

5 SUBSTANTIVE CLE CREDITS | 1 ETHICS CREDIT | 7 CPA CREDITS

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A MUST ATTEND INSTITUTE

- ▶ Individual workshops let you customize this seminar to your practice needs by selecting the topics of interest to you. Something for everyone!
- ▶ A great opportunity to network with bankruptcy judges, trustees, and other bankruptcy practitioners.
- ▶ Get a course book that will be your “go-to” reference.
- ▶ Enjoy lunch with your colleagues
- ▶ Earn your ethics credit!



Continuing Legal Education Arm
of the Pennsylvania Bar Association

JOIN THE JUDGES



Hon. Jeffery A. Deller
Chief Judge

U.S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PA
PITTSBURGH



**Hon. Judith
K. Fitzgerald (Ret.)**

TUCKER ARENSBERG, P.C.
PITTSBURGH



Hon. Gregory L. Taddonio

U.S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PA
PITTSBURGH



Hon. John J. Thomas

U.S. BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PA
WILKES-BARRE

WESTERN DISTRICT

PITTSBURGH | THU., SEPT. 8, 2016

The Doubletree Hotel
Pittsburgh City Center, One Bigelow Square

9:00 AM TO 4:40 PM; CHECK-IN BEGINS AT 8:30 AM

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THE DOUBLETREE HOTEL

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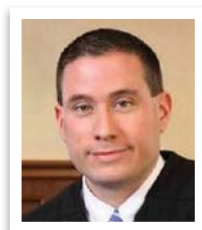
Offered in Pittsburgh with unique focus for the Western District of Pennsylvania, this program receives rave reviews for its wide array of topics for both consumer and commercial practitioners. Again this year we have a full BASIC TRACK for newcomers to consumer bankruptcy, plus lots of topics of interest to sophisticated debtor and creditor consumer counsel, as well as a track of Chapter 11 commercial sessions. Join us for an informative day on bankruptcy and earn six CLE credits, including your ethics!

4 GREAT REASONS TO ATTEND

► Meet the Judges

- Hear from representatives of the U.S. Trustee's office, as well as Chapter 13 and Chapter 7 Trustees.
- Experience a diverse range of topics on the hottest and most current issues arising in bankruptcy – from basic consumer practice to highly sophisticated Chapter 11 matters.
- Be updated on the Top Commercial and Top Consumer Cases of the Year.

COURSE PLANNERS



Hon. Jeffery A. Deller, Chief Judge

U.S. BANKRUPTCY COURT FOR THE WESTERN DISTRICT OF PA, PITTSBURGH

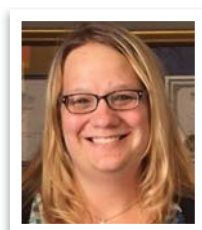
In 2005, Judge Deller was appointed to the United States Bankruptcy Court for the Western District of Pennsylvania. In 2013, he was elevated to Chief Judge of the Bankruptcy Court. Judge Deller serves on a number of District Court committees in the Western District including the Strategic Planning Committee and the Special Ad Hoc Committee to address the impact of the Federal budget crisis on the Federal Court units in the Western District of Pennsylvania. Prior to his appointment, he was a shareholder in the bankruptcy and insolvency practice group at Klett Rooney Lieber & Schorling, P.C. While in private practice, he represented the University of Pittsburgh Medical Center Health System in connection with its \$100 million acquisition of the assets of St. Francis Hospital, advised several of the Pittsburgh region's banks and financial institutions regarding bankruptcy and loan workout matters, and served as counsel to the Official Committee of Unsecured Creditors in several Chapter 11 cases.



Guy Fustine, Esq.

KNOX MCLAUGHLIN GORNALL & SENNETT PC, ERIE

Mr. Fustine is a shareholder at Knox McLaughlin Gornall & Sennett, P.C. focusing on business reorganization, commercial litigation and sports law. He is board certified in business bankruptcy law by the American Board of Certification and is the immediate past Chairman of the Bankruptcy Section of the Erie County Bar Association. He uses his experience, knowledge and skill to represent corporate debtors, creditors holding secured, unsecured and priority claims, creditors' committees, and trustees. Mr. Fustine is also a certified contract advisor for the National Football League Players Association and a licensed athlete agent in Pennsylvania and Georgia.



