

HAWAII BANKRUPTCY BAR ASSOCIATION (HBBA)

&

INSTITUTE OF ASIAN-PACIFIC BUSINESS LAW (IAPBL)

THE WILLIAM S. RICHARDSON SCHOOL OF LAW  
UNIVERSITY OF HAWAII AT MĀNOA

*Symposium*

**Insolvency Law and Reform in the  
Aftermath of the Global Pandemic:  
Recent Developments in Hawai'i, the  
United States and Asia**

26-27 October 2023  
Halekulani Hotel, Waikiki, Hawai'i

COOPERATING INSTITUTIONS



Asian Institute of  
International Financial Law  
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## SYMPOSIUM

### Insolvency Law and Reform in the Aftermath of the Global Pandemic: Recent Developments in Hawai'i, the United States and Asia

#### Program

*This symposium will involve discussions among academics, lawyers, judges, and accountants from Hawai'i, the US Mainland, Hong Kong, and Singapore on recent insolvency law developments in the aftermath of the global pandemic. Topics of discussion will include consumer issues and student loans; the role of ADR; economic overviews; recognition of foreign proceedings; fraudulent transfer litigation and the use of the Texas two-step; comparative corporate insolvency issues including DIP financing and third-party releases; ethical issues regarding the use of technology and artificial intelligence; and US Chapter 11 Subchapter V and SME insolvency procedures.*

Speaker Materials: <https://bit.ly/ViewSpeakerMaterials>

WiFi: Orchidpool

#### Day 1

**8:30-9:00 am**                      **Registration/Continental Breakfast**

**9:00-9:15 am**                      **Welcoming Remarks**

**Prof. Charles D. Booth**, IAPBL Director & Professor, Richardson School of Law,  
University of Hawai'i

**Ms. Bridget G. Morgan-Bickerton**, Managing Partner, Bickerton Law Group LLLP,  
Honolulu; President, Hawai'i Bankruptcy Bar Association

#### **Session 1**

##### **Consumer Issues and Student Loans**

**9:15-10:30 am**

**Chair and Commentator:**

**Mr. Theodore D.C. Young**, Partner & Chair, Bankruptcy & Creditors' Rights  
Practice Group, Cades Schutte LLP, Honolulu

**Speakers:**

**Ms. Natalie Eness**, Senior Corporate Counsel, Educational Credit Management  
Corporation

**Hon. Robert J. Faris**, US Bankruptcy Court, District of Hawai'i

**10:30-11:00 am            Tea and Coffee Break**

**Session 2**  
**Judicial Panel: Role of ADR (Arbitration and Mediation)**

**11:00 am-12:15 pm**

**Chair and Commentator:**

**Hon. Robert J. Faris**, US Bankruptcy Court, District of Hawai'i

**Speakers:**

**Hon. James M. Peck (Ret.)**, Morrison & Foerster LLP, NYC, former US Bankruptcy Judge, SDNY

**Hon. Allan L. Gropper (Ret.)**, NYC, former US Bankruptcy Judge, SDNY

**12:15-1:30 pm            Lunch**

**Session 3**  
**Economic Overview Panel**

**1:30-2:45 pm**

**Chair and Commentator:**

**Prof. Charles D. Booth**, IAPBL Director & Professor, Richardson School of Law, University of Hawai'i

**Speakers:**

**Dr. Paul H. Brewbaker**, CBE, TZE Economics, Honolulu

**Dr. Eugene Tian**, Chief Economist, Hawai'i State Department of Business, Economic Development, and Tourism (DBEDT)

**2:45-3:15 pm**                      **Tea and Coffee Break**

**Session 4**  
**Recent Trends and Adventures in Recognition of Offshore and Other  
Foreign Proceedings in the United States. and Asia**

