

2018 Bay Area Bankruptcy Judges' Conference

October 12, 2018

The Presidio of San Francisco – Golden Gate Club

Overview

The Bench-Bar Liaison Committee and the Judges of the United States Bankruptcy Court for the Northern District of California invite you to take part in the second annual Bay Area Bankruptcy Judges' Conference. The conference will once again allow both commercial and consumer practitioners to gather together in an historic setting, interact with the judges of the Northern District, and sharpen their skills as they learn about cutting edge bankruptcy issues.

Schedule of Programs and Events

9:30 a.m. – 10:00 a.m.

Continental breakfast

10:00 a.m. – 11:00 a.m.

Program #1: Wake Up to the New Ethical World: Join our panelists in an in-depth analysis of California's new Rules of Professional Conduct. The new rules represent the first comprehensive changes to the state's ethical rulebook in 29 years, and include many of particular interest to insolvency practitioners, such as revisions to conflict of interest rules. Practitioners take heed – the new rules become effective November 1, 2018.

Producer: Jennifer C. Hayes (Finestone Hayes LLP)

Panelists: Hon. William J. Lafferty, Jennifer A. Becker (Long & Levit LLP), and John B. Sullivan (Long & Levit LLP)

11:00 a.m. – 11:15 a.m.

Coffee Break

11:15 a.m. – 12:15 p.m.

Program #2: Inside the Entz-White-Out: Following the Ninth Circuit's repeal of the *Entz-White* decision in the fall of 2016, new frontiers have opened up in the battle over the enforceability of default interest, late fees, and similar provisions in pre-petition loan agreements. Are these provisions enforceable under California's liquidated damages statute? Does Bankruptcy Code section 506(b) require the lender to prove the reasonableness and compensatory nature of the default rate? The panelists will examine these questions and more, as well as recent case law on topic.

Producer: Mick Lauter (Sheppard Mullin)

Panelists: Hon. Dennis Montali, Mia Blackler (Buchalter), and Robert Franklin (Dorsey & Whitney LLP)

12:15 p.m. – 1:45 p.m.

Lunch, Chief Judge’s Update, and Keynote Address: Attendees will enjoy a gourmet boxed lunch while Chief Judge Roger Efremsky gives a brief update on the District, followed by a keynote speech entitled “Building a Better Northern District” by the Hon. Elaine Hammond.

1:45 p.m. – 2:45 p.m.

Program #3: Quirks in the Standard Model: Evaluating the Implementation of the Model Chapter 13 Plan One Year In: The underpinnings of the local chapter 13 universe were altered on December 1, 2017 when the Court’s model chapter 13 plan became mandatory in all divisions. The panel will discuss the model plan approximately one year in, sharing experiences on issues with its implementation, differences in use of the model plan among divisions, and expectations and predictions regarding the manner in which it will be used going forward.

Producer: Martha Bronitsky (Chapter 13 Standing Trustee, Oakland)

Panelists: Hon. Elaine Hammond, Martha Bronitsky (Chapter 13 Standing Trustee, Oakland), Brent D. Meyer (Meyer Law Group LLP)

2:45 p.m. – 3:00 p.m.

Coffee Break

3:00 p.m. – 4:00 p.m.

Program #4: Beyond the Four Corners: Avoiding Document Disasters Today, and Examining the Future of Smart Contracts: With California being a hotbed of technological innovation, as well as (recently) natural disasters of different types, our panelists will discuss issues pertaining to recovering documents from a natural disaster, electronically managing documents and contracts, and forecasting how contracts will be managed into the future when smart contracts and other intelligent contract systems become widely adopted. In particular, do smart contracts present an existential threat simply to the use of traditional contracts or, as some have posited, to the legal profession as a whole?

Producer: Janina Hoskins

Panelists: Hon. Roger Efremsky, Janina Hoskins (Chapter 7 Trustee), Linda Selker (VP of Legal, Quantstamp, Inc.), Scot Turner (QC Networks)

4:00 p.m. – 5:30 p.m.

Happy Hour – Complimentary hors d’oeuvres and a cash bar

****Registration Information to Follow Shortly****