



International Insolvency Institute 18th Annual Conference

September 23–25, 2018 | New York



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INTERNATIONAL INSOLVENCY INSTITUTE

A Non-Profit Corporation Dedicated to the Improvement of International Insolvency Systems and Procedures

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Dear Colleagues,

We are delighted to extend a warm invitation to you to visit New York City for the eighteenth annual conference of the International Insolvency Institute.

This year's conference is centered on the financial district in downtown Manhattan. Our welcome reception will be held at the United States Bankruptcy Court for the Southern District of New York at Bowling Green, and our legendary dinner will be held across the street at Cipriani's on Broadway. Conference programming is at New York University School of Law, the NextGen Program at Sullivan & Cromwell on Broad Street, and the academic and judicial program at Cleary, Gottlieb, Steen and Hamilton near the World Financial Center. Conference hotels include the historic Beekman and other downtown alternatives.

We have a fantastic program planned.

Please register and make your travel arrangements now. We look forward to seeing you in New York this September for what will be a truly memorable conference.

Alan Bloom
President

Jim Bromley
Conference Co-Chair

Andy Dietderich
Conference Co-Chair

Awarded Special Consultative Status to United Nations Agencies

The Institute is represented in the following Major Cities: Accra • Achern • Amsterdam • Ann Arbor • Antwerp • Athens • Auckland • Austin • Barcelona • Basel • Beijing • Belgrade • Berislaviceva • Bergen • Berlin • Bogota • Boston • Brisbane • Brooklyn • Bucharest • Budapest • Buenos Aires • Calgary • Cape Town • Chicago • Clermont-Ferrand • Colmar • Cologne • Copenhagen • Croatia • Dallas • Denver • Dublin • Durham, N.C. • Dusseldorf • Ertstadt • Essex • Florence • Frankfurt • Geneva • Gibraltar • Grand Cayman • Hamburg • Hamilton, Bermuda • Hartford • Heilbronn • Helsinki • Hong Kong • Honolulu • Houston • Jakarta • Johannesburg • Kansas City • Karlsruhe • Kuala Lumpur • Lagos • Leiden • Leipzig • Lima • Lisbon • Lissone • Ljubljana, Slovenia • London • Los Angeles • Madrid • Medford • Mexico City • Miami • Milan • Montreal • Moscow • Munich • Nashville • New York • Neu-Ulm • Newark • Nijmegen • Nottingham • Osaka • Oslo • Palo Alto • Paris • Perth • Philadelphia • Phoenix • Pittsburgh • Poznan • Prague • Regensburg • Rome • Salt Lake City • San Antonio • San Diego • San Francisco • Santa Barbara • Sacramento • Santiago • Sao Paulo • Sarasota • Seoul • Singapore • Stockholm • Sydney • Tallahassee • Tampa • Tartu • Tel-Aviv • Tokyo • Torino/Turin • Toronto • Vancouver • Vienna • Visby • Warsaw • Washington D.C. • York • Zagreb • Zurich

Conference Topics

Topics to be presented at the conference are listed below. The program will include panelists from every region of the world. Panelists will be announced as they are confirmed on our website. Note that the list of topics is subject to change and availability

- ▲ **Keynote Speaker-An Interview with Steven Rattner**

- ▲ **The Global Financial Crisis One Decade Later: How Did We Do, and Could We Have Done Better?**

- ▲ **Will It Be Different: Are We Prepared for the Next Financial Crisis?**

- ▲ **Government Intervention—A Focus on Nonfinancial Enterprise**

- ▲ **Government and Quasi-Government Issuers**

- ▲ **Keynote Speaker: Chief Justice Sundaresh Menon**

- ▲ **Mock Forum Shopping Exercise**

- ▲ **Judicial Panel on Recent Cross-Border Cases**

- ▲ **Legal Civilizations**

- ▲ **The Proposed EU Pre-Insolvency Restructuring Regime: Is It Fit for Purpose?**

- ▲ **UNCITRAL Developments**

Click [here](#) for registration





III New York Conference Overview

The **Conference Hotels** include blocks of rooms at the following:

The Beekman

123 Nassau Street
New York, NY 10038
\$459/night if reserved by August 22, 2018
1-855-523-3562 or click here to make your reservation

W New York - Downtown

8 Albany Street
New York, NY 10006
\$399/night if reserved by August 23, 2018
1-866-961-2860 or click here to make your reservation

New York Marriott Downtown

85 West Street
New York, NY 10006
\$289/night if reserved by August 24, 2018

Please use this [link](#) to register at any of the hotels.