Abagale Steidl, Esq.

STEIDL & STEINBERG PC, PITTSBURGH

Ms. Steidl completed her undergraduate education at Thiel College in 2010, graduating with highest honors with concentrations in Writing Intensive English, Literature Intensive English, and History. She graduated from Duquesne University School of Law in 2014 and is a recipient of the Gerald K. Gibson Memorial Award and the American Bankruptcy Institute Medal of Excellence. Currently, she is a member of the Judith K. Fitzgerald Bankruptcy Inns of Court, a co-chair of the Social Committee of the ACBA's Bankruptcy and Commercial Law Section and an alumni of the ACBA's Bar Leadership Initiative Program. In addition, she continues to be very active in the Young Lawyer's Division of the Allegheny County Bar Association.



Great variety of topics – kudos to the planners!

THANKS TO OUR FACULTY

The planning team and our expert faculty will guide you through the many tricky questions that arise in bankruptcy practice so that you can be confident about the advice you are giving and the documents you are drafting. A complete faculty list appears on page 6.

SCHEDULE

8:30 - 9:00	Registration and Continental Breakfast			
9:00 - 9:15	Opening Remarks			
9:15 - 10:45	Top Consumer Cases of the Year Judge Taddonio, Ms. Berret, Ms. Hause, Mr. Steidl (M)		Top Commercial Cases of the Year Judge Deller (M), Mr. Fustine, Ms. Slaby, Mr. Snyder	
10:45 - 11:00	Move to next session			
11:00 - 12:00	Fundamentals of Handling a Chapter 7 Case Ms. Cardiello, Ms. Crawford, Ms. Sprague, Ms. Steidl	If Chapter 13 Doesn't Work, How about Chapter 11? Mr. Frye, Ms. Hildebrand, Mr. Kroto	Emerging Issues in Bankruptcy Sales Judge Thomas, Mr. Calaiaro, Mr. Gotaskie, Mr. Poorman	Smaller Chapter 11s and Closely-Held Businesses Judge Fitzgerald, Ms. Harrison, Mr. Lampl, Mr. Robleto
12:00 - 12:45	Lunch (included for all)			
12:45 - 2:15	Fundamentals of Handling a Chapter 13 Case Mr. Bedford, Mr. Eisen, Ms. Hildenbrand	Mortgage Mitigation Programs — What Works and What Doesn't Ms. Ebeck, Mr. Foster	Managing the Difficult Case, Difficult Client and/or Difficult Adversary Judge Thomas, Mr. Calaiaro, Mr. Lacher, Ms. Bower Sheats	Structured Dismissals in Chapter 11 Mr. Bernstein, Mr. Ott, Mr. Wahlquist
2:15 - 2:30	Move to next session			
2:30 - 3:30	Collecting Fees in Chapter 11 Ms. Pail, Ms. Steidl	The Chapter 13 Is Ending — Now What (Rule 3002.1) Mr. J.C. Vandermark, Mr. J.J. Vandermark	The Creditor's Perspective on Consumer Protection Laws Ms. Ebeck, Mr. Warmbrodt	Energy Sector Issues for the Commercial Practitioner Ms. Dausch, Mr. Fustine, Mr. Toman
3:30 - 3:40	Move to next session			
3:40 - 4:40	ETHICS – How to Grow Your Practice Ethically Mr. Corbett, Ms. Dobbins, Mr. Sisca			

■ Basics
 ■ Consumer
 ■ Commercial
 ■ Crossover
 ■ Ethics
 (M) Moderator



Excellent program. I always walk away with useful information that I can apply to my practice

SESSION DESCRIPTIONS

9:15 – 10:45 AM

Top Consumer Cases of the Year

Judge Taddonio, Ms. Berret, Ms. Hause & Mr. Steidl (M)

Get a summary of the most significant cases affecting consumer bankruptcy practice, focusing on the most interesting and controversial bankruptcy rulings decided in the past year, including recent Supreme Court decisions.

