

Asbestos Bankruptcy Current Trends and Future Outlook Conference



October 6, 2010 | The Westin Times Square, New York

CONFERENCE CHAIRS:

Kathy Byrne, Esq., Cooney & Conway, Chicago
 Jacob Cohn, Esq., Cozen O'Conner, Philadelphia
 Roger Frankel, Esq., Orrick, Herrington & Sutcliffe, LLP, Washington, DC

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| <p>7:30 Registration and Continental Breakfast</p> <p>8:30 Opening Remarks</p> <p>8:45 The Bankruptcy Landscape</p> <ul style="list-style-type: none"> • Update on existing Chapter 11 cases • How BAPCA may impact the willingness of companies to file <p>Natalie Ramsey, Esq., Montgomery, McCracken, Walker & Rhoads, LLP, Philadelphia
 Michael Brown, Esq., Drinker Biddle & Reath, Philadelphia
 Lisa Busch, Esq., Weitz & Luxenberg, P.C., New York</p> <p>9:30 The Intersection Between 524g and the Tort System</p> <ul style="list-style-type: none"> • Status of the various trusts • Are the solvent defendants receiving adequate set-offs? • Tort defendants: how can they recover money from the trusts? • Confidentiality issues in the TDP • Impact of volitional delays on accounting for trust payments <p>Moderator: Paul Kalish, Esq., Crowell & Moring, Washington, DC
 Robert Phillips, Esq., SimmonsCooper LLP, East Alton, IL
 Elihu Inselbuch, Esq., Caplin & Drysdale, New York
 James Stengel, Esq., Orrick, Herrington & Sutcliffe LLP, New York</p> <p>10:30 Morning Break</p> <p>10:45 Wall Street Viewpoint: Investing in Companies with Asbestos Liabilities</p> <ul style="list-style-type: none"> • Acquiring or selling a company with asbestos liabilities • Trading and securities issues with asbestos liabilities • Investing in securities of Asbestos Debtors • Estimating/Modeling Asbestos Liabilities • Non-bankruptcy alternatives to managing asbestos liabilities – insurance, corporate reorganization, corporate indemnity resolution? <p>Kenneth Pasquale, Esq., Stroock & Stroock & Lavan LLP, New York
 Karl Snow, PhD, Principal, Bates White LLC, Washington, DC
 Theodore Freedman, Esq., Kirkland & Ellis LLP, New York</p> <p>11:30 Pre-packaged Bankruptcies – Are They Still Viable?</p> <ul style="list-style-type: none"> • How pre-packs have fared since Combustion Engineering • THAN – A pre-pack that worked – what can be learned from it • Congoleum – a pre-pack that didn't – how did it finally end? • "Lazarus" debtors – Reviving defunct companies with insurance coverage <p>Joseph Frank, Esq., Frank Gecker LLP, Chicago
 John Bae, Esq., Greenberg Traurig, LLP, New York
 Mark Plevin, Esq., Crowell & Moring, Washington, DC
 Hon. Rosemary Gambardella, U.S. Bankruptcy Court for the District of New Jersey, Newark, NJ</p> | <p>12:30 Networking Luncheon</p> <p>1:30 Judicial Panel Discussion</p> <ul style="list-style-type: none"> • What can be done to make asbestos bankruptcies cheaper and quicker? <p>Hon. Rosemary Gambardella, U.S. Bankruptcy Court for the District of New Jersey, Newark, NJ
 Hon. Randall J. Newsome, U.S. Bankruptcy Court for the Northern District of California</p> <p>2:15 Addressing Asbestos Claims without a 524(g) Trust</p> <ul style="list-style-type: none"> • Asbestos claims in the GM/Chrysler Bankruptcies • How "free and clear" are 363 Asset Sales from future claimants pursuing successor liability claims? • Can an FCR provide due process to future claimants without a 524(g) trust? • Impact of the latest 2nd Circuit decision in Johns-Manville <p>Ronald Barliant, Esq., Goldberg Kohn, Chicago
 Sander Esserman, Esq., Stutzman, Bromberg, Esserman & Plifka, Dallas</p> <p>3:15 Afternoon Break</p> <p>3:30 A Post Mortem of the WR Grace Estimation Trial</p> <ul style="list-style-type: none"> • What were the issues and how were they litigated? • The battle of the experts • Roles of the ACC and the FCR • What were the levers that led to a settlement? <p>Nathan Finch, Esq., Caplan & Drysdale, Washington, DC
 Barbara Harding, Esq., Kirkland & Ellis LLP, Washington, DC</p> <p>4:00 Changing Politics of Asbestos Bankruptcies</p> <ul style="list-style-type: none"> • Has the end of mass screening changed the balance of power between malignant and non-malignant claimants? • Has the development of detailed "insurance Neutrality" resulted in a new détente? • Intervention of non-debtor co-defendants • Will meso claims begin again? • Weighted voting • Are there going to be any more large bankruptcies • How far does the 524(g) protection extend - independent claims against insurers? <p>Tancred Schiavoni, III, Esq., O'Melveny & Myers LLP, New York
 John Baden, IV, Esq., Motley Rice LLC, Mt. Pleasant, SC</p> <p>5:00 Networking Reception</p> |
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