Conference registration is now available by visiting the III website at www.iiiglobal.org or through [this link](#).

NextGen Leadership Program Class I-VII in conjunction with NextGen Executive Director, Franca Tibando, is pleased to announce the III 2018 NextGen Leadership Conference and the Induction of Class VII of the NextGen Program as well as some unique NextGen social events that are a must-do for all NextGen Classes I-VII. The Program will take place in New York on Sunday June 23, 2018 preceding III's 18th Annual Conference (June 23-25, 2018) and will be held in the offices of Sullivan & Cromwell, LLP courtesy of III Member Andy Dietderich. The NextGen Program brochure is available at [this link](#). Contact Franca at nextgen@iiiglobal.org, 011-416-918-7301, with any questions.

Still have questions? Please contact the Administrative Director of the III, Shari Bedker at sbedker@iiiglobal.org, or 011 (434) 939-6003 or visit the III website. We hope to see you in New York!

III Staff:

Annika Wolf, III Executive Director
Shari Bedker, III Administrative Director
Franca Tibando, III NextGen Executive Director
Lori Musselman, III Executive Assistant
Brandi Gehman, III Executive Assistant

Conference Rate and General Information

Rates:	Early Bird (by July 21)	After July 21
Members	USD \$ 1,500	USD \$ 1,700
Non-Members	USD \$ 1,700	USD \$ 1,800
Academics	USD \$ 650	USD \$ 650
NextGen	USD \$ 1,300	USD \$ 1,300
NextGen Academics	USD \$ 500	USD \$ 500
Full-time serving Judges	Waived	Waived

3 or more delegates from one firm, qualify for 15% discount off the basic registration fee. Contact Shari Bedker at sbedker@iijglobal.org for additional information. **Click [here](#) for registration.**

The Main Conference Venue will be the New York University School of Law, Vanderbilt Hall,
Please use 108 West Third Street entrance, New York, NY 10012

No transportation will be provided for the main conference events. For those who would like to pre arrange either airport transportation or car service to various events, www.bermudalimo.com is a recommended company from the local committee

Dress Code:
Business Casual for all sessions, Business/Cocktail attire for Legendary Dinner.

Conference Schedule

Saturday, September 22, 2018

9:15 a.m. – 4:00 p.m.

NextGen Optional Sightseeing Tour
(ticketed event - limited to NextGen and their guests)

(Continued)

Click [here](#) for registration



Conference Schedule

Sunday, September 23, 2018

8:30 a.m. – 5:00 p.m.

NextGen Class VII Program

Hosted by Sullivan & Cromwell, LLP
125 Broad Street, New York, 10004
(click [here](#) for the NextGen full program information)

5:00 – 5:30 p.m.

NextGen Induction Class VII

Alan Bloom and Franca Tibando
(open to all)

Judicial Committee and Academic Committee Programs

Hosted by **Cleary Gottlieb Steen & Hamilton LLP**
One Liberty Plaza, New York NY 10006

Proceed to lobby security desk, to receive an ID pass. You will then enter through the turnstiles and proceed to the 39th floor.

11:00 a.m. – 12:30 p.m.

Judicial Committee Meeting

(only current and former judges, please)

12:00 – 12:30 p.m.

Academic Committee Private Business Meeting

(only current academics, please)

12:30 – 1:00 p.m.

Lunch

(for those in attendance of both programs)

1:00 – 2:00 p.m.

Joint Session Judicial and Academic Committees

(limited to the two committees, please)

2:00 – 4:00 p.m.

Academic Committee meeting

(presentation of 2 papers and discussion-open to all attendees)

2:00 – 3:00 p.m.

Bitcoin and Bankruptcy: Realizing the Value?



Prof. Janis Sarra ([Bio](#))
University of British Columbia, Vancouver



Prof. Louise Gullifer ([Bio](#))
University of Oxford, Oxford

3:00 – 4:00 p.m.

Proposals on MSME Insolvency: Saving Entrepreneurs, Saving Enterprises.



