

29th Annual

Advanced Business Bankruptcy Course



VIDEO

Dallas

February 2-3, 2012

Highlights

- Inside the Secret World of the Supreme Court presented by Jeffrey Toobin
- Lock-Ups/Plan Support Agreements/Terminating Exclusivity/Competing Plans
- Cram Ups
- The New UCC
- Valuation of Lawsuits
- Structured Dismissals: Gifting, Third Party Releases

Extra Benefits

- Lunch provided both days
- Complimentary wireless signal and convenient access to powerstrips in the meeting room
- Complimentary parking available

Come a day early
and attend the
Bankruptcy 101

(Separate registration required.)

MCLE CREDIT | 13 HOURS (2 ETHICS)



Course materials available on a USB flash drive



Advanced Business Bankruptcy Course

Cosponsored by the Bankruptcy Law Section of the State Bar of Texas

TexasBarCLE Advanced Courses are sponsored by LexisNexis, a division of Reed Elsevier Inc.

VIDEO Dallas

February 2-3, 2012
Cityplace Conference Center

Register by January 19, 2012
and **save \$50!**

Bankruptcy Law Section members
can **save \$75!**

Invitation to Attend Advanced Consumer Bankruptcy Videos

The Advanced Consumer Bankruptcy Course video is being held at the Cityplace Conference Center at the same time as the Advanced Business Bankruptcy Course video. As such, you are welcome to attend any of the video replays of that course.

Please note: Registrants of Advanced Business Bankruptcy who attend Advanced Consumer Bankruptcy topics are not entitled to receive complimentary materials for that topic or course. You may purchase these extra materials onsite for half price, subject to availability.

MCLE CREDIT

13 HOURS (2 ETHICS)

MCLE COURSE NO: 901225159

Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in Bankruptcy Law.

Thursday

7.25 hours including 1.75 ethics

8:00 **Registration - Coffee and Pastries Provided**

8:30 **Welcoming Remarks
Course Directors**
Johnathan C. Bolton, *Houston*
Fulbright & Jaworski

Trey A. Monsour, *Dallas*
Haynes and Boone

8:45 *"Don't Squat on Your Spurs"*
**Lock Ups/Plan Support Agreement/
Terminating Exclusivity/Competing
Plans** .75 hr

Hon. Bruce A. Markell, *Las Vegas, NV*
Judge, U.S. Bankruptcy Court
District of Nevada

Lenard M. Parkins, *New York, NY*
Haynes and Boone

9:30 *"Head 'em Up, Move 'em Out"*
**Channeling Orders/Asbestos/Mass
Tort Issues/Environmental Issues**
.75 hr

Hon. Richard S. Schmidt, *Corpus Christi*
Judge, U.S. Bankruptcy Court
Southern District of Texas
Corpus Christi Division

Sander L. Esserman, *Dallas*
Stutzman, Bromberg, Esserman &
Plifka

Martin A. Sosland, *Dallas*
Weil Gotshal & Manges

10:15 **Break**

10:30 *"Never Look a Gift Horse in the Mouth"*
**Structured Dismissals: Gifting and
Third Party Releases**
.75 hr

Henry J. Kaim, *Houston*
King & Spalding

Kenric Kattner, *Dallas*
Haynes and Boone

11:15 *"Never Kick a Cow Patty on a Hot Day"*
Bankruptcy and Taxes .5 hr
Paul H. Asofsky, *Houston*
Weil Gotshal & Manges

William H. Caudill, *Houston*
Fulbright & Jaworski

11:45 **Break - Lunch Provided**

12:00 **Lunch Presentation: Recent
and Pending Legislation** .75 hr
David Goch, *Washington, DC*
Webster Chamberlain & Bean

12:45 **Break**

1:00 *"What's New in Dodge?"*
Update of Recent Cases .75 hr
Louis M. Phillips, *Baton Rouge, LA*
Gordon Arata McCollam DuPlantis &
Eagan

1:45 *"There's a New Sheriff in Town"*
Independent Fiduciaries
.75 hr ethics
Gregory M. Gordon, *Dallas*
Jones Day

Hon. Stacey G. C. Jernigan, *Dallas*
Judge, U.S. Bankruptcy Court
Northern District of Texas

Diane G. Livingstone, *Houston*
Assistant U.S. Trustee

2:30 **Break**

2:45 *"Never Drink Downstream
From Your Horse"*
Conflicts of Interest .5 hr ethics
Demetra L. Liggins, *Houston*
Thompson & Knight

