



HAWAII BANKRUPTCY BAR ASSOCIATION
(HBBA)

&

INSTITUTE OF ASIAN-PACIFIC BUSINESS LAW
(IAPBL)

THE WILLIAM S. RICHARDSON SCHOOL OF LAW
UNIVERSITY OF HAWAII AT MĀNOA

HAWAII
BANKRUPTCY
BAR
ASSOCIATION

Symposium

**Insolvency Law and Reform in the
Aftermath of the Global Pandemic:
Recent Developments in Hawai'i, the
United States and Asia**

26-27 October 2023
Halekulani Hotel, Waikiki, Hawai'i

Sponsorship support provided by:

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**Asian Institute of International Financial Law,
Faculty of Law, University of Hong Kong**

INSOL International

**Singapore Global Restructuring Initiative
Singapore Management University**

Symposium

Insolvency Law and Reform in the Aftermath of the Global Pandemic: Recent Developments in Hawai'i, the United States and Asia

Program

This symposium will involve discussions among academics, lawyers, judges, and accountants from Hawai'i, the US Mainland, Hong Kong, and Singapore on recent insolvency law developments in the aftermath of the global pandemic. Topics of discussion will include consumer issues and student loans; the role of ADR; economic overviews; recognition of foreign proceedings; fraudulent transfer litigation and the use of the Texas two-step; comparative corporate insolvency issues including DIP financing and third-party releases; ethical issues regarding the use of technology and artificial intelligence; and US Chapter 11 Subchapter V and SME insolvency procedures.

Day 1

8:30-9:00 am Registration/Continental Breakfast

9:00-9:15 am Welcoming Remarks

Prof. Charles D Booth, IAPBL Director & Professor, Richardson School of Law,
University of Hawai'i

Ms. Bridget G Morgan-Bickerton, Managing Partner, Bickerton Law Group LLLP,
Honolulu; President, Hawai'i Bankruptcy Bar Association

Session 1

Consumer Issues and Student Loans

9:15-10:30 am

Chair and Commentator:

Mr. Theodore DC Young, Partner & Chair, Bankruptcy & Creditors' Rights Practice
Group, Cades Schutte LLP, Honolulu

Speakers:

Ms. Natalie Eness, Senior Corporate Counsel, Educational Credit Management
Corporation

Hon. Robert J Faris, US Bankruptcy Court, District of Hawai'i

10:30-11:00 am Tea and Coffee Break

**Session 2
Judicial Panel:
Role of ADR (Arbitration and Mediation)**

11:00 am-12:15 pm

Chair and Commentator:

Hon. Robert J Faris, US Bankruptcy Court, District of Hawai'i

Speakers:

Hon. James M Peck (Ret.), Morrison & Foerster LLP, NYC, former US Bankruptcy Judge, SDNY

Hon. Allan L Gropper (Ret.), NYC, former US Bankruptcy Judge, SDNY

12:15-1:30 pm Lunch

**Session 3
Economic Overview Panel**

1:30-2:45 pm

Chair and Commentator:

Prof. Charles D Booth, IAPBL Director & Professor, Richardson School of Law, University of Hawai'i

Speakers:

Dr. Paul H Brewbaker, CBE, TZE Economics, Honolulu

Dr. Eugene Tian, Chief Economist, Hawai'i State Department of Business, Economic Development, and Tourism (DBEDT)

2:45-3:15 pm Tea and Coffee Break

Session 4
**Recent Trends and Adventures in Recognition of Offshore and Other
Foreign Proceedings in the US and Asia**

3:15-4:30 pm

Chair and Commentator:

Prof. John AE Pottow, John Philip Dawson Collegiate Professor of Law, University
of Michigan Law School

Speakers:

Mr. Mark D. Bloom, Partner, Baker & McKenzie, Miami

Prof. Aurelio Gurrea-Martinez, Associate Professor, Singapore Management
University, Singapore