Prof. Jason Kilborn ([Bio](#))
John Marshall Law School, Chicago

Commentator:



Prof. Ignacio Tirado ([Bio](#))
UNIDROIT, Rome

6:00 – 8:00 p.m.

Main III Conference Opening Reception

Enjoy the delightful flavors of New York's 5 Boroughs while enjoying meeting new and old friends for a reception in the historic rotunda of the Alexander Hamilton Customs House, home of the U.S. Bankruptcy Court of the Southern District of New York. (all delegates, NextGen and guests invited)

United States Bankruptcy Court

Southern District of New York Rotunda
One Bowling Green, New York, NY 10004

Use U.S. Bankruptcy Court entrance located on left side when facing the building. (ticketed event)

The building was listed in the National Register of Historic Places in 1972 and was designated a National Historic Landmark in 1976. In 1979 New York City's Landmarks Preservation Commission made the exterior and public interior spaces a city landmark. In 1994, the George Gustav Heye Center of the National Museum of the American Indian opened in the building. The U.S. Bankruptcy Courts and U.S. Department of Transportation offices are also in the building. The three-story oval rotunda where the reception is being held, measures 135 by 85 feet. The tile and plaster-domed ceiling of the rotunda is one of the masterpieces of Spanish engineer Raphael Guastavino (1842-1908). Between the skylight and the dome's entablature are murals by New York artist Reginald Marsh (1898-1954) depicting ships entering New York Harbor.

Dinner on own

8:00 – 10:30 p.m.

NextGen and Guests Reception with appetizers

Beauty & Essex

146 Essex Street, New York, NY 10002
(ticketed event)

Conference Schedule

Monday, September 24, 2018

NYU Law School

please use entrance on 108 West Third Street, New York

The New York University School of Law is the law school of New York University. Established in 1835, it is the oldest law school in New York City. The school offers J.D., LL.M., and J.S.D. degrees in law, and is located in Greenwich Village, in downtown Manhattan.

NYU Law is currently ranked the second best law school in the World by Shanghai's Academic Ranking of World Universities (ARWU). NYU Law is also consistently ranked in the top 5 by the QS World University Rankings. *U.S. News & World Report* currently ranks NYU Law 6th in the nation and has ranked the law school as high as 4th in recent years. Nationally, it is ranked 1st in the country in both international law and tax law by *U.S. News & World Report*.

Ill expresses its thanks to member Hon. Arthur Gonzalez (U.S. Bankruptcy Court, retired, current Professor at NYU Law School) for his support in arranging this wonderful space.

<http://www.law.nyu.edu/jdadmissions/visitingnyu/campusmap>

Main Sessions held in Tishman Auditorium

8:00 – 9:00 a.m.

Breakfast and Networking

Greenberg Lounge – Full Breakfast Buffet

9:00 – 9:10 a.m.

Welcome



Jim Bromley ([Bio](#))

Cleary Gottlieb Steen & Hamilton LLP
New York



Andy Dietderich ([Bio](#))

Sullivan & Cromwell, LLP, New York

9:10 – 9:15 a.m.

Introduction



Hon. Shelley Chapman ([Bio](#))

U.S. Bankruptcy Court, New York

9:15 – 9:45 a.m.

Keynote Speaker-An Interview with Steven Rattner



Steven Rattner ([Bio](#))

Willett Advisors, New York

Steven Rattner is the Chairman and Chief Executive Officer of [Willett Advisors LLC](#), the investment arm for former New York Mayor Michael R. Bloomberg's personal and philanthropic assets. In addition, he serves as the Economic Analyst on MSNBC's Morning Joe and is a contributing writer to The New York Times Op Ed page. He previously served as Counselor to the Secretary of the Treasury and led the Obama Administration's successful effort to restructure the automobile industry, which he chronicled in his book, *Overhaul: An Insider's Account of the Obama Administration's Emergency Rescue of the Auto Industry*.

Interviewers



Hon. Shelley Chapman ([Bio](#))

U.S. Bankruptcy Court, New York



Hon. James Peck (ret.) ([Bio](#))

Morrison & Foerster LLP, New York

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Conference Schedule

Monday, September 24, 2018 *(cont.)*

9:45 – 11:15 a.m.

The Global Financial Crisis One Decade Later: How Did We Do, and Could We Have Done Better?