Thomas H. Watkins, *Austin*
Brown McCarroll

3:15 *"Well, Butter My Butt
and Call Me a Biscuit"*
**The Great Amend and Pretend
Period: Chapter 11/Where Will
Work Be?** .75 hr
Hank Holmes, *Houston*
President, Houston Subsidiary
Community Bancorp

Thomas A. Howley, *Houston*
Jones Day

Michael Scott, *Dallas*
Ernst & Young

4:00 *"Back Off, City Boy"*
Chapter 9: Another Look .5 hr
Hon. Marvin Isgur, *Houston*
Judge, U.S. Bankruptcy Court
Southern District of Texas

Clifton R. Jessup, Jr., *DeSoto*
Greenburg Traurig

- 4:30 "No Matter Where You Go, There You Are"
Forum Shopping .5 hr ethics
 John P. Melko, *Houston*
 Gardere Wynne Sewell
- William A. "Trey" Wood III, *Houston*
 Bracewell & Giuliani
- 5:00 **Adjourn**

Friday

5.75 hours including .25 ethics

- 8:00 **Coffee and Pastries Provided**
- 8:30 "The Quickest Way to Double Your Money Is to Fold It Over"
Important Energy Issues, Including 363, Credit Bidding, Preferential Rights, and Hart-Scott-Rodino .75 hr
 Rhett G. Campbell, *Houston*
 Thompson & Knight
- John F. Higgins, IV, *Houston*
 Porter Hedges
- 9:15 "I'm Gonna Pump Ya' Full of Lead"
Cram Ups .5 hr
 Roger S. Cox, *Amarillo*
 Underwood Law Firm
- Deborah D. Williamson, *San Antonio*
 Cox Smith Matthews Incorporated
- 9:45 "Shoot Straight and Speak the Truth"
The New UCC .5 hr
 David G. Epstein, *Richmond, VA*
 Allen Professor of Law
 University of Richmond School of

- Law
- 10:15 **Break**
- 10:30 "Whoa Nellie!"
Constitutionality of the Bankruptcy Code .5 hr
 Hon. Craig A. Gargotta, *Austin*
 Judge, U.S. Bankruptcy Court
 Western District of Texas
- Frank R. Monroe, *Austin*
 Graves, Dougherty, Hearon &
 Moody
- Eric G. Behrens, *Austin*
 Graves, Dougherty, Hearon &
 Moody
- 11:00 "Cowboys Never Have Enough Guns, Dogs, or Pickup Trucks"
Balance Sheets/Financial Statement: Case Study Finding Fraudulent Activity .5 hr
 Loretta Cross, *Houston*
 Grant Thornton
- Dan B. Lain, *Dallas*
 Lain Faulkner & Co.
- 11:30 "Do It Right or Get Off the Horse"
Valuation of Lawsuits .75 hr
 Paul E. Heath, Jr., *Dallas*
 Vinson & Elkins
- Jack L. Kinzie, *Dallas*
 Baker Botts
- H. Malcolm Lovett, Jr., *Houston*
 Strategic Capital Corporation
- 12:15 **Break - Lunch Provided**

- 12:30 **Lunch Presentation: Inside the Secret World of the Supreme Court** 1 hr



Jeffrey Toobin
 Senior Legal
 Analyst, CNN

- 1:30 **Break**
- 1:45 "Hold It Right There! Now, Move Your Hand, Real Slow-like"
Valuation Challenges in the Current Economic Times .75 hr (.25 ethics)
 Harrel L. Davis III, *El Paso*
 Gordon Davis Johnson & Shane
- Frank R. Monroe, *Austin*
 Graves, Dougherty, Hearon & Moody
- Eric J. Taube, *Austin*
 Hohmann Taube & Summers
- 2:30 "Rodeo, 'Cause Bones Heal and Chicks Dig Scars"
Chapter 15 .5 hr
 William F. Stutes, Jr., *Dallas*
 Baker Botts
- Judith W. Ross, *Dallas*
 Baker Botts
- 3:00 **Adjourn**

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Please note: Registrants of Advanced Business Bankruptcy who attend Advanced Consumer Bankruptcy topics are not entitled to receive complimentary materials for that topic or course. You may purchase such extra materials onsite for half price, subject to availability. Advanced Consumer Bankruptcy topics include:

