

DRAFT 27 MARCH 2007

INSTITUTE OF ASIAN-PACIFIC BUSINESS LAW
IAPBL

THE WILLIAM S. RICHARDSON SCHOOL OF LAW
UNIVERSITY OF HAWAI‘I AT MĀNOA

**Asian-Pacific Corporate Insolvency Law:
Cross-Border and Comparative Perspectives**

Symposium

10-11 April 2007

Halekulani Hotel
Waikiki, O‘ahu, Hawai‘i

Institutional sponsorship support provided by:

Case, Lombardi & Pettit, Honolulu



University of Hawai‘i Center for
International Business Education and Research (CIBER)

Wagner Choi & Evers, Honolulu



Schulze Haynes Loevenguth & Co., Irvine, CA

Individual sponsorship support provided by:

Tasuku Matsuo, Partner, Matsuo & Kosugi, Tokyo

Cooperating Institution:

Asian Institute of International Financial Law, University of Hong Kong

10 - 11 April 2007

Symposium

This symposium will involve discussions among academics, insolvency practitioners, judges, and government officials from Hawai'i, the US mainland and Asia-Pacific on recent developments in Asian-Pacific corporate and cross-border insolvency law. Topics of discussion will include liquidation, formal and out-of-court corporate restructuring, and cross-border insolvency.

10 April 2007

8:00-8:30 Registration/Continental breakfast sponsored by:

8:30-8:45 Welcoming Remarks

Avi Soifer, Dean and Professor, Richardson School of Law, University of Hawai'i

Charles Booth, IAPBL Director & Associate Professor, Richardson School of Law, University of Hawai'i

Session 1 – An Economic and Political Overview of the Asia-Pacific

8:45-10:15

Chair and Commentator:

David Day, Law Offices of David Day, Honolulu

Speakers/Commentators:

Paul Brewbaker, Senior Vice President and Chief Economist, Bank of Hawai'i, Honolulu

Lena Gan, International Financial Advisor, Merrill Lynch, ML Global Private Client Group, Honolulu

10:15-10:45 Tea and Coffee Break sponsored by:

Wagner Choi & Evers, Honolulu

Session 2 – Recent Developments in China

10:45-12:00

Chair and Commentator:

Charles Booth, IAPBL Director & Associate Professor, Richardson School of Law,
University of Hawai'i

Speakers/Commentators:

Gordon Johnson, Partner, Kirkland & Ellis LLP, New York

John Lees, Director, John Lees & Associates, Ltd., Hong Kong

John Marsden, Partner, Johnson, Stokes & Master, Shanghai

Zhang Xianchu, Professor, Faculty of Law, University of Hong Kong

Commentator:

Steven T. Kargman, President, Kargman Associates, New York City

12:00-1:15 Lunch – sponsored by

Session 3 – Recent Developments in Japan

1:15-2:30

Chair and Commentator:

Ted Pettit, Director, Case, Lombardi & Pettit, Honolulu

Speakers:

Shinichiro Abe, Partner, Baker & McKenzie & Associate Professor, Chuo Law
School, Tokyo

Recent Trends in “Out-of-Court Workout” Methods

Tasuku Matsuo, Partner, Matsuo & Kosugi, Tokyo

Keita Nagura, Partner, Yodoyabashi & Yamagami LPC, Tokyo

Commentators:

James A. Wagner, Partner, Wagner Choi & Evers, Honolulu

2:30-3:00 Tea and Coffee Break

Session 4 – Out-of-Court Rescues in Asia

3:00-4:15

Chair:

Speakers:

Steven T. Kargman, President, Kargman Associates, New York City

Tom Pearson, Professor of Accounting, University of Hawai‘i Shidler College of Business

The Rising Use of Hedge Funds and Private Equity for Restructuring in Asia

Timothy B. DeSieno, Bingham McCutchen LLP, New York City

Current Investments in East Asia: (Missed) Lessons from Post-Crisis Workouts

Commentators:

Jonathan Katz, Partner, Special Situations Investing, JP Morgan, New York City

James Sprayregen, Managing Director, Goldman Sachs, New York City

Paper submitted without attendance:

Shinjiro Takagi, Chair, Industrial Revitalization Committee, Industrial Revitalization Corporation of Japan, Tokyo

Out-of-Court Workouts in Japan and International Implications

11 April 2007

8:15-8:45 Continental breakfast sponsored by:

Session 5 – Recent Developments in Hong Kong

8:45-10:00

Chair and Commentator:

Charles Booth, IAPBL Director & Associate Professor, Richardson School of Law,
University of Hawai'i

Speakers/Commentators:

