

Stetson University College of Law presents:

The 33rd Annual
**Alexander L. Paskay Seminar on
Bankruptcy Law and Practice**



December 5-6, 2008
Sheraton Tampa Riverwalk Hotel
Tampa, Florida

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1700 North Tampa Street
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Alexander L. Paskay Seminar on Bankruptcy Law and Practice

Dec. 5-6, 2008 • Sheraton Tampa Riverwalk Hotel, Tampa, Fla.

Seminar Chair: *The Honorable Alexander L. Paskay, U.S. Bankruptcy Court, Middle District of Florida*

REGISTRATION FORM

Mr./Ms./Dr./Hon. _____ Phone: (____) _____

Title: _____ Fax: (____) _____

Organization/Firm: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

In case of an emergency during the conference, please list contact name and phone number:

Stetson College of Law Graduate First-time attendee Number of years attended: _____

Attorneys: CLE Credit? If yes, list state(s): _____ List other continuing education credits: _____

CONFERENCE TUITION

Includes admission to all sessions, CD of materials, continental breakfasts, breaks, lunches and reception.

\$325 Group Registration (*Three or more registrations mailed together from the same firm or non-profit organization. Group discounts will not be eligible for additional discounts offered.*)

\$475 Standard Registration

\$40 Print materials in a binder (CD-ROM of materials included in tuition price)

DISCOUNT TUITION (*Group discount registrations are excluded from any additional discounts*)

\$50 Discount (member of a bankruptcy bar association)
Please indicate name of the bankruptcy bar association _____

\$25 Discount (practiced bankruptcy for 3 years or less)
Year admitted to the bar _____

NETWORKING OPPORTUNITIES (Please indicate your attendance)

Reception - Friday, Dec. 5, 2008

ADDITIONAL GUEST INFORMATION

\$35 Guest Lunch, Fri., Dec. 5 \$35 Guest Reception, Fri., Dec. 5 \$35 Guest Lunch, Sat., Dec. 6

Vegetarian Lunches (Guest)

Guest Name: _____

PAYMENT INFORMATION

TOTAL ENCLOSED: \$ _____

Payment Method: Check (Payable to Stetson University College of Law)

American Express Visa Master Card

Card Number: _____

Expiration Date: _____ Authorized Signature: _____

MAIL OR FAX FORM AND PAYMENTS TO:

Office of Conferences and Events • 1700 North Tampa Street, Tampa, Florida 33602

Phone (813) 228-0226 • Fax (813) 228-0155

HOTEL ACCOMMODATIONS



The Sheraton Tampa Riverwalk Hotel is located in the center of downtown Tampa on the banks of the Hillsborough River. Within one mile of the hotel are the Tampa Museum of Art, Tampa Bay Convention Center and Florida Aquarium. Complimentary shuttle service is available to any attraction within three miles of the hotel. Hotel is located at 200 North Ashley Drive. Please call the hotel directly at (813) 223-2222 to make reservations early to ensure a room.

Web site: www.tampariverwalkhotel.com

Program Agenda

Friday, Dec. 5, 2008

8:00 - 8:45 a.m.	Registration and Continental Breakfast	11:30 - 12:15 p.m.	Exceptions to Discharge, Issues in Litigation, 523(a)(2)(4)(6)(8) <i>Hon. Randolph Baxter</i>
8:45 - 9:00 a.m.	Welcome <i>Hon. Alexander L. Paskay</i>	12:15 - 1:30 p.m.	Lunch
9:00 - 9:45 a.m.	Recent Developments <i>Louis M. Phillips, Esq.</i>	1:30 - 2:15 p.m.	Techniques of Dealing with Pre-Pack Chapter 11 Cases <i>Harvey R. Miller, Esq.</i>
9:45 - 10:30 a.m.	The U.S. Trustee's Perspective in Consumer Cases; Means Test; Motions Filed Under 707(b)(2)&(3); 727 Complaints; Debtor Audits; §329 Motions and Actions Against Creditors <i>Donald F. Walton, Esq.</i>	2:15 - 3:00 p.m.	Conversion or Dismissal under Section 1112 <i>Hon. Bruce A. Markell</i>
10:30 - 10:45 a.m.	Break	3:00 - 3:15 p.m.	Break
10:45 - 11:30 a.m.	Dischargeability of Taxes in Chapter 7 Cases <i>Arthur H. Boelter, Esq.</i>	3:15 - 4 p.m.	Treatment of 910 Claims and Effect of Surrendering Collateral <i>Shayna M. Steinfeld, Esq.</i>
		4:00 - 4:45 p.m.	Questions and Answers
		5:00 - 6:00 p.m.	Reception

