

## **NUTS & BOLTS: IN THE REALM OF INSOLVENCY: TROUBLED LOANS, WORKOUTS & EXIT OPTIONS (INCLUDING BANKRUPTCY BASICS)**

On October 18, 2019, The Financial Lawyers Conference is sponsoring a full-day program on fundamental issues in workouts and restructurings of troubled loans, including exit options and bankruptcy basics.

This program is designed for professionals involved in structuring and enforcing commercial financing transactions, but who are not yet expert in this field, either because they are relatively new to it or do not deal with it routinely. Professionals who are lawyers, financial advisors, bankers, and professionals at hedge funds, private equity funds, investors, and companies who participate in debt transactions, will benefit from this program. In addition to an excellent academic program, the program provides a number of breaks, as well as lunch, to permit attendees to establish and cultivate contacts with others involved in this arena. We encourage senior members of the institutions who receive this invitation to involve their junior team members in this program.

As reflected in the following agenda, the faculty for this program includes an array of leading practitioners, advisors, and academics.

**Friday, October 18, 2019**

### **SCHEDULE, AGENDA, AND FACULTY**

#### **8:45 - 9:15 a.m. Registration and Continental Breakfast**

#### **9:15 - 9:30 a.m. Welcome and Introduction**

Faculty: Bernard “Bo” Bollinger, Buchalter APC (N&B Conference Chair)  
Scott Gautier, Robins Kaplan LLP

#### **9:30 – 10:15 a.m. Security Interests: The Basics**

Faculty: Mathew Bouslog, Gibson Dunn & Crutcher LLP  
David Kennedy, Gibson Dunn & Crutcher LLP

A creditor’s collateral position often influences how to address the issues posed by a potentially insolvent borrower. In this program, we will explore the basics of secured transactions and focus on some interesting issues, such as the perfection of security interests in intellectual property and pledges of ownership interests in entities.

#### **10:30 – 11:15 a.m. Understanding the Drivers of Financial Distress**

Faculty: Amir Agam, FTI  
Mary Ann Kaptain, FTI

In this program, we will explore the drivers of financial distress. The nature and severity of that distress often will dictate how and when a borrower will act to preserve value.

**11:30 – 12:15 a.m. Exit Options: Plans, Sales, Liquidation and Related Issues**

Faculty: Bernard “Bo” Bollinger, Buchalter APC  
David Kupetz, Sulmeyer Kupetz APC

Once we understand what secured rights (if any) a creditor might have and the drivers of the borrower’s financial distress, we can begin to consider exit options. In this program, we will look at various exit options and some of the issues involved in each.

**12:15 – 1:15 p.m. Lunch**

**1:15 - 2:00 p.m. Understanding Important Agreements in Restructurings: Forbearance Agreements, NDAs, Intercreditor Agreements, and More**

Faculty: Scott Gautier, Robins Kaplan LLP  
Julian Gurule, Buchalter APC

Once in a financially distressed situation, it is important to understand the underlying rights and obligations of the parties, and how an exit option may be permitted or precluded. In this program, we will explore how some key agreements affect the way parties will look at restructuring, as well as certain documents created to assist in the process.

**2:15 – 3:00 p.m. Confirmation Issues**

Faculty: Jonathan Weiss, Klee Tuchin Bogdanoff & Stern LLP  
James Behrens, Milbank LLP

Plans of reorganization can take a number of forms, but are limited by the confirmation requirements of Section 1129 and related sections of the code. In this program we’ll discuss the myriad confirmation issues that may shape the course of this form of exit strategy.

**3:15 - 4:00 p.m. Basic Bankruptcy Tools**

Faculty: John Patrick Fritz, Levene Neale Bender Yoo & Brill LLP  
Kim Winick, Clark & Trevithick, PLC

What are the basic bankruptcy tools available to a debtor to help maximize value? In this program, we will discuss some of these basic, but critically important, tools.

**4:00 – 4:15 p.m. Closing Remarks**

Faculty: Bernard “Bo” Bollinger, Buchalter APC  
Scott Gautier, Robins Kaplan LLP

Location: **Buchalter**

1000 Wilshire Blvd., Suite 1500  
Los Angeles, California 90017-1730

Cost: Registration charges include continental breakfast, luncheon, and refreshments at breaks.

\$150: FLC Members

Lawyers in Government Service

Current Law School Students

\$200: Non-members (which includes a one year membership)

**Cost does not include parking.**