

Upcoming CLEs of Interest to Public Lawyers

IMLA Annual Conference in Baltimore

The International Municipal Lawyers' Association is holding its annual meeting September 10-14, 2014, in Baltimore. The conference has been coordinated with Baltimore's celebration of the 200th Birthday of the National Anthem, featuring tall ships, a musical concert and spectacular fireworks event. The conference includes presentations on numerous topics of interest to local government, including e-cigarettes, cybercrime, e-discovery, stormwater permitting, pension reform, local hiring preferences, diversity and discrimination in police and fire, and many other topics. For more information, go to www.imla.org.

NAGTRI Training – NAAG/SABA

Advanced Bankruptcy Seminar – Practical Perspectives

September 15-17, 2014, Biltmore, Providence, RI

Early Registration Deadline Is August 15, 2014

We are pleased to announce that the National Association of Attorneys General (NAAG) will be joining the States' Association of Bankruptcy Attorneys (SABA) to present the *Advanced Bankruptcy Seminar – Practical Perspectives*. The seminar will be held under the auspices of the National Attorneys General Training and Research Institute (NAGTRI) at the Biltmore Hotel in Providence, RI. This year's seminar will take a new approach; rather than presenting a longer program that attempts to cover the field for all levels of staff, this year we will be holding a shorter, more focused session dealing with advanced bankruptcy issues that your experienced staff may have already encountered or can expect to see in the near future. The seminar will last for two and a half days and will have a theme centered on government-funded affordable housing and other issues relating to the recent mortgage settlement. In addition to standard lecture and discussion sessions, the program will also have a number of hands-on, interactive sessions dealing with investigating financial affairs, trying a fraudulent transfer complaint, dealing with experts in presenting and defending a case, and the like. This conference will be an invaluable opportunity for your staff and staff in your client agencies to learn about not just the theory of the Bankruptcy Code but the practical realities of the issues that arise frequently in major Chapter 11 cases. We will have sessions dealing with both tax and regulatory issues; while the program is primarily designed for staff attorneys, experienced paralegals and other agency staff may also find it useful. The seminar will presume that attendees have a working knowledge of basic bankruptcy principles, and is not directed at those with no prior bankruptcy experience or who have not attended one of the prior more general NAAG/SABA/NAGTRI trainings. Rather, it is geared to allowing your experienced staff to engage with their peers in other States, as well as local and federal counsel, on the new challenges that bankruptcy continues to bring to your office's goal of protecting the interests of the State and your constituents. We urge you to distribute this invitation widely within your office and related agencies, as bankruptcy issues arise in every substantive area.

The seminar will begin Monday morning with a presentation of a detailed hypothetical from which we will work for the rest of the conference. There will then be a discussion of the types of issues that arise at the beginning of cases – and how governmental counsel can get in early to help shape the future of the case. We will proceed to a detailed discussion of using bankruptcy

to sell going-concern businesses very early in the case and how such sales (as has occurred with Chrysler, GM, and a host of other companies) have created many practical problems for governmental entities and for those who may have future claims against the old or the new entity. We will move on to breakouts on mortgage and consumer protection issues for regulators and a session on nuts and bolts collection issues for tax counsel and then will have a “skills session” on financial investigation of the debtor.

We will next discuss Section 525, which puts special obligations and limits on government actions and then turn to fraudulent transfer actions, with sessions on the legal issues. We will have another set of breakouts dealing with how environmental issues are dealt with in Section 363 sales on the regulator’s side, and issues involving individual debtors on the tax side. We will end with an interactive session on evidence and other litigation issues arising in the trial of the avoidance actions we have discussed previously in the seminar. The following morning we will have sessions on issues to look out for when plan confirmation is proposed, and what issues come up *after* plan confirmation when it turns out the case isn’t quite over yet. We will end with a lively session on ethics looking at issues that blend bankruptcy concerns with perennial topics of interest, including parallel civil and criminal matters and questioning unrepresented persons.