Mr. John M Marsden, Partner, Mayer Brown LLP, Hong Kong

4:30-4:45 pm **Day 1 Concluding Remarks**

4:45-6:00 pm **Cocktail Reception**

Day 2

8:30-9:00 am **Continental Breakfast**

Session 5
**Crossing the Line or Circumnavigating Corporate Liability
Exposure with the Texas Two-Step**

9:00-10:15 am

Chair and Commentator:

Ms. Bridget G Morgan-Bickerton, Managing Partner, Bickerton Law Group LLLP,
Honolulu; President, Hawai'i Bankruptcy Bar Association

Speakers:

Ms. Anne Andrews, Founding Director, Andrews & Thornton, Irvine, CA

Ms. Randi S Ellis, Owner of Randi S. Ellis, LLC

Mr. Fouad Kurdi, Partner, Brown Rudnick (former Mediator and Complex Trust & Claims Administrator, Resolutions LLC)

10:15-10:45 am Tea and Coffee Break

Session 6
Comparative Corporate Insolvency Issues:
DIP Financing, Third-Party Releases

10:45 am-12:00 pm

Chair and Commentator:

Mr. Jerrold K Guben, Partner, O’Conner Playdon Guben & Inouye, Honolulu

Speakers:

Ms. Debra Grassgreen, Senior Partner, Pachulski Stang Ziehl & Jones, San Francisco

Mr. Gary T Holtzer, Co-Chair, Restructuring Department, Weil Gotshal & Manges LLP, NYC

Mr. John M Marsden, Partner, Mayer Brown LLP, Hong Kong

Mr. James HM Sprayregen, Partner, Kirkland & Ellis, Chicago & NYC

12:00-1:15 pm Lunch

Session 7
Ethics and Technology:
Use of Artificial Intelligence
(1 Ethics Credit)

1:15-2:30 pm

Chair and Commentator:

Mr. Ted N Pettit, Pettit Law Hawai‘i LLLC, Honolulu

Speakers:

Mr. Mark P Seo, HON Discovery Group, Honolulu

Mr. Matthew Stubenberg, Innovator in Residence, Richardson School of Law,
University of Hawai'i

Ms. Stephanie EW Thompson, Director, Starn O'Toole Marcus & Fisher, Honolulu

2:30-3:00 pm Tea and Coffee Break

Session 8
Small Business Bankruptcies:
US Ch 11 Subchapter V & SME Insolvencies

3:00-4:15 pm

Chair and Commentator:

Prof. Charles D Booth, IAPBL Director & Professor, Richardson School of Law,
University of Hawai'i

Speakers:

Mr. Chuck C Choi, Partner, Choi & Ito, Honolulu

Mr. Jerrold K Guben, Partner, O'Conner Playdon Guben & Inouye, Honolulu

Prof. Aurelio Gurrea-Martinez, Associate Professor, Singapore Management
University, Singapore

Mr. Neil Verbrugge, Trial Attorney, Office of the United States Trustee, Honolulu

4:15-4:30 pm Day 2 Concluding Remarks

4:30-5:00 pm Champagne Toast

Symposium Planning Committee:

Prof. Charles D Booth, IAPBL Director & Michael J Marks Distinguished Professor
in Business Law, Richardson School of Law, University of Hawai'i

Mr. Jerrold K Guben, Partner, O'Conner Playdon Guben & Inouye, Honolulu

Ms. Bridget G Morgan-Bickerton, Managing Partner, Bickerton Law Group LLLP,
Honolulu; President, Hawai'i Bankruptcy Bar Association

Prof. Garrett Halydier, IAPBL Deputy Director & Visiting Assistant Professor,
Richardson School of Law, University of Hawai‘i

Mr. Ted N Pettit, Pettit Law Hawai‘i LLC, Honolulu

Ms. Susan Tius, Partner, Rush Moore LLP, Honolulu

Mr. Theodore DC Young, Partner & Chair, Bankruptcy & Creditors’ Rights Practice
Group, Cades Schutte LLP, Honolulu