This panel will offer observations on the performance of insolvency regimes world-wide in confronting the unprecedented challenge of administering cross border cases involving financial institutions during a period of extreme turmoil and market disruption. The panel will compare how different jurisdictions dealt with the fallout from the crisis and critically assess what procedures worked well and not so well. The discussion will address whether the crisis could have been avoided or its impacts mitigated and will include a thoughtful assessment of the tools that were used, their utility and what we have learned during the last ten years about their overall effectiveness.

Moderator:



Hon. James Peck (ret.) [\(Bio\)](#)
Morrison & Foerster LLP, New York

Panelists:



Mike Jervis [\(Bio\)](#)
PwC, London



Shari Leventhal [\(Bio\)](#)
Sullivan & Cromwell LLP, New York



Eddie Middleton [\(Bio\)](#)
Houlihan, Hong Kong



Jim Millstein [\(Bio\)](#)
Millstein & Co., New York



Nick Segal [\(Bio\)](#)
Freshfields, London



Hal Novikoff [\(Bio\)](#)
Wachtell, Lipton, Rosen & Katz, New York

11:15 – 11:30 a.m.

Break, Greenberg Lounge

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Conference Schedule

Monday, September 24, 2018 *(cont.)*

11:30 a.m. – 1:00 p.m.

Will It Be Different: Are We Prepared for the Next Financial Crisis?

Since 2008 regulators and legislatures around the world have put in place tools to help resolve systemically important financial institutions (SIFIs) without disruption of the global financial system. These new tools seek to promote the recapitalization of distressed firms through “bail-in” or “single point of entry” resolution strategies. Can these tools accomplish orderly resolution of SIFIs without taxpayer bailouts? Can they be implemented under conventional court supervised insolvency proceedings as well as by regulators under special resolution regimes? What are the challenges to implementing orderly resolution utilizing these tools and can they be overcome? The panel will address progress implementing the new tools in various jurisdictions around the world, including the roles of resolution planning, total loss absorbing capacity, stays of financial contract close-outs, home and host country regulator cooperation and access to lender-of-last resort financing. Early experience applying the new tools to distressed financial firms and proposed legislation to further improve the tools will also be discussed.

Moderator:



Don Bernstein [\(Bio\)](#)

Davis Polk & Wardwell LLP, New York

Panelists:



Alexandra Barrage [\(Bio\)](#)

Associate Director, Resolution Strategy & Policy Analysis Branch
FDIC, Washington, D.C.



Hon. Shelley Chapman [\(Bio\)](#)

U.S. Bankruptcy Court, New York



Geoffrey Davies [\(Bio\)](#)

The Bank of England, London



Joanne Kellermann [\(Bio\)](#)

Single Resolution Board, Brussels



Professor Antonio Tullio [\(Bio\)](#)

Tullio & Partners, Milan

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Conference Schedule

Monday, September 24, 2018 *(cont.)*

11:45 a.m. – 3:00 p.m.

September 11 Remembrance Walk Tour

(for spouses and guests)

The September 11 Remembrance Walk which is a tour that recalls the events and places of that day from Ground Zero and St Paul's to the Firefighters Memorial, The Freedom Tower, Fritz Koenig's Sphere, which graced the original plaza and the 9/11 Memorial. Included in the fee is a self-guided visit to the Memorial Museum at the conclusion of the walking tour. *Cost:*

\$60, Limited to 30 participants (ticketed event)

1:00 p.m. – 14:30

Regional Luncheons

Greenberg Lounge

USA/Canada

Snow Dining Hall

Latin America

Lipton Hall

Europe, Middle-East and Africa

Faculty Club

Asia

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2:45 – 4:15 p.m.

Government Intervention—

A Focus on Nonfinancial Enterprise

The Program will examine actual and proposed government interventions to rescue businesses of national importance, comparing Japan throughout the '90s and first part of this century, the U.S. approach to the auto industry and current Brazilian activities.

The focus will be on certain key parameters: (i) When the government is an investor, what terms does it achieve as compared to the private sector, and for what duration? (ii) What are the predicates for government investment (studies regarding losses absent intervention, establishing no other source of capital, submitting business plan establishing viability if government investment occurs)? (iii) Does government investment establish preferences among stakeholders that would be inconsistent with the rules for 'normal' cases? (iv) What is the government's attitude to bank capital and private non-bank capital? (v) What level of return does the government expect from these investments? (vi) What is global impact of government rescues and are they fair to domestic and international competitors?

