

**2005 Bankruptcy Litigation: Advanced Pre-Trial Practice and Procedure
Workshop
January 20-21, 2005 • Eidman Courtroom • Austin, TX**

Thursday Morning, Jan. 20, 2005

Presiding Officer:

Hon. Jeff Bohm, US Bankruptcy Court, Southern District of Texas - Houston, TX

9:00 am 0.75 hr	<p>Developing and Pleading Effective Causes of Action in Bankruptcy Cases</p> <p>The Facts: As Recited by Lamont A. Jefferson Strategically selecting causes of action can sometimes win or lose your case! This will include an analysis not only of potentially available causes of action to plead, but those most likely to advance and efficiently streamline your client's case. From client interviews and investigative analysis to choice of law, limitations and anticipating defenses, this will focus on selecting and pleading effective causes of action.</p> <p>Jason S. Brookner, Andrews Kurth LLP - Dallas, TX Allan B. Diamond, Diamond McCarthy Taylor Finley & Lee, L. - Houston, TX Lamont A. Jefferson, Haynes & Boone - San Antonio, TX Lewis T. LeClair, McKool Smith - Dallas, TX</p>
9:45 am 0.50 hr	<p>Bankruptcy Court Jurisdiction - The Far Side of the World</p> <p>Navigational tips for exploring many of the uncharted waters of the Bankruptcy Court jurisdictional seas.</p> <p>H. Christopher Mott, Gordon & Mott P.C. - El Paso, TX</p>
10:30 am 1.25 hrs	<p>You Must Let Me Out!: Developing, Pleading and Presenting Effective Defenses Using Fed. R. Civ. P. 12(b) and Fed. R. Civ. P. 9</p> <p>The panel will present pleadings and a demonstrative argument to illustrate how defendants can use a carefully crafted motion pursuant to Fed. R. Civ. P. 12(b) and Fed. R. Civ. P. 9 to exit litigation early in the proceeding.</p> <p>Josiah M. Daniel III, Vinson & Elkins LLP - Dallas, TX Hon. H. DeWayne Cooter Hale, US Bankruptcy Court, Northern District of Texas - Dallas, TX Clifton R. Jessup Jr., Greenberg Traurig LLP - Dallas, TX Lynnette R. Warman, Jenkins & Gilchrist, P.C. - Dallas, TX</p>

Thursday Afternoon, Jan. 20, 2005

Presiding Officer:

Charles A. Beckham Jr., Haynes and Boon, LLP - Houston, TX

1:00 pm 1.00 hr	<p>Problems and Pitfalls in Obtaining Injunctive Relief</p> <p>Your client really needs that TRO, but can you get there from here? This presentation will address how to put together the affidavit and other paperwork that will cover the bases for injunctive relief and survive a challenge in court.</p> <p>Elizabeth M. Guffy, Dewey Ballantine - Austin, TX Marvin Isgur, US Bankruptcy Court - Houston, TX Henry J. Kaim, Bracewell & Giuliani LLP - Houston, TX</p>
2:00 pm 0.50 hr	<p>Choice of Law and Conflicts of Law</p> <p>What can you do to influence the most favorable selection of substantive law in adversary or other proceedings? What traps may face you if the least favorable substantive law is selected?</p> <p>John J. McKetta III, Graves Dougherty Hearon & Moody PC - Austin, TX</p>
2:30 pm 0.75 hr	<p>Civil Discovery When There Are Parallel Criminal Proceedings</p> <p>A discussion of the strategies implemented when representing individuals or corporations being sued as well as investigated or charged with criminal activity.</p> <p>Joel M. Androphy, Berg & Androphy - Houston, TX Alfredo R. Perez, Weil Gotshal & Manges LLP - Houston, TX</p>
3:30 pm 0.00 hr 1.25 hrs ethics	<p>Ethics by Example</p> <p>Do you know it when you see it? Consider some behavior by lawyers in the movies—and then ask, “What’s wrong with this picture?”</p> <p>Rhonda R. Chandler, Hughes Watters Askansas, LLP - Houston, TX Harrel L. Davis III, Gordon & Mott - El Paso, TX Hon. Ronald B. King, U S Bankruptcy Court, Western District o - San Antonio, TX</p>
4:45 pm 0.50 hr	<p>Q&A Session with Afternoon Speakers</p> <p>Moderator: Deborah D. Williamson, Cox Smith Matthews Incorporated - San Antonio, TX</p>

Friday Morning, Jan. 21, 2005

Presiding Officer:

Hon. Russell F. Nelms, US Bankruptcy Court, Northern District o - Fort Worth, TX

8:30 am 0.00 hr 0.50 hr ethics	<p>Useful Strategies in the Battle of Experts</p> <p>Winning the battle of experts often depends on employing savvy pretrial strategies. We explore the arcane world of testifying and consulting experts, what counts as a “report,” disqualification, and other fun tactics, played out in the context of bankruptcy litigation.</p> <p>Hon. Leif M. Clark, US Bankruptcy Court, Western District of - San Antonio, TX Nicholas A. Foley, Neligan Foley - Dallas, TX J. Michael Sutherland, Carrington, Coleman, Sloman & Blumenthal - Dallas, TX</p>
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9:45 am 0.00 hr 0.25 hr ethics	<p>"Give It to Me Now - Or Else": Obtaining and Compelling Discovery, Including Privilege Issues</p> <p>Tips and rules for the conduct of discovery in complex bankruptcy litigation matters, including practical methods for streamlining the discovery process and managing discovery requests.</p> <p>William R. Greendyke, Fulbright & Jaworski L.L.P. - Houston, TX John F. Higgins IV, Porter & Hedges, LLP - Houston, TX Patrick L. Hughes, Haynes And Boone, LLP - Houston, TX</p>
11:00 am 0.50 hr	<p>Foreign Depositions</p> <p>An exploration of formal and informal procedures for obtaining discovery in foreign jurisdictions.</p> <p>Stephen A. Goodwin, Carrington Coleman Sloman & Blumenthal L - Dallas, TX</p>
11:30 am 0.00 hr 0.25 hr ethics	<p>Judges Panel - Case Management</p> <p>Three leading bankruptcy judges discuss their approaches to case management.</p> <p>Moderator: Hon. Leif M. Clark, US Bankruptcy Court, Western District of - San Antonio, TX Hon. H. DeWayne Cooter Hale, US Bankruptcy Court, Northern District o - Dallas, TX Hon. Ronald B. King, U S Bankruptcy Court, Western District o - San Antonio, TX</p>