34TH ANNUAL JAY L. WESTBROOK

BANKRUPTCY CONFERENCE

November 11*, 12–13, 2015
Four Seasons Hotel
Austin, Texas

*Wednesday Evening John C. Akard Lecture

Earn up to 12.50 Hours of CLE Credit Including 2.00 Hours of Ethics Credit
Approved in TX, CA, LA, OK

TX Legal Specialization Credit Approved for Bankruptcy Law

Earn up to 15.00 Hours of CPE Credit (NASBA)
The John C. Akard Distinguished Lectureship Program was endowed by the generous gifts of many members of the Texas bankruptcy bar in honor of Judge John C. Akard (retired), a 1957 UT Law graduate who served with great distinction for 14 years as the U.S. Bankruptcy Judge in the Northern District of Texas, sitting in Lubbock and throughout much of West Texas. The first Akard Lecture was delivered in 2001 by Professor Elizabeth Warren of Harvard Law School, and formerly of The University of Texas School of Law.
### BUSINESS TRACK

**Presiding Officer:** Robin Russell, Andrews Kurth LLP, Houston, TX

**1:45 p.m.** .50 hr  
**Cross-Border Sales:** Emerging Issues in a Novel Landscape  
A brief overview of recent cross-border Chapter 11 and Chapter 15 cases, including Nortel, Kodak, Elpida and Fairfield Sentry, that raise unique questions regarding the 363 sale process.  
- Abid Qureshi, Akin Gump Strauss Hauer & Feld LLP, New York, NY  
- Joseph J. Wielebinski Jr., Munsch Hardt Kopf & Harr, PC, Dallas, TX

**2:15 p.m.** .50 hr ethics  
**What One Court Giveth, the Other Taketh Away—Reconciling Woerner and ASARCO in Everyday Practice**  
Gain tips on how to adjust your practice in seeking compensation post-Woerner and post-ASARCO.  
- Omar J. Alaniz, Baker Botts, Dallas, TX  
- Demetra L. Liggins, Thompson & Knight LLP, Houston, TX

**2:45 p.m.** .75 hr  
**Finn V. Alliance and Clawbacks**  
An analysis of recent developments in fraudulent transfer law, including possible re-evaluation of the existing Ponzi “presumption.”  
- Sean J. McCaffity, Rochelle McCullough LLP, Dallas, TX  
- Samuel M. Stricklin, Gruber Hurst Elrod Johansen Hail Shank, Dallas, TX

**3:30 p.m.** Break

**3:45 p.m.** .50 hr  
**Structured Dismissals**  
Learn about recent developments in the use of structured dismissals as a strategic alternative to “straight” dismissal, particularly when used in conjunction with an asset sale or compromise under Rule 9019.  
- Michael P. Cooley, Akin Gump Strauss Hauer & Feld LLP, Dallas, TX  
- Meredith A. Kippes, Office Of The United States Trustee, Dallas, TX

**4:15 p.m.** .75 hr  
**Intellectual Property Issues in Bankruptcy and the Exclusion of Trademark Licenses from the Definition of Intellectual Property**  
Explore the legislative history behind the exclusion of trademark license from the operation of 365(n), the treatment of the exclusion under developing case law and deal economics, and recent proposals to amend 365(n) to address trademark licenses.  
- Kevin J. Meek, Baker Botts, Austin, TX  
- Steve Meleen, Pirkey Barber PLLC, Austin, TX  
- Patricia Baron Tomasco, Jackson Walker LLP, Austin, TX

### CONSUMER TRACK

**Presiding Officer:** Hon. John C. Akard, Retired, U.S. Bankruptcy Judge, Houston, TX

**1:45 p.m.** .75 hr  
**Rochelle’s Consumer Roundup**  
Bill Rochelle, not to be confused with brother Buzz, analyzes the year’s best, worst and most useful decisions affecting Chapters 7 and 13.  
- Bill Rochelle, Bloomberg News, New York, NY

**2:30 p.m.** .50 hr  
**Student Loan Dischargeability and Classification**  
Student loans can cause as much consternation to bankruptcy practitioners as to those who have to repay them. Learn about treatment of student loan debt in both Chapter 7 and Chapter 13 consumer bankruptcy cases, as well as dischargeability issues and recent trends in the Fifth Circuit and beyond.  
- Kristina L. Gonzales, Bankruptcy Attorney, Austin, TX  
- Layla D. Milligan, Office of Deborah B. Langehenning, Chapter 13 Trustee, Austin, TX

**3:00 p.m.** .50 hr  
**Exemptions (Including Homesteads): Developments, Open Issues, and Best Practices**  
A quick overview of exemptions, with a special look at every Texan’s favorite exemption—the homestead exemption. Explore current developments and unsettled issues, and best practices for advising clients in this complex and very important area of bankruptcy law.  
- Christopher G. Bradley, Taube Summers Harrison Taylor Meinzer Brown LLP, Austin, TX

