UT LAW CLE Continuing Legal Education

41st Annual Jay L. Westbrook Bankruptcy Conference
November 17-18, 2022 • Austin Marriott Downtown • Austin, TX
November 17-18, 2022 • Webcast

Thursday Morning, Nov. 17, 2022

Presiding Officer:
Aaron M. Kaufman, Gray Reed - Dallas, TX

	Thank You To Our Webcast Sponsor
7:30 am In Austin Only	**Registration Opens** Includes continental breakfast. **Thank You to Our Breakfast Sponsor**
8:20 am	**Welcoming Remarks**
8:30 am 1.00 hr 0.25 hr ethics	**Recent Developments - Part I** Recent Developments: the great, the good and the curious. Moderator: Jay L. Westbrook, The University of Texas School of Law - Austin, TX Panelists: R. Byrn "Byrnie" Bass Jr., Attorney at Law - Lubbock, TX Demetra Liggins, McGuireWoods - Houston, TX Bill Rochelle, American Bankruptcy Institute - New York, NY

9:30 am 0.75 hr	**Judicial Mediation** Judicial mediation is increasingly used to resolve disputes in commercial and consumer bankruptcy cases. This panel considers the pros, cons, and effectiveness of current and former judges serving as mediators. Hon. Barbara J. Houser, U.S. Bankruptcy Court, Northern District of Texas (Retired) - Dallas, TX Hon. Chris López, U.S. Bankruptcy Court, Southern District of Texas - Houston, TX
10:15 am	**15-Minute Break**
10:30 am 1.00 hr	**Texas Two Step and Bankruptcy vs. Mass Tort** An overview of strategies implementing the Texas Two Step in recent mass tort cases. Hear panelists debate whether it is a proper process for resolving bankruptcy mass tort cases. Moderator: Kenric D. Kattner, Haynes Boone, LLP - Houston, TX Panelists: Bruce A. Markell, Northwestern Pritzker School of Law - Chicago, IL Theodore E. Tsekerides, Weil, Gotshal & Manges LLP - New York, NY
11:30 am 0.75 hr	**Subchapter V: The Small (and Not So Small) Business Debtor** A discussion of the benefits and restrictions of Subchapter V for the small and not so small business debtor. Moderator: Areya Holder Aurzada, Holder Law - Dallas, TX Panelists: Todd Headden, Hayward PLLC - Austin, TX Hon. Michelle V. Larson, U.S. Bankruptcy Court, Northern District of Texas - Dallas, TX
12:15 pm In Austin Only	**Pick Up Lunch** Included in registration.

Thursday Afternoon, Nov. 17, 2022

Presiding Officer:
William L. Wallander, Vinson & Elkins LLP - Dallas, TX

LUNCHEON PRESENTATION

Thank You to Our Luncheon Sponsor

12:45 pm 0.75 hr ethics	**The E and I in DEI: Enhancing and Leveraging Equity and Inclusion in Our Practices and Workplaces**