Saturday, Dec. 6, 2008

8:00 - 8:45 a.m.	Registration and Continental Breakfast	12:15 - 1:30 p.m.	Lunch
8:45 - 9:00 a.m.	Welcome <i>Hon. Alexander L. Paskay</i>	1:30 - 2:15 p.m.	Chapter 11 Cash Collateral, Stay Litigation in Chapter 11 Cases <i>Hon. Randolph Baxter</i>
9:00 - 9:45 a.m.	Recent Developments <i>Louis M. Phillips, Esq.</i>	2:15 - 3:00 p.m.	Tax Questions in Chapter 11 Cases <i>Arthur H. Boelter, Esq.</i>
9:45 - 10:30 a.m.	Lien Stripping in Chapter 13 <i>Shayna M. Steinfeld, Esq.</i>	3:00 - 3:15 p.m.	Break
10:30 - 10:45 a.m.	Break	3:15 - 4:00 p.m.	Confirmation Issues in Chapter 11 Third-Party Releases <i>Harvey R. Miller, Esq.</i>
10:45 - 11:30 a.m.	U.S. Trustee Issues in Chapter 11 Cases: KERP Issues, 1104 Issues and Appointment of Trustees and Examiners, Committees <i>Donald F. Walton, Esq.</i>	4:00 - 4:45 p.m.	Questions and Answers
		4:45 p.m.	Adjourn
11:30 - 12:15 p.m.	Treatment of Small Business and Chapter 11 Cases <i>Hon. Bruce A. Markell</i>		

Registration Information

TUITION AND FEES: The group discount rate is \$325 with a combination of three or more registrations mailed together from the same firm or non-profit organization. Group discount registrations are not eligible for additional discounts offered. The standard tuition rate is \$475. Discounts are available for members of a bankruptcy bar association and attorneys who have practiced in bankruptcy law for three years or less. Space is limited, so pre-registration is advised.

TO REGISTER: Online registration is available at www.law.stetson.edu/conferences. Complete and return the registration form with payment by mail or fax to (813) 228-0155. Fax and telephone registration will be taken if accompanied by an authorized credit card number for payment.

RECEPTION: Conference tuition includes a reception at the Sheraton Tampa Riverwalk

Hotel at 5 p.m. on Friday, Dec. 5, 2008. Please confirm your attendance on registration form.

GUEST MEALS: Guests are invited to attend both lunches and the Friday reception for an additional fee of \$35 per event. (These fees admit the guest to meal functions only.) Reserve your guest meal(s) on the registration form. Guest registrations canceled by Nov. 14, 2008, will be refunded. No refunds can be given after that date.

CANCELLATIONS: All registration cancellations must be submitted in writing or via e-mail to hbastian@law.stetson.edu. Registrations canceled by 5 p.m., Nov. 14, 2008, will be refunded less a \$50 service charge. Refunds cannot be given after that date; however, substitutions may be made at any time.

SPECIAL NEEDS: If your attendance requires any aids or services, please notify the Office of

Conferences and Events at (813) 228-0226 at least two weeks before the conference.

CONTINUING EDUCATION CREDIT:
Intermediate Level: This program has been approved by The Florida Bar for 14.5 hours of general CLE credits including 2 hours of Ethics credits and 11 hours of Business Litigation Certification.