Karen Ho, Assistant Principal Solicitor, Official Receiver's Office, Hong Kong

The Role of the Official Receiver as Regulator

John Lees, Director, John Lees & Associates, Ltd., Hong Kong

10:00-10:30 Tea and Coffee Break

Session 6 – Recent Developments in Other Asian-Pacific Jurisdictions

10:30-12:00

Chair and Commentator:

Speakers:

Paul Billingham, Partner, Grant Thornton, Sydney

Recent Developments in Australia

David Cowling, Partner, Clayton Utz, Sydney

Recent Developments in Australia

Frederick D. Holden, Jr., Partner, Orrick, Herrington & Sutcliffe LLP, San
Francisco

Recent Developments in the Philippines

Commentators:

12:00-1:00 Lunch - sponsored by

Session 7 – Recognition of Asian Bankruptcies

1:00-2:30

Chair and Commentator:

Evelyn Biery, Partner, Fulbright & Jaworski, Houston

Speakers:

Isabelle Didier, Etude Didier, Paris

European Recognition Principles

Hon. Robert Faris, Judge, US Bankruptcy Court, District of Hawai‘i

David P. Leibowitz, Leibowitz Law Center, Waukegan, IL

Chapter 15 and Center of Main Interests Analysis

Commentators:

Don Gelber, Gelber, Gelber & Ingersoll, Honolulu

**Setting Aside Transfers of Property in Foreign Countries: How Long is
the Reach of the US Bankruptcy Court**

Frederick D. Holden, Jr., Partner, Orrick, Herrington & Sutcliffe LLP, San
Francisco

US Recognition of Philippine Proceedings

Bill Rochelle, Bloomberg

Paper submitted without attendance:

Shinjiro Takagi, Chair, Industrial Revitalization Committee, Industrial Revitalization
Corporation of Japan, Tokyo

Japanese Cross-Border Insolvency Law

2:30-3:00 Tea and Coffee Break

Session 8 – To Be Announced

3:00-4:00 PANEL

4:00-4:30 Concluding Remarks

4:30-5:30 Cocktail Reception sponsored by

5:30-7:00

Other confirmed attendees:

Sonali Abeyratne, Technical Manager, INSOL, London

Walter Davison, Partner, Goodsell Anderson Quinn & Stiefel, Honolulu

David Farmer, David C. Farmer Attorney at Law LLC, Honolulu

Michael A. Gerber, Associate Dean & Professor of Law, Brooklyn Law School

John Loevenguth, Partner, Schulze Haynes Loevenguth & Co., Irvine, CA

Cheryl Nakamura, Partner, Rush Moore LLP, Honolulu

Theodore D.C. Young, Partner, Cades Schutte, Honolulu

Symposium Planning Committee

Co-Chairs:

Charles Booth, IAPBL Director & Associate Professor, Richardson School of Law,
University of Hawai'i

Ted Pettit, Director, Case, Lombardi & Pettit, Honolulu

Members:

Shirley Daniel, Henry A. Walker Jr. Distinguished Professor of Business Enterprise,
Shidler College of Business, University of Hawai'i

Justin Levinson, IAPBL Deputy Director & Assistant Professor, Richardson School of Law, University of Hawai'i

Cynthia Quinn, Director of Communications and External Relations, Richardson School of Law, University of Hawai'i

Fees:

Attendance for each day will cost US\$200; for two days, \$300.

Please make checks payable to: Research Corporation of the University of Hawai'i

Please mail to: Professor Charles D Booth
Associate Professor & Director
Institute of Asian-Pacific Business Law
William S. Richardson School of Law
University of Hawai'i at Mānoa
2515 Dole Street
Honolulu, HI 96822

CLE Credits:

6 CLE points/per day (3 CLE points for the morning session and 3 CLE points for the afternoon session) will be awarded to certain attendees. Additional details to be announced.

For further information, please contact:

Elizabeth Chan, IAPBL Program Coordinator and Research Fellow
E-mail: iapbl@hawaii.edu.

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10-11 April 2007

Registration Form

Please complete this form and return by email or fax

Title: _____ First Name: _____ Surname: _____

Company: _____

Address: _____

Tel: _____ Fax: _____ Email: _____

I will be attending on:

- Tuesday, April 10, 2007
- Wednesday, April 11, 2007
- Tuesday and Wednesday

I am interested in:

- Participating in the golf outing on Thursday, April 12, 2007
- Participating in a tennis outing

Payment information

For registration fee checks, please write checks to:

Research Corporation of the University of Hawai‘i

For donations to the Institute of Asian-Pacific Business Law, please write checks to:

University of Hawai‘i Foundation

with the following note in the bottom left corner: **“IAPBL Fund-Law”**

Email: Please contact us at iapbl@hawaii.edu.

Fax: (808) 956-5569

