

2003 Bankruptcy Conference
November 20-21, 2003 • Four Seasons Hotel • Austin, TX

Thursday Morning, Nov. 20, 2003

9:00 am 1.00 hr	Optional Thursday Lunch with Band
9:00 am 1.00 hr	Optional Friday Networking Lunch
9:00 am 1.25 hrs	Recent Developments A survey of case law development from around the nation, delivered by two of the country's leading academic authorities on bankruptcy. Elizabeth A. Warren, Harvard Law School - Cambridge, MA Jay Lawrence Westbrook, University of Texas School of Law - Campus Mail D1800
9:00 am 1.00 hr	Akard Lecture in the Eidman Courtroom at the Law School
10:30 am 1.00 hr	Getting In Avoiding the "flat puppy" filing—a discussion of current strategies designed to assist the debtors (and allegedly their creditors) to begin the bankruptcy process with the minimum amount of disruption to operations, including DIP financing, critical vendors, selection and retention of advisors. C. Mark Brannum, Winstead Sechrest & Minick - Dallas, TX Deborah D. Williamson, Cox Smith Matthews Incorporated - San Antonio, TX
11:30 am 0.75 hr	Imposing Order on Chaos Ideas for instituting streamlined procedures for dealing with large volumes of claim objections, tort claims, settlements, contract rejections, asset sales and related matters. David R. Jones, Porter & Hedges - Houston, TX Alfredo R. Perez, Weil Gotshal & Manges LLP - Houston, TX

Thursday Afternoon, Nov. 20, 2003

1:30 pm 0.75 hr	<p>Getting Out: The Chapter 11 End Game</p> <p>Plan confirmation and implementation; the issues regarding substantive consolidation; absolute priority rule; litigation and retained jurisdiction; post-confirmation management and governance; and closing the case.</p> <p>Roger Stephen Cox, Sanders Baker - Amarillo, TX Clifton R. Jessup Jr., Greenberg Traurig LLP - Dallas, TX Jeffrey E. Spiers, Andrews & Kurth - Houston, TX</p>
2:15 pm 1.00 hr	<p>Ethics of the Creditors' Committee</p> <p>What ethical concerns affect creditor committee representation in this post-Enron environment? How do you identify your constituency, retain attorneys and accountants, and ensure the solicitation, disclosure and confirmation processes are fair in the world of claims trading, trading walls, voting agreements and committee members who continue to do business with the debtor?</p> <p>Evelyn H. Biery, Fulbright & Jaworski - Houston, TX Sabrina L. Streusand, Hughes & Luce - Austin, TX Lynnette Randee Warman, Jenkins & Gilchrist, P.C. - Dallas, TX</p>
3:30 pm 1.00 hr	<p>Fees and Attorney Responsibility in Consumer Cases: The Practicalities</p> <p>Strategies for dealing with significant legal issues in consumer cases; Chapter 7 and 13 fees; and attorney responsibility.</p> <p>Janet S. Casciato-Northrup, Houston, TX Deborah Backus Langehennig, Chapter 13 Trustee - Austin, TX D. M. Lynn, US Bankruptcy - Fort Worth, TX Michael P. Ridulfo, Brown McCarroll, - Houston, TX</p>
3:30 pm 1.00 hr	<p>Employee and Executive Compensation Issues in Chapter 11: Retention and Severance Packages; Success Bonuses and Other Benefits; and Directors and Officers Insolvency Duties and Liabilities</p> <p>A discussion of some of the evolving trends both in the context of bankruptcy and in the corporate world, including some of the different types of executive compensation that are being utilized, some recent developments from bankruptcy courts, and certain procedural considerations. Also, a discussion of Directors and Officers insolvency duties and liabilities.</p> <p>Stacey Cowand Jernigan, Haynes Boone - Dallas, TX D. Bobbitt Noel Jr., Vinson & Elkins L.L.P. - Houston, TX J. Michael Sutherland, Carrington, Coleman, Sloman & Blumenthal - Dallas, TX</p>
4:30 pm 1.00 hr	<p>Fees and Fee Arrangements in Business Bankruptcy</p> <p>A panel discussion of issues concerning compensation of professionals subject to the fee application process and the advantages and pitfalls of alternatives to standard hourly rate billing procedures under the lodestar formula such as the use of flat rate or turnkey proposals, enforceable budgets, the receipt of equity in the reorganized debtor and contingent fees in adversaries and other bankruptcy proceedings.</p> <p>Nicholas A. Foley, Neligan Foley - Dallas, TX Hon. Barbara J. Houser, U S Bankruptcy Court - Dallas, TX Patrick Kelley, Ireland Carroll & Kelley - Tyler, TX</p>