Top Commercial Cases of the Year

Judge Deller (M), Mr. Fustine, Ms. Slaby & Mr. Snyder

This panel will address decisions over the last year that are of importance to attorneys with a commercial bankruptcy practice. Among the cases to be discussed will be opinions of the Supreme Court, the Third Circuit Court of Appeals, and other important decisions from outside the Third Circuit.

11:00 AM – 12:00 PM

Fundamentals of Handling a Chapter 7 Case

Ms. Cardiello, Ms. Crawford, Ms. Sprague & Ms. Steidl

Focus on: the initial interview with your client and spotting important issues, including assets, liabilities and income; the concept of under or over median income, monthly disposable income and how to make the means test work for you; preparation of schedules, including common errors; handling the creditors meeting and the role of the Chapter 7 Trustee. And what do you do with non-exempt assets?

If Chapter 13 Doesn't Work, How about Chapter 11?

Mr. Frye, Ms. Hildenbrand & Mr. Kroto

Get an overview of the steps for handling a Chapter 11 case including the basic differences between a Chapter 13 and a Chapter 11; questions to ask at your first client meeting; preparing the petition and the first set of motions; getting your Chapter 11 Plan confirmed; and what happens after confirmation

Emerging Issues in Bankruptcy Sales

Judge Thomas, Mr. Calaiaro, Mr. Gotaskie & Mr. Poorman

Learn about issues attorneys and trustees face with real estate sales transactions in both consumer and commercial Chapter 7 bankruptcy proceedings, including negotiating carveout agreements with secured lenders, responding to title and insurance issues and educating title companies on the implications of section 363, overcoming objections by creditors and/or other interested parties as well as managing uncooperative debtors and/or co-owners.

Smaller Chapter 11s and Closely-Held Businesses

Judge Fitzgerald, Ms. Harrison, Mr. Lampl & Mr. Robleto

Explore the small Chapter 11 case and get an overview of the Bankruptcy Code designation of small business Chapter 11s, as well as a discussion of small Chapter 11s that proceed without the small business designation.

Examine the benefits and pitfalls of proceeding under the small business designation. Discover how to best manage a small Chapter 11, including managing cost, administrative expenses and relationships with secured creditors and creditors' committees and enduring successful reorganization

12:45 – 2:15 PM

Fundamentals of Handling a Chapter 13 Case

Mr. Bedford, Mr. Eisen & Ms. Hildenbrand

Learn the steps for handling a Chapter 13 case – including the key questions to raise in your first client meeting, how to apply the means test, the best way to prepare for the meeting of creditors, and how to draft and obtain confirmation of a Chapter 13 plan. Explore potential “bumps in the road.” Get valuable perspective from the Office of the Standing Chapter 13 Trustee and private consumer counsel on how to achieve the best result.

Mortgage Mitigation Programs - What Works and What Doesn't

Ms. Ebeck & Mr. Foster

Consider options available to the debtors to avoid default/cure default including forbearance agreements, loan modification, deed in lieu of foreclosure, consumer loan restructuring. Learn about handling consumer/residential loss mitigation (loan workout) programs mandated by the State and Bankruptcy Courts. Discuss the procedures for bankruptcy loss mitigation program and state conciliation programs, comparing pros and cons of each that are available to the debtor

Managing the Difficult Case, Difficult Client and/or Difficult Adversary

Judge Thomas, Ms. Bower Sheats, Mr. Calaiaro & Mr. Lacher

Get a framework for the sorts of difficult cases, clients and adversaries which all attorneys inevitably run into and consider strategies as to how to deal with them. Bully lawyers, uncooperative clients, cases with potential criminal issues, cases involving divorces (with very emotional clients) arise even in the generally reasonable world of bankruptcy. Hear tips on how to deal with these matters and a few “war stories” from the panel's experiences.

Structured Dismissals in Chapter 11

Mr. Bernstein, Mr. Ott & Mr. Wahlquist

Structured dismissals are often utilized as streamlined exit strategies, and often criticized as sidestepping the dictates of the Bankruptcy Code. Examine recent developments regarding structured dismissals in Chapter 11, and discuss the practical implications from the debtor and creditor perspectives. Review the Third Circuit's *Jevic* decision as well as the pros and cons that the Supreme Court may consider now that it has granted certiorari.