We will have a distinguished panel of presenters for the rest of the seminar, including bankruptcy judges, the General Counsel for the U.S. Trustee Program, private attorneys from the highest levels of the bankruptcy world, experienced bankruptcy counsel from state, local, and federal agencies, and New Hampshire Attorney General Joseph Foster, whose practice focused on business bankruptcy and commercial litigation before he became Attorney General. Each has been selected based on his or her experience and expertise with respect to the unique issues faced by governmental counsel in bankruptcy court. A tentative agenda is attached hereto; it will be updated and expanded as we get closer to the program dates. We will run through mid-afternoon Wednesday; travel plans should be made accordingly and scholarship recipients, in particular, should expect to remain for the entire session.

The fee for the seminar is \$450; **a reduced fee of \$400 will be available until August 15, 2014.** In addition, to encourage the greatest possible participation from your offices, we will be offering a discount of \$100 per registration for groups of three or more persons from the same office, registering at the same time. If your office is awarded a scholarship, that person may be counted as one from the state to complete the group of three or more to obtain the group rate.

NAAG no longer accepts paper registration forms. To register, please do so online at: [<http://www.naag.org/2013-naagsaba-bankruptcy-from-a-government-perspective-seminar-registration.php>], starting on [date]. Although we will continue to accept registrations as late as possible, we may not be able to accommodate participants after the early registration cut-off date of August 15, 2014, depending on the numbers already registered. In order to assist our planning, please have staff complete registration as soon as possible.

Hotel Information

We have reserved a block of guest rooms at the Providence Biltmore Hotel, located at 11 Dorrance Street, Providence, RI, 02903. The special group rate is \$130 per night plus 13% tax

for single or double occupancy (for a total of \$146.90 per night). Rooms are reserved under the conference block from Saturday through Wednesday night, and the same rate will be available for three days before and after the reserved dates. Hotel space can be limited for those periods; we strongly urge attendees to reserve their rooms early. Reservations may be made by phone (401-421-0700; be sure to mention the NAAG Bankruptcy Seminar when making reservation to get the special rates. ***The cut-off for hotel reservations is Friday, August 22, 2014.*** After that date, the rooms will be released to the general public and there is no guarantee we will be able to have space for you at the hotel. Accordingly, please make your reservations now even if your final clearance to attend is still pending. Reservations may be canceled up until 48 hours in advance without penalty.

What's Included in the Registration; Other Activities

In addition to the course and materials, the seminar registration will cover breakfasts and breaks on each of Monday through Wednesday, and an opening reception on Sunday night. As an optional activity, we will be taking a bus to Newport, RI where we will be treated to a tour and narration about the magnificent mansions built by the seafaring captains from the 1700s and the captains of industry from the 1800s and then will have time on our own to walk around the city, dine, and take in the sights before we head back. The cost will be \$25; more information and registration for the outing will be sent on a separate activity form to attendees.

A charge of \$50 will be made for guests of the participants who wish to attend the opening reception and the breaks. If staff will not be attending the conference, but are interested in purchasing a copy of the briefing materials, please have them submit a request on the form attached to the registration application or contact Camie Carlock at ccarlock@naag.org by September 1, 2014, so we know how many copies to make of the materials.

Travel Information

Providence is served by the T.F. Green Airport, a short ten minute trip from downtown. A shuttle departs from the airport every hour on the hour from 5 am to 7 pm and automatically stops at the Biltmore; cost is approximately \$12 one way and \$24 round trip. Taxi fares should be in the range of \$25-\$30. Providence is also served by Amtrak with train service throughout the North East; the station is less than a quarter mile from the hotel. Providence is also within easy driving range of the mid-Atlantic and New England area – we urge offices sending more than one person to consider having attendees share a vehicle to reduce costs to allow us to spread scholarship money further. Overnight parking is available next to the hotel for \$28 per day.

Cancellation Policy

Cancellation requests must be made in writing by email. A minimum 20% administrative fee will be deducted for all refunds. No refunds will be made for cancellation requests received 7 days or fewer prior to the meeting start date absent a demonstrated and unavoidable emergency. The state may substitute a new attendee for the prior registrant at any time without cost. Information for scholarship attendees, including any obligations with respect to nonrefundable fares, will be provided with their acceptance confirmation.

We look forward to seeing participants in Providence. If there are any questions about the seminar, please call NAAG Bankruptcy Counsel Karen Cordry at (202) 326-6025 or email to kcordry@naag.org, or contact Program Specialist Camie Carlock at (202) 326-6262 or by email at ccarlock@naag.org.