Moderator:



Corinne Ball [\(Bio\)](#)

Jones Day, New York

Panelists:



Shinichiro Abe [\(Bio\)](#)

Kasumigaseki International, Tokyo



Tony Bugg [\(Bio\)](#)

Linklaters, London



Richard Cooper [\(Bio\)](#)

Cleary Gottlieb, New York



Kevyn Orr [\(Bio\)](#)

Jones Day, Washington, D.C.



Thomas Felsberg [\(Bio\)](#)

Felsberg Advogados, São Paulo

Conference Schedule

Monday, September 24, 2018 *(cont.)*

4:15 – 4:30 p.m.

Break, Greenberg Lounge

4:30 – 6:00 p.m.

Government and Quasi-Government Issuers

A lively panel discussion of current issues in sovereign and quasi-sovereign restructurings in the wake of Argentina and Greece. The panel will consider the impacts of governmental oversight and sophisticated repeat market participants, as well as the necessity and challenges of economic development in restructuring sovereign debt.

Moderators:



Rich Levin ([Bio](#))

Jenner Block, New York



Suzanne Uhland ([Bio](#))

O'Melveny & Myers, New York

Panelists:



Hon. Arthur Gonzalez ([Bio](#))

New York University School of Law, New York



Prof. Anna Gelper ([Bio](#))

Georgetown Law, Washington, D.C.



Roland Pettersson ([Bio](#))

LEC Abogados, Venezuela



Mohammed Yassin ([Bio](#))

Puerto Rico Fiscal Agency and Financial Advisory Authority
San Juan

III NextGen Panel Support:

Patrick Mohan

Reorg Research, New York

7:00 – 10:30 p.m.

Legendary Dinner

Cipriani, 25 Broadway, New York, NY 10004

7:00 – 8:00 p.m.

Reception

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Conference Schedule

Monday, September 24, 2018 (cont.)

8:00 – 10:30 p.m.

Legendary Dinner

A New York City Landmark, located in lower Manhattan, this Great Hall is an Italian neo-renaissance masterpiece. Designed by Benjamin Wistar Morris and completed in 1921, this grand space features 65 foot high ceilings, soaring marble columns, magnificent inlaid floors and murals painted by Ezra Winter.

In III's own salute to Broadway, we are pleased to welcome Daniel Breaker to the III Stage! Daniel Breaker is currently portraying Aaron Burr in Broadway's hit production of *Hamilton*. He has been seen on Broadway in *The Book of Mormon*, *The Performers*, *Shrek: The Musical* (Drama Desk nomination), *Passing Strange* (Tony Award nomination, Drama Desk nomination, Theatre World Award), *Cymbeline* and *Well*. His film work includes *Sisters*, *Limitless*, *He's Way More Famous Than You*, *Redhook Summer* and *Passing Strange*. On TV, he's been seen in *Unbreakable Kimmy Schmidt*, *Mozart in the Jungle*, *Unforgettable* and *Law & Order: Criminal Intent*.



Please join us as we congratulate the 2018 Outstanding Contributions Award Honoree **Hon. James M. Peck (Ret.)** and the 2018 Founder's Award Honoree **Donald S. Bernstein**.



The III Outstanding Contributions Award honors a person who reflects prominent, distinguished and exceptional service to the field of insolvency and to the insolvency community. Hon. **James M. Peck (Ret.)**, of Morrison & Foerster, New York, has been at the forefront of insolvency law for over 40 years, both as a practitioner and as a judge. Before joining Morrison & Foerster, Peck served as a United States Bankruptcy Judge for the Southern District of New York from 2006 to 2014. During his judicial service, former Judge Peck presided over the chapter 11 and SIPA cases of Lehman Brothers and its affiliates and a number of other major chapter 11 and chapter 15 cases. Former Judge Peck belongs to a great many professional organizations and over the years has served in a variety of leadership roles within those groups, including as third President of III from 2016-2017. He is a frequent speaker worldwide on insolvency issues. Lord Justice David Richards, Royal Courts of Justice, London, will present the award to Judge Peck.