2:30 – 3:30 PM

Collecting Fees in Chapter 13

Ms. Pail & Ms. Steidl

Hear an overview of the correct way to receive attorney's fees in Chapter 13 bankruptcy cases, including a review of the “no look” fee procedure, preparing and filing fee applications, getting paid from bankruptcy sales under §362, and the appointment of special counsel so that they, too, can be paid. Learn the correct time frame for filing a fee application, sample forms, common pitfalls, and a discussion of relevant case law that directly affects an attorney's ability to be paid. The Trustee's perspective will also be discussed.

The Chapter 13 Is Ending – Now What?

Mr. Vandermark & Mr. Vandermark

Consider the practical implementation of F.R.B.P. No. 3002.1, applicable in every Chapter 13 and fundamental to the successful reorganization of Chapter 13 debtors. Throughout and at the conclusion of a debtor's five year plan, mortgage companies change monthly mortgage payment amounts due to interest rate and/or escrow; they assess fees, expenses and charges and determine if all pre and post-petition payments and charges have been applied to the debtor's mortgage account. Fees and charges not contested could be paid by the debtor years later. F.R.B.P. No. 3002.1 provides debtor's counsel with an effective tool. Attend if you believe mortgage companies are overreaching and want to fight back

The Creditor's Perspective on Consumer Protection Laws

Ms. Ebeck & Mr. Warmbrodt

Get guidance for creditors and debt collectors seeking to comply with consumer financial laws, including the FDCPA, the TCPA and the FCRA. Recent relevant opinions from the Third Circuit of interest to bankruptcy practitioners will be highlighted.

Energy Sector Issues for the Commercial Practitioner

Ms. Dausch, Mr. Fustine & Mr. Toman

Examine nature of energy sector assets under state property law in relation to §363 and §365 of the Code, including oil and gas leases, transmission pipelines and the interplay between state environmental law and federal bankruptcy law. There are several recurring issues which affect producers, landowners, trade creditors and potential buyers including • Is the oil and gas lease a contract or a real estate interest? • Does the pipeline “run with the land” or is it a contract subject to rejection?

3:40 – 4:40 PM

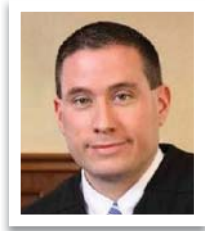
How to Grow Your Practice Ethically

Mr. Corbett, Ms. Dobbins & Mr. Sisco

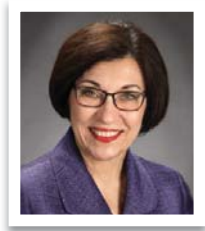
Review the ways that attorneys promote their practice and discuss the ethical requirements relating to solicitation, advertising and other modern means of garnering clients. The panel will reinforce the rules governing the ethical practice of law in the Bankruptcy Court.

FACULTY

JUDICIAL FACULTY



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Hon. John J. Thomas
US BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF PA
WILKES-BARRE



The judges were excellent – very funny, entertaining and most of all – informative!

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In order to receive a refund for cancellation (less a \$25 administrative fee), you must notify PBI by email, mail or FAX no later than 2 business days before the course date for the appropriate site. Otherwise, you will receive the course materials in full consideration of tuition paid.

Registration Transfers:

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If you require special arrangements, please contact Customer Service at (800) 932-4637 at least ten days before the course date.

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Legal Services/

Public Interest Lawyers:

PBI will provide a complete waiver of tuition fees for the first 12 hours of CLE taken to satisfy the Pennsylvania mandatory CLE requirement in any calendar year for all attorneys employed on a full-time basis by Pennsylvania civil or criminal Section 501(c)(3) legal services or public interest organizations. For additional courses (over and above the first 12 hours), eligible attorneys may enroll at 50 percent of the highest member fee. This waiver applies only to attorneys in Section 501(c)(3) organizations that provide legal services at no or de minimus fee to individual members of the public.

Registration Confirmation:

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