For sponsor and exhibitor opportunities, please contact Brianna Wetherwax at wetherwax@law.stetson.edu or (727) 562-7898.

In the unlikely event that this program is canceled, registration fees will be completely refunded. The sponsor cannot be responsible for other costs incurred by registrants, including travel and hotel accommodations.

About Our Speakers

The Honorable Alexander L. Paskay

U.S. Bankruptcy Court, Middle District of Florida
Tampa, Fla.

The Honorable Alexander L. Paskay is Chief U.S. Bankruptcy Judge Emeritus of the U.S. Bankruptcy Court for the Middle District of Florida and an adjunct professor at Stetson University College of Law. He has authored *Creditors Rights* (4th ed. Vandepas Pub. 2006) and *Trustees' and Receivers' Handbook*, originally published in 1968 by Matthew Bender and revised several times since then. He is the co-author of the 14th edition of *Collier on Bankruptcy*, published by Matthew Bender and Volume VI of *Norton Bankruptcy Law and Practice*. He also has contributed editorial comments to the recent pamphlet edition of *Bankruptcy Code and Bankruptcy Rules* and is principal contributing editor of the *Norton Handbook for Bank Trustees, Debtors in Possession and Committees*. From 1980 to 1984, Judge Paskay served on the Advisory Committee on Bankruptcy Rules and Practice, appointed by Chief Justice Burger. Thereafter, he was appointed to serve on a task force charged with revising the Official Bankruptcy Forms. He has served as vice president and member of the board of directors of the American Bankruptcy Institute. Judge Paskay is a fellow of the American College of Bankruptcy.

The Honorable Randolph Baxter

U.S. Bankruptcy Court
Cleveland, Ohio

The Honorable Randolph Baxter, U.S. Bankruptcy Judge, received bachelor's degree in political science from Tuskegee University and a law degree from the University of Akron. Since 1985, he served as a U.S. Bankruptcy Judge for the Northern District of Ohio. In 1996, Judge Baxter was appointed by the 6th Circuit Court of Appeals to serve as a charter member of its Bankruptcy Appellate Panel. Judge Baxter served as chief judge of the U.S. Bankruptcy Court for the Northern District of Ohio from 2004 to 2008. Primarily appointed to sit in Cleveland, Judge Baxter has served as a visiting judge in Delaware, New York, Tennessee, Michigan and Florida. In addition to his judicial duties, Judge Baxter has served as an adjunct professor at the University of Akron's School of Law from 1989 until 1999, teaching the basic bankruptcy law course as well as an advanced seminar in business reorganization.

Arthur H. Boelter, Esq.

Boelter & Associates
Seattle, Wash.

Arthur H. Boelter received his bachelor's degree from the University of Illinois and his law degree from DePaul University, where he was an editor on the *Law Review*. He also holds a master of laws degree in taxation from New York University. Mr. Boelter has lectured extensively in the area of tax procedure all across the United States and is the author of *Representation Before the Appeals Division of the IRS, Representing the Bankrupt Taxpayer and "ax Penalties and Interest*. He is also one of the authors of *Mertens Law of Federal Income Taxation*. He has taught as an adjunct professor at the University of Puget Sound Law School from 1980 to 1982 and as a lecturer in taxation law and procedure at Golden Gate University from 1981 to 1984. He is a member of the bars of Washington, New York and Illinois and is admitted to practice in the tax court, as well as several Federal District Courts in Washington, Illinois, and California, the 7th, 9th and Federal Circuit Court of Appeals, the U.S. Court of Federal Claims and the Supreme Court of the United States.

Honorable Bruce A. Markell

U.S. Bankruptcy Court
Las Vegas, Nev.