The Founder's Award is bestowed in honor of III founder E. Bruce Leonard (1944-2017) to a member who, through their efforts over the years, has made a substantial contribution to further the goals, mission, and work of the International Insolvency Institute. **Donald S. Bernstein**, of Davis Polk & Wardwell, New York, has been recognized during the course of his distinguished career as having shown profound commitment to philanthropy as well as to the highest ideals of the law. Bernstein is recognized for the huge role he played in the transition of III to its new governance structure and in his role as III's second President from 2016-2017. Richard Gitlin, Gitlin & Company, LLC, Delray Beach, will present the award to Don.

Conference Schedule

Tuesday, September 25, 2018

7:30 – 8:45 a.m.

III Members-Only Meeting

Full Breakfast Buffet
Lipton Hall

8:00 – 9:00 a.m.

Breakfast and Networking

Greenberg Lounge

9:00 – 9:05 a.m.

Introduction



Chief Justice Cecelia Morris ([Bio](#))
U.S. Bankruptcy Court
New York

9:05 – 9:30 a.m.

Keynote Speaker



Chief Justice Sundaresh Menon ([Bio](#))
Supreme Court of Singapore

Previously Justice Menon held office as Judge of Appeal and as Attorney-General of Singapore. He is a former Judicial Commissioner of the Supreme Court of Singapore. He previously served as Dy Chairman of the Singapore International Arbitration Centre and worked as the Managing Partner of Rajah & Tann LLP, and a Partner at Jones Day and Head of International Litigation and Arbitration for Asia.

9:30 – 11:00 a.m.

Mock Forum Shopping Exercise

Moderator:



Timothy Graulich ([Bio](#))
Davis Polk & Wardwell LLP, New York

Panelists:



Adam Gallagher, U.K. Representative
Freshfields, London ([Bio](#))



Justice Anthony Smellie, Cayman
Representative, Chief Justice of the Grand
Court, Cayman Islands ([Bio](#))



Sushil Nair, Singapore Representative
Drew & Napier LLC, Singapore ([Bio](#))



Lisa Schweitzer, U.S. Representative
Cleary Gottlieb Steen & Hamilton LLP,
New York ([Bio](#))

11:00 – 11:15 a.m.

Break

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Conference Schedule

Tuesday, September 25, 2018 *(cont.)*

11:15 a.m. – 12:45 p.m.

Judicial Panel on Recent Cross-Border Cases

Moderator:



Hon. Martin Glenn, Co-Chair ([Bio](#))
U.S. Bankruptcy Court
New York

Panelists:



Madam Justice Maria Cristina O'Reilly
National Commercial Court
Buenos Aires



President Luciano Panzani ([Bio](#))
Court of Appeal of Rome
Rome



Justice Barbara Romaine ([Bio](#))
Court of Queen's Bench of Alberta
Calgary



Nick Segal ([Bio](#))
Freshfields, London



Hon. Justice Antony Zacaroli ([Bio](#))
High Court of Justice, England & Wales
London



12:45 – 1:00 p.m.

2018 III Prize in International Insolvency Studies

Presenter:



Hon. Samuel Bufford (ret.)
Keystone, CO

Rosa M. Rojas Vértiz, Gold Medal Winner
ITAM, Mexico D.F.

[Insolvency Proceedings for Natural Persons: Why is Latin America Innovating?](#)

Shuai Guo, Silver Medal Winner
Leiden Law School, Leiden

[Cross-border Resolution of Financial Institutions: Perspectives from International Insolvency Law](#)

Damilola Odetola, Silver Medal Winner
Kent Law School, Kent

[Contesting the Trend Towards the Globalization of Laws in Corporate Bankruptcy: The Experience in Africa](#)

1:00 – 2:15 p.m.

Lunch

Greenberg Lounge

2:15 – 2:30 p.m.

Barcelona 2019!



Agusti Bou ([Bio](#))
JAUSAS, Barcelona, Spain



Prof. Ignacio Tirado ([Bio](#))
UNIDROIT, Rome

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Conference Schedule

Tuesday, September 25, 2018 *(cont.)*

2:30 – 4:00 p.m.

Legal Civilizations

The breathlessness of daily business and the fast evolution of modern restructuring and insolvency law fosters the tendency to forget/ignore where we come from. It is, thus, sometimes surprising to see how much we can learn from the past. Like today, legislators and jurists have always been confronted with situations - be they of an economic or a social nature - to which they have reacted by means of insolvency tools. But different legal cultures have followed different paths. Given that the pool of legal instruments is somewhat limited, legal history can tell us a story about their constant recurrence and can offer lessons about their functionality. This panel looks back at the legal history of insolvency law across five very different legal systems.