**3:30 p.m.** Break

**3:45 p.m.** .50 hr  
**Practical Advice on Confirmation of Chapter 13 Plans**  
The fundamentals for plan confirmation in Sections 1322 and 1325 are easy to overlook, but critical to debtors and creditors alike. Hear practical advice on how to avoid confirmation objections and get your plan confirmed.  
- Joshua P. Searcy, Searcy & Searcy PC, Longview, TX

**4:15 p.m.** .75 hr | .50 hr ethics  
**Preparing the Bankruptcy Filing and for the 341 Meeting**  
How to keep your client out of trouble while satisfying the trustee.  
- Michael V. Baumer, Law Office of Michael Baumer, Austin, TX  
- Allison D. Byman, Hughes Watters Askasen, LLP, Houston, TX

**5:00 p.m.** Adjourn to Reception

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### JAY L. WESTBROOK BANKRUPTCY RECEPTION

5:00 p.m. – 6:30 p.m.  
Join program faculty and attendees for drinks and hors d’oeuvres.

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### FRIDAY MORNING, NOV. 13, 2015

**Presiding Officer:** Rebecca A. Roof, AlixPartners LLP, New York, NY

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tbody>
<tr>
<td>7:50 a.m.</td>
<td>Conference Room Opens</td>
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<td>Includes continental breakfast.</td>
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<td>8:30 a.m.</td>
<td><strong>Supreme Court Update:</strong> Wellness, Caulkett and Bullard</td>
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<td>A quick examination of three of the Supreme Court’s bankruptcy opinions from its last term—</td>
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<td>Wellness on the power of the bankruptcy court; Caulkett on lien-stripping, and Bullard on</td>
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<td>finality in Chapter 13.</td>
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<td>Hon. Bruce A. Markell, Northwestern University School of Law, Chicago, IL</td>
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<td>9:00 a.m.</td>
<td><strong>Oil and Gas Industry</strong></td>
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<td>9:30 a.m.</td>
<td><strong>Busted: A History of Bankruptcy and Insolvency in the Oil and Gas Industry</strong></td>
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<td>Seems like we have been here before. How and why does history keep repeating itself?</td>
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<td>Charles A. Beckham Jr., Haynes and Boone, LLP, Houston, TX</td>
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<td>10:00 a.m.</td>
<td>Break</td>
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<td>10:15 a.m.</td>
<td>**Oil and Gas Valuation Dislocation: How to Find an Unhappy Happy Medium between Buyers and</td>
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<td>Sellers**</td>
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<td>A discussion on oil and gas asset valuation in the sale context in light of recent market</td>
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<td>developments. Learn about bankruptcy sale structures, including both 363 sales and sales</td>
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<td>pursuant to plans of reorganization, that are commonly used in the disposition of distressed</td>
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<td>oil and gas assets.</td>
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<td>Brett A. Lowrey, Houlihan Lokey, Dallas, TX</td>
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<td>Bradley Foxman, Vinson &amp; Elkins LLP, Dallas, TX</td>
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<th>Time</th>
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<tr>
<td>10:45 a.m.</td>
<td><strong>The ABC's of Financing Oil and Gas Transactions</strong></td>
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<td>Various financing techniques for oil and gas transactions can lead to very different results</td>
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<td>in a bankruptcy case. An examination of traditional oil and gas financing issues and other</td>
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<td>more recent financing structures including volumetric production payments (VPPs), overriding</td>
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<td>royalties (ORRIs) and net profits interests (NPIs), as well as a comparison on how Chapter 11</td>
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<td>affects these different financing structures.</td>
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<td>Loretta Cross, Stout Risius Ross Inc., Houston, TX</td>
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<td>Kenric D. Kattner, Haynes and Boone, LLP, Houston, TX</td>
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<td>11:15 a.m.</td>
<td>**The Formation and Functioning of a Creditors’ Committee: Making Sausage or Baking a</td>
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<td>Soufflé?**</td>
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<td>While creditors must be free of disqualifying conflicts to be able to serve on a Committee,</td>
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<td>their appointment is not the end of the inquiry or their duties. What about retention of</td>
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<td>professionals? Claims trading? Access to non-public information? Multiple committees?</td>
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<td>William R. Greendyke, Norton Rose Fullbright, Houston, TX</td>
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<td>Michael A. McConnell, Kelly Hart &amp; Hallman LLP, Fort Worth, TX</td>
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<td>11:45 a.m.</td>
<td><strong>Do’s and Don’ts for Handling Expert Witnesses in Bankruptcy Court</strong></td>
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<td>Practical tips from the perspective of a bankruptcy judge and a litigator.</td>
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<td>Jerry Kenneth “J. Ken” Johnson II, Fleming Nolen &amp; Jez LLP, Houston, TX</td>
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<td>Hon. Robert Lee Jones, U.S. Bankruptcy Court, Northern District of Texas, Lubbock, TX</td>
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<td>12:30 p.m.</td>
<td>Pick Up Lunch</td>
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<td>Included in registration.</td>
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<td>12:50 p.m.</td>
<td><strong>Lunch Presentation</strong></td>
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### FRIDAY AFTERNOON