	A candid discussion on enhancing and leveraging equity and inclusion efforts at the individual and organizational level. Focus will be on the E and I of DEI, including best practices across small, midsize, and large firms and workplaces. Share best practices and suggest ideas to create inclusive cultures that enhance retention and development while increasing client service and market share. Carlos Dávila-Caballero, Simpson Thacher & Bartlett LLP - New York, NY Jessica Lee Freedson, Prosperity Bank - Sugar Land, TX Bruce J. Ruzinsky, Jackson Walker LLP - Houston, TX
1:30 pm	**15-Minute Break**
1:35 pm In Austin Only	**Thank You to Our Afternoon Coffee Bar Sponsor** HAYNES BOONE
1:45 pm 0.75 hr	**Privacy in Bankruptcy: Only You Can Prevent Harm by Sealing, Redacting, or Not Filing** In the ordinary course of administering bankruptcy cases, individuals' home addresses and other personally identifying information is posted on a public docket. With a little awareness and deliberation, practitioners can protect individuals from harm due to intimate partner violence, stalking, harassment, identity theft, and avoid exposing their clients to significant monetary fines for violations of ever-expanding privacy regulations being enacted across the US and globe. Moderator: Hon. David R. Jones, U.S. Bankruptcy Court, Southern District of Texas - Houston, TX Panelists: Jason B. Binford, Ross & Smith PC - Austin, TX Rebecca Blake Chaikin, Jackson Walker LLP - Houston, TX Susan D. Golden, Kirkland & Ellis LLP - New York, NY
2:30 pm 0.75 hr	**Bankruptcy Alternatives** Isn't there *anything* else I can do? Discuss bankruptcy alternatives; receiverships and use of assignment for benefit of creditors. Moderator: Christy Heimer, Heimer Law Offices P.C. - Austin, TX Panelists: Gregory S. Milligan, Harney Partners - Austin, TX Deborah D. Williamson, Dykema Gossett PLLC - San Antonio, TX
3:15 pm	**15-Minute Break**
3:30 pm 1.00 hr ethics	**Too Many Hats in the Ethical Ring: When Insiders, Affiliates, Friends, and Family Show Up All Over a Restructuring** In the bankruptcy universe, business enterprises with closely-held capital structures and intersecting interests will engage counsel, who must immediately face a set of thorny ethical issues. In "small" cases and "big," the very nature of closely-held companies may involve pre- and post-petition lenders, equity sponsors, and significant unsecured creditors that may be affiliates of one another and of the debtor itself. What is a careful lawyer to do? Moderator: Ira L. Herman, Blank Rome LLP - New York, NY

	Panelists: Jamie L. Edmonson, Robinson & Cole LLP - Wilmington, DE Jordan A. Kroop, Pachulski Stang Ziehl & Jones - New York, NY Rakhee V. Patel, Winstead PC - Dallas, TX
4:30 pm 0.75 hr	**Recent Developments - Part II** Practical, insightful and ambitious. A review of important recent opinions. Moderator: Deborah B. Langehennig, Chapter 13 Trustee - Austin, TX Panelists: Omar J. Alaniz, Reed Smith LLP - Dallas, TX Amber M. Carson, Gray Reed - Dallas, TX Cristina Rodriguez, Keeling Law Firm - Houston, TX
5:15 pm In Austin Only	**Adjourn to Reception**
In Austin Only	**Jay L. Westbrook Bankruptcy Conference Reception (5:15 p.m. - 6:15 p.m.)** Join program faculty and attendees for drinks and hors d'oeuvres. **Thank You to Our Reception Sponsor** Vinson&Elkins LLP

Thursday Evening, Nov. 17, 2022

8:00 pm In Austin Only	**Young Lawyers Committee Annual Evening Reception** Please join the **Young Lawyers Committee of the Bankruptcy Law Section.** All are invited to join in the celebration! Moonshine Grill, 303 Red River St., Austin, TX 78701

Friday Morning, Nov. 18, 2022

Presiding Officer:
Eric M. Van Horn, Spencer Fane - Dallas, TX

8:00 am In Austin Only	**Conference Room Opens** Includes continental breakfast. **Thank You to Our Breakfast Sponsor**

8:30 am 0.75 hr	**Hear the Perspectives of New, and Not So New Judges** Hear new and seasoned judges answer and discuss your questions concerning bankruptcy practice, technology, hearing procedures, Covid-19, and more. What do you want to hear from the Judges? Please submit your questions in advance to **ConferenceQA@utcle.org** or on-site at the conference registration desk. Moderator: Hon. H. DeWayne "Cooter" Hale, U.S. Bankruptcy Court, Northern District of Texas - Dallas, TX Panelists: Hon. Scott Everett, Bankruptcy Judge, U.S. Bankruptcy Court, Northern District of Texas - Dallas, TX Hon. Michael M. Parker, U.S. Bankruptcy Court, Western District of Texas - San Antonio, TX Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas - Plano, TX Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas - McAllen, TX
9:15 am	**5-Minute Break to Tracks**