Moderators:



Prof. Christoph Paulus [\(Bio\)](#)
Humboldt University, Berlin



Prof. John Pottow [\(Bio\)](#)
University of Michigan
Ann Arbor

Panelists:



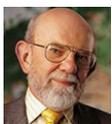
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London



Prof. David Hahn [\(Bio\)](#)
Israel



Prof. Min Han [\(Bio\)](#)
Ewha Womans University Law School
Seoul



Prof. Jay Westbrook [\(Bio\)](#)
The University of Texas School of Law
Austin

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4:00 – 4:15 p.m.

Break

Greenberg Lounge



Conference Schedule

Tuesday, September 25, 2018 *(cont.)*

4:15 – 5:30 p.m.

The Proposed EU Pre-Insolvency Restructuring Regime: Is it Fit for Purpose?

Many jurisdictions recognise the importance of effective restructuring regimes for financially distressed but viable businesses. In 2016 the European Commission published a draft directive intended to encourage Member States to develop such mechanisms, borrowing ideas from both U.S. Chapter 11 and the UK scheme of arrangement in the process. The proposed directive envisages a restructuring mechanism that operates pre-insolvency, is debtor-in-possession, can be imposed on dissenting creditors (including a cross class cram down) and includes a broad statutory stay. The proposal raises a number of difficult issues, including what is the definition of insolvency for this purpose, whether international jurisdiction should be governed by COMI or the law governing the restructured debt, whether the mechanism provides adequate protection for minority creditors and shareholders, what is the appropriate role of the court, and whether this mechanism can operate as a device to restructure SMEs. The panel will consist of speakers from the EU who support the Commission's initiative and also those who oppose some or all of the measures proposed by the draft directive. There will also be panellists from the U.S. and UK who will comment on the viability of this initiative, including issues of international recognition and issues of regulatory competition.

Moderator:



Prof. Ignacio Tirado [\(Bio\)](#)
UNIDROIT, Rome

Panelists:



Alan W. Kornberg [\(Bio\)](#)
Paul, Weiss, Rifkind, Wharton & Garrison LLP
New York



Prof. Jennifer Payne [\(Bio\)](#)
University of Oxford, Morton College
Oxford



Dr. Annerose Tashiro [\(Bio\)](#)
Schultze & Brawn, GmbH
Achern



Reinhard Dammann [\(Bio\)](#)
Clifford Chance Europe LLP
Paris

5:30 – 5:45 p.m.

UNCITRAL Developments



Hon. Allan Gropper (ret.) [\(Bio\)](#)
U.S. Bankruptcy Court, New York

5:45 – 6:00 p.m.

Closing Remarks

6:00 – 7:00 p.m.

Closing Reception

Greenberg Lounge

7:30 – 9:00 p.m.

Leadership and Sponsor Dinner

(invitation only for III Conference Sponsors Gold and above and Board of Directors)

Locanda Verde

377 Greenwich St, New York, NY 10013

8:00 – 10:30 p.m.

NextGen Closing Dinner

Dos Caminos Meatpacking District

675 Hudson Street at 14th Street
New York, NY 10014
(ticketed event)

Conference Schedule

Wednesday, September 26, 2018

9:00 – 11:00 a.m.

Board of Directors Meeting

(full breakfast served)

Cleary Gottlieb Steen & Hamilton LLP

One Liberty Plaza, New York NY 10006

1:15 – 4:00 p.m.

September 11 Remembrance Walk Tour

The September 11 Remembrance Walk which is a tour that recalls the events and places of that day from Ground Zero and St Paul's to the Firefighters Memorial, The Freedom Tower, Fritz Koenig's Sphere, which graced the original plaza, and the 9/11 Memorial.