**Presiding Officer:** Berry D. Spears, Locke Lord Edwards, Austin, TX

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
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<tr>
<td>1:35 p.m.</td>
<td>Break</td>
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<td>1:50 p.m.</td>
<td><strong>RESPA</strong></td>
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<td>RESPA plays an important role in the administration of consumer mortgage loans. Consider the</td>
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<td>interplay between RESPA and consumer bankruptcy law and discuss the interactions between the</td>
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<td>debtor, the trustee and the mortgage servicer in bankruptcy cases.</td>
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<td>Theodore &quot;Thad&quot; O. Bartholow, Armstrong Kellett Bartholow P.C., Dallas, TX</td>
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<td>Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX</td>
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<td>Adam E. Miller, Office of the U.S. Trustee, Kansas City, MO</td>
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<tr>
<td>2:35 p.m.</td>
<td><strong>Principles of Statutory Construction</strong></td>
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<td>Did they really mean to say that? This and other conundrums of statutory interpretation served</td>
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<td>up for your edification and collective confusion.</td>
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<td>Hon. Leif M. Clark, Mediator/Arbitrator/Consultant, San Antonio, TX</td>
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<td>Whitman L. Holt, Klee, Tuchin, Bogdanoff &amp; Stern LLP, Los Angeles, CA</td>
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<td>3:05 p.m.</td>
<td><strong>New Judges Panel</strong></td>
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<td>New judges share their experiences and first impressions from their short time on the bench.</td>
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<td>Moderator: H. DeWayne “Cooter” Hale, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX</td>
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<td>Panelists: H. Clifton Jessup Jr, U.S. Bankruptcy Court, Northern District of Alabama, Decatur, AL</td>
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<td>Hon. John Kolwe, U.S. Bankruptcy Court, Western District of Louisiana, Alexandria, LA</td>
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<td>Hon. Mark X. Mullin, U.S. Bankruptcy Court, Northern District of Texas, Fort Worth, TX</td>
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<td>Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX</td>
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### ABOUT THE COVER

Topsy Turvy, 36” x 36”, oils on canvas, is by Maxine Price. Visit www.maxineprice.com for more information.
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Special group registration rates available. Call 512.475.6700.

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   - □ Individual registration by Wednesday, November 4 ................................... $575
   - □ Individual registration after Wednesday, November 4 ................................. $625

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   - □ Printed Course Binder ONLY (available through November 4)

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   - □ Business Track
   - □ Consumer Track

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   - □ I will attend the Akard Lecture  .................................................... FREE

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Attorney at Law
Lubbock, TX

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Law Office of Michael Baumer
Austin, TX

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Decatur, AL

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Ireland, Carroll & Kelley, P.C.
Tyler, TX

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Office Of The United States Trustee
Dallas, TX

HON. JOHN KOLWE
Judge Designate, U.S. Bankruptcy Court,
Western District of Louisiana
Alexandria, LA

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Chapter 13 Trustee
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Related Events

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Crave Restaurant
340 East 2nd Street
Wednesday, November 11 at 7:00 p.m.
Free event, RSVP to txbkwomen@gmail.com

Young Lawyers Committee Annual Evening Reception
Brass House
115 San Jacinto Boulevard
Thursday, November 12 at 8:00 p.m.

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Program Level: Overview
Advance Preparation: None

Nice variety of topics with great and knowledgeable speakers. That’s 30 years worth of CLE (all non-Texas). Substance is excellent, as are the speakers.

Excellent program! High quality speakers, leading edge topics and I like the networking opportunities.

Format works very well, because the attendee never gets bored and the pace moves along.

Topics are very informative and relevant to my practice.

Good mix of useful subjects with competent and engaging speakers.

Best CLE program I have ever attended.
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**AUSTIN**
November 11*, 12–13, 2015

**CONFERENCE LOCATION**

Four Seasons Hotel
98 San Jacinto Boulevard
Austin, TX
512.685.8100

Special Room Rate: $250
good through October 12, 2015
reference “UT Law Bankruptcy”
(subject to availability)

Parking:
$12 daily self-parking; $16 valet
$32.50 overnight self or valet

**KEY DATES**

November 4, 2015
last day for early registration
add $50 for registrations
received after this time

November 6, 2015
last day for cancellation (full refund)

November 9, 2015
last day for cancellation (partial refund)
$50 processing fee applied

November 11, 2015, 6:00 p.m.
Wednesday Evening Akard Lecture begins

November 12, 2015, 8:50 a.m.
Conference begins