- Judicial Estoppel Doctrine in Bankruptcy Cases
- Proving Ownership of the Claim
- Fifth Circuit/Supreme Court Case Law Update
- Property Taxes
- Recognizing Non-Bankruptcy Causes of Action
- How to Better Prepare Your Debtor
- Individual 11's v. 13's
- Creative Alternatives to Foreclosure: Loss Mitigation Options
- Disciplinary Rules That Affect Bankruptcy Attorneys
- Chapter 13 Trustee Panel
- Mortgage Accounting
- Schwab v. Reilly
- Evidence Issues
- Vignettes
- Post-Confirmation Ch. 13
- Judges Panel
- How to Ethically Use Paralegals in Your Practice

Come a day early and attend the **Bankruptcy 101 Course**

(separate registration fee required)

VIDEO Dallas

February 1, 2012 | Cityplace Conference Center

Wednesday

6 hours including .5 ethics

9:00 **Registration - Coffee and Pastries Provided**

9:45 **Welcoming Remarks
Course Directors**
Erin B. Shank, *Waco*
Erin B. Shank, P.C.

M. Jermaine Watson, *Dallas*
Cox Smith Matthews Incorporated

10:00 **Life of the Bankruptcy Case**
1 hr (.25 ethics)
• Overview of Consumer Bankruptcies and Business Bankruptcies

Erin B. Shank, *Waco*
Erin B. Shank, P.C.

M. Jermaine Watson, *Dallas*
Cox Smith Matthews Incorporated

11:00 **Bankruptcy - Law Practice Management** *1 hr (.25 ethics)*
• Screening New Clients
• Organization Strategies

W. Reed Allmand, *Dallas/Fort Worth*
Allmand Law Firm, PLLC

Frances A. Smith, *Dallas*
Shackelford Melton & McKinley

12:00 **Lunch on Your Own**

1:15 **Means Test** *.75 hr*
Erin B. Shank, *Waco*
Erin B. Shank, P.C.

Valerie L. Wenger, *Austin*
Trial Attorney, U.S. Trustee's Office
Western District of Texas

2:00 **Cash Collateral** *.75 hr*
Michael V. Baumer, *Austin*
Law Office of Michael Baumer

Timothy Million, *Houston*
Munsch Hardt Kopf & Harr

2:45 **Claims Objection Process** *.75 hr*
Hon. Richard S. Schmidt,
Corpus Christi
Judge, U.S. Bankruptcy Court
Southern District of Texas
Corpus Christi Division

Erin B. Shank, *Waco*
Erin B. Shank, P.C.

3:30 **Break**

3:45 **Opposing & Obtaining Relief from Automatic Stay** *1 hr*
Mary A. Daffin, *Houston*
Barrett Daffin Frappier Turner & Engel

David D. Ritter, *Dallas*
Kane Russell Coleman & Logan

Pamela L. Stewart, *Houston*
Law Office of Pamela L. Stewart

4:45 **Plans and Confirmation** *.75 hr*
Demetra L. Liggins, *Houston*
Thompson & Knight

Jeffrey P. Norman, *Columbus, OH*
Standing Chapter 13 Trustee

5:30 **Adjourn**



DALLAS Video

Cityplace Conference Center

2711 N. Haskell Avenue
Dallas, TX 75204
(214) 515-5100
www.CHGCityplace.com

No hotel rooms have been blocked for this video replay.

MCLE CREDIT

6 HOURS (.5 ETHICS)

MCLE COURSE NO: 901224858

Applies to the College of the State Bar of Texas and the Texas Board of Legal Specialization in Bankruptcy Law.

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Registering

five or more?
Email Laura Angle at
laura.angle@texasbar.com
for group discount
information.

On the Advanced Course
save up to **\$75!**

**Advanced Business Bankruptcy Course
and Bankruptcy 101**

1 Here are my choices:

Advanced Business Bankruptcy Course [5070]

Dallas VIDEO, February 2-3, 2012 \$495
Take \$50 OFF: Register by January 19, 2012

- Buffet lunch each day
- Complimentary parking available
- Complimentary wireless signal and access to electrical outlets in the meeting room

Bankruptcy 101 Course [5071]

Dallas VIDEO, February 1, 2012 \$145
(No discounts under section 3 apply. Materials will be hard copy only.)