The Honorable Bruce A. Markell has been a bankruptcy judge since 2004. Since 1999, he had been the Doris S. and Theodore B. Lee Professor of Law at the William S. Boyd School of Law at the University of Nevada, where he taught contracts, commercial law, securitization and bankruptcy. He maintains a position at the Boyd School of Law as their senior fellow in Bankruptcy and Commercial Law. Judge Markell is a 1977 graduate of Pitzer College, and a 1980 graduate of the King Hall School of Law, University of California at Davis, where he was first in his class and editor-in-chief of the

Law Review. Judge Markell is the author of numerous articles on bankruptcy and commercial law. He is a member of the editorial board of *Collier on Bankruptcy* and contributes several chapters to that publication. In 2001, he published a case book on *Contracts, Making and Doing Deals: Contracts in Context*. A second edition of that book was published in 2006. In 2004, he published *Core Concepts of Commercial Law: Past, Present and Future*, commercial law case book and *Securitization, Structured Finance and Capital Markets*, a set of teaching materials on securitization with Professors Steven L. Schwarcz and Lissa Broome.

Harvey R. Miller, Esq.

Weil, Gotshal & Manges, LLP
New York, N.Y.

Harvey R. Miller is a partner in the New York City based international law firm of Weil, Gotshal & Manges, LLP where he had been a member of the firm's management committee for over 25 years and created and developed the firm's Business Finance & Restructuring department specializing in reorganizing distressed business entities. He is an adjunct professor at the New York University Law School and a lecturer at the Columbia University School of Law. He is a member of the National Bankruptcy Conference; fellow of the American College of Bankruptcy and the American Bar Foundation as well as a trustee for the Committee on Economic Development.

Louis M. Phillips, Esq.

Gordon, Arata, McCollam, Duplantis & Eagan LLP
Baton Rouge, La.

As the leader of the firm's insolvency and bankruptcy practice group, Louis M. Phillips provides legal representation and consultation for debtors, creditors and trustees over a broad practice area, including transaction and business structuring and restructuring, bankruptcy reorganization and bankruptcy and commercial litigation. Phillips was the U.S. Bankruptcy Judge for the Middle District of Louisiana from May 1988 to May 2002.

Shayna M. Steinfeld, Esq.

Steinfeld & Steinfeld, P.C.
Atlanta, Ga.

Shayna M. Steinfeld is board-certified by the American Board of Certification in both consumer and business bankruptcy law. She is the current president of the Atlanta Bar Association, a past president of the Georgia Association for Women Lawyers, past chair the bankruptcy and sole practitioner and small firm sections of the Atlanta Bar Association. Steinfeld has received the Section of the Year and Outstanding Woman in the Profession Achievement awards from the Atlanta Bar Association and the Kathleen Kessler Award for being a Trailblazer Woman from the Georgia Association for Women Lawyers. She is a past chair of the bankruptcy section of the State Bar of Georgia and a past president of the Metropolitan Atlanta Consumer Bankruptcy Group. In that capacity, she worked with Georgia legislators to draft and to obtain passage of amended Georgia exemptions. Steinfeld has received her bachelor's degree in 1986, her law and business master's degrees in 1990 from Emory College.

Donald F. Walton, Esq.

U.S. Trustee for Region 21
Atlanta, Ga.

Donald F. Walton is the U.S. Trustee for Region 21 for Georgia, Florida, Puerto Rico and the U.S. Virgin Islands. He received his undergraduate degree from the University of North Carolina at Chapel Hill, at which time he was commissioned an ensign in the United States Navy Reserve and served three years active duty. He attended the University of Georgia where he received his law degree, *cum laude*. Walton practiced law in Atlanta until August 1987, when he was appointed as an Assistant U.S. States Trustee. Prior to his current appointment, he served as Acting U.S. Trustee for Region 21 from 1992 to 1997, Acting U.S. Trustee for Region 3 for Pennsylvania, Delaware and New Jersey from October 2001 to March 2003, Acting General Counsel for the United States Trustee Program from October 2003 to April 2005 and Acting Deputy Director of the U.S. Trustee Program from April 2005 to December 2007.