom K-1 and 1099 income.

Eric W. Goering, Moderator

Goering & Goering, LLC; Cincinnati

Bethany J. Hamilton

Office of the U.S. Attorney; Columbus, Ohio

Terry Serena

Serena Law LLC; Cincinnati

5:00-6:30 p.m.

Networking Reception

Sponsored by Squire Patton Boggs

THURSDAY, AUGUST 24

7:00 a.m.

Registration Desk and Exhibits Open

7:30-8:30 a.m.

Networking Breakfast

8:30-9:30 a.m.

Case Law and Rules Update: Part II

9:30-10:30 a.m.

Judicial Town Hall

The participating judges will respond to questions submitted from attendees in advance of the event.

J. Michael Debbeler, Moderator

Graydon Head & Ritchey LLP; Cincinnati

Hon. Beth A. Buchanan

U.S. Bankruptcy Court (S.D. Ohio); Cincinnati

Hon. C. Kathryn Preston

U.S. Bankruptcy Court (S.D. Ohio); Columbus

Hon. Jessica Price Smith

U.S. Bankruptcy Court (N.D. Ohio); Cleveland

10:30-11:00 a.m.

Networking Break

Sponsored by Allen Kuehnle Stovall & Neuman LLP

11:00 a.m.-12:00 noon

Concurrent Sessions (2)

COMMERCIAL SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

OFFICER AND DIRECTOR ISSUES IN BANKRUPTCY CASES

In recent years, fiduciary duties have dominated the landscape of bankruptcy cases. Often, claims against officers and directors are the only source of recovery for unsecured creditors. This panel will examine recent trends and case law impacting officers and directors in bankruptcy cases. The panel will also discuss best practices for counsel representing debtor officers and directors.

Ronald E. Gold, Moderator

Frost Brown Todd LLC; Cincinnati

Dan A. Bailey

Bailey Cavalleri LLC; Columbus, Ohio

Paige L. Ellerman

Frost Brown Todd LLC; Cincinnati

Hon. Guy R. Humphrey

U.S. Bankruptcy Court (S.D. Ohio); Dayton

W. Timothy Miller

Taft Stettinius & Hollister LLP; Cincinnati

CONSUMER SESSION ■ ■ ■ ■ ■ ■ ■ ■ ■ ■

FDCPA/FCRA CLASS ACTIONS: STRATEGIES AND PITFALLS

This session will provide an in-depth look at recognizing these types of claims and determining when and how to file the actions.

Lori A. Schlarman, Moderator

Adams, Stegner, Woltermann & Dusing, PLLC; Hebron, Ky.

Christian A. Jenkins

Minnillo & Jenkins Co., LPA; Cincinnati

Hon. C. Kathryn Preston

U.S. Bankruptcy Court (S.D. Ohio); Columbus

Matthew T. Sanning

Sanning & Sanning, PSC; Falmouth, Ky.

Robert R. Sparks

Strauss Troy Co., LPA; Cincinnati

12:00-1:30 p.m.

Luncheon

12:30-1:30 p.m.

Luncheon Presentation:

Public and Governmental Policies in the Trump Administration in the Financial Services Arena

With President Trump in the White House and Republicans in control of both chambers of Congress, dramatic shifts may be coming to the insolvency industry. In this presentation, we will examine the potential impact of executive orders, legislative action and other policy developments — including tax reform — that could affect insolvency practitioners.

Matthew D. Cutts

Squire Patton Boggs; Washington, D.C.

1:30-2:30 p.m.

Economics 101

Join this nationally renowned speaker for an overview of our national economic outlook, along with some possible risk factors that could impact the forecast, and household balance sheets in particular.

Dan White

Moody’s Analytics; West Chester, Pa.

2:30-3:30 p.m.

Great Debates

Timothy J. Hurley, Moderator

Taft Stettinius & Hollister LLP; Cincinnati

Resolved:

Passively holding an asset of the estate in the face of a demand for turnover violates the stay. (I swear, Your Honor, I didn’t do anything!)

Casey M. Cantrell Swartz

Taft Stettinius & Hollister LLP; Cincinnati

Robert A. Goering

Goering & Goering, LLC; Cincinnati

Resolved:

Gift plans violate the Bankruptcy Code and are outlawed by *Jevic*. (Is it really a birthday without the gifts?)

William J. Rochelle, III

Editor-at-Large

American Bankruptcy Institute; New York

Hon. Robert E. Gerber (ret.)

Joseph Hage Aaronson LLC; New York

Resolved:

A trustee should be permitted to avoid transfers occurring many years prior to the petition date by stepping into the shoes of “special” creditors such as the IRS or the FDIC pursuant to § 544(b). (I’m Baaaack!!!)

Robert G. Sanker

Keating Muething & Klekamp PLL; Cincinnati

Henry E. Menninger, Jr.

Wood & Lamping LLP; Cincinnati

3:30 p.m.

Adjourn

EVENT INFORMATION

HOTEL

A block of rooms at the Westin Cincinnati is being held on a first-come, first-served basis. The special room rate is **\$179 per night**; reservations must be made by **July 25, 2017**, to secure the special rate. Reservations may be made online (www.starwoodmeeting.com/Book/MRBS2017) or by calling the Westin reservations center at **800-Westin1** and asking to be placed in the specially rated ABI/MRBS block. **ABI cannot guarantee anyone a room after the block is filled.**

TRANSPORTATION

The Cincinnati/Northern Kentucky International Airport (CVG) is located approximately 12 miles/20 minutes from the Westin Cincinnati.

CONFERENCE ATTIRE

Business casual attire is requested, though not required.

CANCELLATION POLICY

All fees, except a **\$75** handling fee, will be refunded if written notice of cancellation is received by **August 2, 2017**. No refunds will be granted after August 2, but substitutions will be allowed. After August 2, upon written request, a coupon for 20% off the registration fee (not including optional events) will be issued, which can be used (by the canceling registrant only) for any ABI educational program up to one year after this conference, or for this same conference next year.

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