2 I want my Advanced Course materials format to be:

- Electronic materials (PDFs on a USB drive)
- Hard-copy materials (1 notebook)
- BOTH so I'll **ADD \$80**

3 I'm entitled to 1 or 2 discounts on the Advanced Course:

- \$50 OFF** because I'm registering by the "Register by" date at the left. (If by mail, date of postmark will be determinative.)
- \$25 OFF** because (choose 1 box only) I'm a member of the
 - Bankruptcy Section State Bar College Classic Membership
 - Legal Administrators or Paralegal Division
- OR I am licensed 2 years or less.

\$ _____ is my total for course(s) and materials.

- As a judge, I AFFIRM I qualify under §7.03.06 (State Bar Policy Manual) for complimentary admission (see p. 6).
- State Bar College Gold Membership (complimentary admission) Questions? Visit texasbarcollege.com

4 I can't attend. Just send course materials.* FREE Shipping & Handling

- Advanced Course book \$155 each[†]
- Advanced Course materials on USB drive \$155 each[†]
- Bankruptcy 101 book \$45 each[†]

For information on audio CDs of the course topics, contact our DVD CLE service at 800-204-2222, x1575. MP3 files of the course topics will be downloadable from TexasBarCLE.com 6-8 weeks after the course.

5 I am paying by:

- Check (enclosed) payable to the State Bar of Texas for \$ _____
- Visa MasterCard AMEX Discover

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**PDFs of course materials will be available for purchase 6-8 weeks after the course in the Online Library at TexasBarCLE.com. Registrants receive access to the PDFs at no additional charge (see "Free to Our Registrants" on p. 6).*

[†]Plus 8.25% sales tax on total. Please include sales tax or attach an exemption certificate. Book and USB orders are shipped separately and filled 4-6 weeks after the live program. A bill will be sent unless a credit card charge is authorized on this form.

QUESTIONS?
800-204-2222, x1574 • 512-427-1574

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Trey A. Monsour Dallas

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fyi

I N F O R M A T I O N

Ways to Save on This Course!

Meet the "Register By" Deadline and Save \$50

because early registrations help us ensure that sufficient course books, seating, and refreshments are available. Course materials and seating will be reserved for pre-registrants until the start of the first topic.

Bankruptcy Law Section Members Can Save \$75

by registering no later than the "Register by" date for that course (thereafter, save \$25); see the registration form. Not a member? To join, e-mail sections@texasbar.com or phone 800-204-2222, x1425. Please do not send Section membership payment with your registration fee.

Earn Discounts by Registering Five or More

from your firm or agency. Contact Firm & Group Sales Manager Laura Angle of TexasBarSolutions at 512-250-5575 or laura.angle@texasbar.com.

State Bar Policy §7.03.06 Allows Active State and Texas-Area Federal Judges to Attend for Free

provided (1) the course is directly related to their tribunal's jurisdiction, (2) they are full-time judges or judges retired under the Texas Judicial Retirement System and (3) space is available for all paying registrants. This privilege does not extend to receivers, trustees, court staff, or persons serving part-time in any judicial capacity. NOTE: Judges must actually attend to receive course materials.

Policy of Impartiality

The State Bar of Texas does not endorse political candidates. When a candidate for public office is included in promotion for or participates in a TexasBarCLE event, the State Bar is not taking a position for or against anyone's candidacy.

Parking Information for Attendees Not Staying at the Hotel is subject to change without notice and is not a guarantee of available space. **Self-parking in the Cityplace underground garage is complimentary by picking up a validation ticket from the State Bar staff onsite.**

If You Need Special Accommodations to Attend,

please contact us as soon as possible at 800-204-2222, x1797. For the Cityplace Conference Center in Dallas, please call us at 800-204-2222, x1797 in advance of your arrival so that assisted parking can be arranged for drivers of handicap-designated vehicles.

Registered But Can't Attend? Still Earn MCLE Credit

by taking the course online later, in which case you'll automatically be sent the course materials; see "FREE TO OUR REGISTRANTS!" below. However, if you wish a refund instead, mail or fax (512-427-4111) your request so that we receive it at least one business day before the program.

FREE TO OUR REGISTRANTS!

Online Videos & MP3s of Topics, plus PDFs of Course Materials, will be available to registrants 6-8 weeks after the course. Provide us your e-mail address when preregistering and we'll alert you when these benefits are available and how to access them. (Note: Presentation lengths may vary from that which was advertised.) There's no extra charge; as a registrant, you're already entitled!