4:30 pm
1.00 hr

Top 12 "Hot" Issues in Consumer Bankruptcy

An audience participation discussion of the current "hot topics" in consumer bankruptcy law, including: creative Chapter 13 plans, lien releases, student loans, reaffirmation problems, preferences and fraudulent conveyances. If a new bankruptcy statute is passed in time for adequate preparation, the panel will discuss the consumer provisions of the new law.

John Crawford Akard, Lubbock, TX
Jeffrey Bohm, US Bankruptcy Court, Southern District o - Houston, TX
Floyd D. Holder Jr., Lubbock, TX
Marlow R. Preston, Attorney At Law - Austin, TX
Behrooz P. Vida, Venable & Vida, L.L.P. - Bedford, TX

Friday Morning, Nov. 21, 2003

8:30 am
1.00 hr

Eenie-Meanie-Minie-Mo, Should I Pick You or Joe Schmo to Be My Bankruptcy Lawyer?

A panel of business professionals and in-house counsel discuss hiring and retention of counsel for debtors, creditors and committees. Find out if the handshake, the smile or talent really make a difference.

Charles A. Beckham, Jr., Haynes and Boone, LLP - Houston, TX
Patrick Hagaman Daugherty, Highland Capital Management Lp - Dallas, TX
Renita King, ConocoPhillips Company - Houston, TX
Bettina M. Whyte, Alix Partners LLC - New York, NY

9:45 am
1.00 hr

Professional Conflicts-Conflicts Counsel

Do you have a conflict? Do you need a lawyer to figure out conflicts? What if the conflicts lawyer is conflicted?

Hon. Leif M. Clark, US Bankruptcy Court, Western District of - San Antonio, TX
Sarah Burrell Foster, Haynes And Boone LLP - Austin, TX
Shelby A. Jordan, Jordan Hyden Womble Culbreth & Holze - Corpus Christi, TX
Bruce H. White, Greenberg Traurig LLP - Dallas, TX

11:00 am
0.75 hr

Partners and Partnerships in Bankruptcy

A discussion of important developments with emphasis on 5th Circuit case law.

Kaaran E. Thomas, McDonald Carano Wilson LLP - Reno, NV

11:45 am
0.50 hr

How Do I Discharge Thee? Let Me Count the Ways

Discharge issues relating to the non-filing spouse.

Howard Marc Spector, Howard Marc Spector, PC - Dallas, TX

Friday Afternoon, Nov. 21, 2003

1:30 pm 0.50 hr	<p>Problem with Proceeds under the New Article 9</p> <p>Among its many changes, the new UCC Article 9 substantially broadens the reach of its proceeds provisions. Those changes not only overrule a great deal of familiar law, but also raise a variety of new problems, particularly in transactions related to data and intellectual property.</p> <p>Ronald J. Mann, Austin, TX</p>
2:00 pm 0.50 hr	<p>Auction Technique Choices</p> <p>A basic description of various auction techniques that might be used to auction assets in a bankrupt estate, with an economic analysis of the ways in which the choice of a particular technique can increase the proceeds from the auction.</p> <p>Sam Dinkin, Alkera, Inc. - Austin, TX Ronald J. Mann, Austin, TX</p>
2:30 pm 1.00 hr	<p>Judges Panel</p> <p>Some new faces and some new ideas about harmonizing how we do business in Texas.</p> <p>Hon. Leif M. Clark, US Bankruptcy Court, Western District of - San Antonio, TX Robert Lee Jones, Lubbock, TX Hon. Brenda Taylor Rhoades, US Bankruptcy Court, Eastern District of - Plano, TX Wesley W. Steen, U.S. Bankruptcy Court - Houston, TX</p>