Included in the fee is a self-guided visit to the Memorial Museum at the conclusion of the walking tour. *Cost:*

*\$60, Limited to 30 participants
(ticketed event)*

[Return to Conference Topics](#)



Suggested NYC Sights to Take in On Your Own

Metropolitan Museum of Art

It would be possible to roam the labyrinthine corridors of the colossal Metropolitan Museum of Art for days. The Met has more than 2 million works of art representing 5,000 years of history, so it's a good idea to plan ahead; looking at everything here could take a week. www.metmuseum.org/

Empire State Building

With a pencil-slim silhouette, recognizable virtually worldwide, the Empire State Building is an Art Deco monument to progress, a symbol for New York City, and a star in some great romantic scenes, on- and off-screen. The views of the city from the 86th-floor deck are spectacular, but the views from 16 stories up on the 102nd-floor observatory are even more so. www.esbnyc.com/

Statue of Liberty and Ellis Island

For millions of immigrants, the first glimpse of America was the Statue of Liberty, growing from a vaguely defined figure on the horizon into a towering, stately colossus. Visitors approaching Liberty Island on the ferry from Battery Park may experience a similar sense of wonder. The neighboring Ellis Island National Museum of Immigration tells the story not just of Ellis Island but of immigration from the colonial era to the present day, though numerous galleries containing artifacts, photographs, and taped oral histories. www.libertyellisfoundation.org/

Eats, Drinks and History

Urban Adventures offers several tours of NYC featuring eats, drinks and history. Suggested by Ill Member and New Yorker, Carren Shulman, are Little Italy, China Town and lower east side of Manhattan tours. Prices are reasonable and the tours are well done. If you'd like to try a tour while in NYC, please visit Urban Adventures to make your reservation online. www.urbanadventures.com

American Museum of Natural History

The largest natural history museum in the world is also one of the most impressive sights in New York. Four city blocks make up the American Museum of Natural History's 45 exhibition halls, which hold more than 30 million artifacts from the land, sea, and outer space. www.amnh.org/

Staten Island Ferry

Every day, some 70,000 people ride the free ferry to Staten Island, one of the city's outer boroughs, and you should be one of them. Without paying a cent, you get phenomenal views of the Lower Manhattan skyline, the Statue of Liberty, and Ellis Island during the 25-minute boat ride across New York Harbor. www.siferry.com/

Broadway Shows

Mostly located in the area surrounding Times Square, more than three dozen Broadway theaters host some of the greatest spectacles in town. From big-budget musicals to high-minded plays to stage debuts featuring Hollywood stars, there's likely to be something for everyone playing on the boards. You should buy tickets in advance for popular shows, but if you're willing to see anything and looking to save some money as well, stop by the TKTS booth in Times Square, which sells same-day tickets at a discount. www.tdf.org/nyc/7/TKTS-ticket-booths

Source: Fodor's Travel Editor, 20 Ultimate Things To Do in New York City, February 29, 2016

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III New York Conference Registration

The International Insolvency Institute will present its Eighteenth Annual Conference in New York on September 24–25, 2018. The III New York Conference will feature reports and analyses of the most important current international insolvency issues and controversies described by speakers who are recognized as preeminent in their field from countries around the world. **For your convenience please click [here](#) to register online.**

REGISTRATION

Name: _____

Firm: _____

Address: _____

City: _____

Phone: _____ Fax: _____

Email: _____

Names of all Attendees and Guests (for nametags): _____

Dietary Restrictions: Kosher Vegan
 Vegetarian Other _____

Note: *Beef is being served for the Legendary Dinner.*

CONFERENCE REGISTRATION

To get the most out of the III conference, we encourage all delegates to attend the entire conference. We recognize that is not always practical for local practitioners, so III does provide one day passes and/or shared passes if you can attend one day and a colleague the other day. Please contact Lori Musselman, lmusselman@iiiglobal.org, at III headquarters for additional information.

Rates:	On-Time	Late (after Sept. 7)	
Members	USD \$ 1,500	USD \$ 1,700	\$ _____
Non-Members	USD \$ 1,700	USD \$ 1,800	\$ _____
Academics	USD \$ 650	USD \$ 650	\$ _____
NextGen	USD \$ 1,300	USD \$ 1,300	\$ _____
NextGen Academics	USD \$ 500	USD \$ 500	\$ _____
Full-time serving Judges	Waived	Waived	\$ _____

3 or more delegates from one firm, qualify for 15% discount off the basic registration fee. Contact Shari Bedker at sbedker@iiiglobal.org for additional information. **Click [here](#) for online registration.**

Optional Events

SEPTEMBER 11 REMEMBRANCE WALK TOUR

Monday, September 24, 2018, 11:45 – 15:00

(Limit 30 participants - for spouses and guests)

USD \$60 x _____ = _____