Business Track

Presiding Officer:
Megan F. Clontz, Spencer Fane LLP - Plano, TX

9:20 am 0.75 hr	**Hot Topics in Chapter 11 Plans, Disclosure Statements, and Confirmation** This panel will cover the latest trends in chapter 11 plans and disclosure statements, including current practices related to restructuring support agreements, the use of disclosure statements, discharge eligibility, and more. Michael P. Cooley, Reed Smith LLP - Dallas, TX Hon. Meredith S. Grabill, U.S. Bankruptcy Court, Eastern District of Louisiana - New Orleans, LA Jennifer Hardy, Willkie Farr & Gallagher LLP - Houston, TX
10:05 am 0.75 hr	**The Intersection of Federal Energy Policy and the Bankruptcy Code** With energy transition, ESG, the SEC's proposed climate change disclosure regulations and the ever increasing environmental compliance costs before us, this panel will discuss the ramifications of the Fifth Circuit's decisions in *Mirant* and *Ultra* on all federal agencies regulating the energy industry and the Bankruptcy Court's role in determining whether a plan of reorganization is consistent with public policy as it relates to our country's energy policy and fairly allocates the cost of environmental clean-up. Moderator: Robin Russell, Hunton Andrews Kurth LLP - Houston, TX Panelists: Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas - Houston, TX Alan S. Tenenbaum, U.S. Department of Justice, Environmental Enforcement Section - Washington, DC
10:50 am	**15-Minute Break**
11:05 am 0.75 hr	**Hot Topics in Healthcare? What Happens When Stimulus Money Dries Up** Gain insight into legal and financial challenges facing healthcare providers in a post-pandemic economy.

	Moderator: Hon. Stacey G. C. Jernigan, U.S. Bankruptcy Court, Northern District of Texas - Dallas, TX Panelists: Thomas R. Califano, Sidley Austin LLP - New York, NY Buffey E. Klein, Husch Blackwell LLP - Dallas, TX Chad J. Shandler, FTI Consulting - New York, NY Materials By: Juliana Hoffman, Sidley Austin LLP - Houston, TX
11:50 am 0.75 hr 0.25 hr ethics	**Examining the Role of Independent Directors in Chapter 11s** A discussion on the roles of Independent Directors in overseeing, formulating and negotiating a debtor's restructuring. Moderator: Hon. E. Lee Morris, U.S. Bankruptcy Court, Northern District of Texas - Fort Worth, TX Panelists: David Dunn, Province, Inc. - Stamford, CT Ryan Manns, Norton Rose Fulbright US LLP - Dallas, TX
12:35 pm	**Adjourn**

Consumer Track

Presiding Officer:
Angela Littwin, The University of Texas School of Law - Austin, TX

9:20 am 0.75 hr	**Digital Assets, Use of Cash App Accounts, NFTs** Explore Metabankruptcy; virtual assets and how to find them, disclose them, value them, get them turned over, and liquidate them. Sean Thomas Flynn, The Law Offices of Sean T. Flynn, P.L.L.C. - Austin, TX Ron Satija, Hayward PLLC - Austin, TX
10:05 am 0.75 hr	**Changes to B.R. 3002.1 and the Intersection with RESPA/FDCPA** The intersection of the new Rule 3002.1 with RESPA and the FDCPA. What could go wrong? Theodore O. Bartholow, Kellett & Bartholow PLLC - Dallas, TX Abbey Ulsh Dreher, Barrett Daffin Frappier Turner & Engel, LLP - Addison, TX Hon. Mark X. Mullin, U.S. Bankruptcy Court, Northern District of Texas - Fort Worth, TX
10:50 am	**15-Minute Break**
11:05 am 0.75 hr	**Student Loans** Gain insight into the constantly shifting student loan legislative landscape. Edward C. Boltz, The Law Offices of John T. Orcutt - Durham, NC Tara Twomey, National Consumer Bankruptcy Rights Center - San Jose, CA
11:50 am 0.75 hr 0.25 hr ethics	**Conversion from 13 to 7 – The Allure, the Pitfalls, and the Perils** Common reasons for conversion and its benefits. Areas of concern: who gets the money, what is property of estate, timing, and exemptions. Laurie Dahl Rea, Forshey Prostok, LLP - Fort Worth, TX Behrooz P. Vida, The Vida Law Firm - Bedford, TX

12:35 pm	**Adjourn**