**3:15-4:30 pm**

**Chair and Commentator:**

**Prof. John A.E. Pottow**, John Philip Dawson Collegiate Professor of Law,  
University of Michigan Law School

**Speakers:**

**Mr. Mark D. Bloom**, Partner, Baker & McKenzie, Miami

**Prof. Aurelio Gurrea-Martinez**, Associate Professor, Singapore Management  
University, Singapore

**Mr. John M. Marsden**, Partner, Mayer Brown LLP, Hong Kong

**4:30-4:45 pm**                      **Day 1 Concluding Remarks**

**4:45-6:00 pm**                      **Cocktail Reception**

**Day 2**

**8:30-9:00 am**                      **Continental Breakfast**

**Session 5**

**Crossing the Line or Circumnavigating Corporate Liability: Exposure with  
the Texas Two-Step**

**9:00-10:15 am**

**Chair and Commentator:**

**Ms. Bridget G. Morgan-Bickerton**, Managing Partner, Bickerton Law Group  
LLLP, Honolulu; President, Hawai'i Bankruptcy Bar Association

**Speakers:**

**Ms. Anne Andrews**, Founding Director, Andrews & Thornton, Irvine, CA

**Ms. Randi S. Ellis**, Owner of Randi S. Ellis, LLC

**Mr. Fouad Kurdi**, Partner, Brown Rudnick (former Mediator and Complex  
Trust & Claims Administrator, Resolutions LLC)

**10:15-10:45 am**                      **Tea and Coffee Break**

**Session 6**  
**Comparative Corporate Insolvency Issues:**  
**DIP Financing, Third-Party Releases**

**10:45 am-12:00 pm**

**Chair and Commentator:**

**Mr. Jerrold K. Guben**, Partner, O'Conner Playdon Guben & Inouye, Honolulu

**Speakers:**

**Ms. Debra Grassgreen**, Senior Partner, Pachulski Stang Ziehl & Jones, San Francisco

**Mr. Gary T. Holtzer**, Co-Chair, Restructuring Department, Weil Gotshal & Manges LLP, NYC

**Mr. John M. Marsden**, Partner, Mayer Brown LLP, Hong Kong

**Mr. James H.M. Sprayregen**, Partner, Kirkland & Ellis, Chicago & NYC

**12:00-1:15 pm**

**Lunch**

**Session 7**  
**Ethics and Technology: Use of Artificial Intelligence**  
**(1 Ethics Credit)**

**1:15-2:30 pm**

**Chair and Commentator:**

**Mr. Ted N. Pettit**, Pettit Law Hawai'i LLLC, Honolulu

**Speakers:**

**Mr. Mark P. Seo**, HON Discovery Group, Honolulu

**Mr. Matthew Stubenberg**, Innovator in Residence, Richardson School of Law, University of Hawai'i

**Ms. Stephanie E.W. Thompson**, Director, Starn O'Toole Marcus & Fisher, Honolulu

**2:30-3:00 pm**

**Tea and Coffee Break**

**Session 8**  
**Small Business Bankruptcies:**  
**US Ch 11 Subchapter V & SME Insolvencies**

**3:00-4:15 pm**

**Chair and Commentator:**

**Prof. Charles D. Booth**, IAPBL Director & Professor, Richardson School of Law, University of Hawai'i

**Speakers:**

**Mr. Chuck C. Choi**, Partner, Choi & Ito, Honolulu

**Mr. Jerrold K. Guben**, Partner, O'Conner Playdon Guben & Inouye, Honolulu

**Prof. Aurelio Gurrea-Martinez**, Associate Professor, Singapore Management University, Singapore

**Mr. Neil Verbrugge**, Trial Attorney, Office of the United States Trustee, Honolulu

**4:15-4:30 pm**

**Day 2 Concluding Remarks**

**4:30-5:00 pm**

**Champagne Toast**



## Symposium Planning Committee

**Prof. Charles D. Booth**, IAPBL Director & Michael J Marks Distinguished Professor in Business Law, Richardson School of Law, University of Hawai'i

**Mr. Jerrold K. Guben**, Partner, O'Conner Playdon Guben & Inouye, Honolulu

**Prof. Garrett I. Halydier**, IAPBL Deputy Director & Visiting Assistant Professor, Richardson School of Law, University of Hawai'i

**Ms. Bridget G. Morgan-Bickerton**, Managing Partner, Bickerton Law Group LLLP, Honolulu; President, Hawai'i Bankruptcy Bar Association

**Mr. Ted N. Pettit**, Pettit Law Hawai'i LLLC, Honolulu

**Ms. Susan Tius**, Partner, Rush Moore LLP, Honolulu

**Mr. Theodore D.C. Young**, Partner & Chair, Bankruptcy & Creditors' Rights Practice Group, Cades Schutte LLP, Honolulu