



CPE Details for the International Insolvency Institute's 24th Annual Conference

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The International Insolvency Institute will convene its 24th Annual Conference in Singapore on June 9-11, 2024. The Annual Conference is the premier international insolvency conference for practitioners, academics, and members of the judiciary.

June 10-11, 2023

Participants will be able to earn up to 18.6 credits

Field of Study: Business Law (Technical)

Prerequisites: Participants should either be practicing bankruptcy attorneys, judges, professors, or law students studying bankruptcy; or be CPA's or Financial Advisors or business students studying bankruptcy.

Advanced Preparation: None, but materials will be posted online before the Course begins.

Program Level: Intermediate

Delivery Method: Group Live.

Fees and Cancellations:

Regular attendees:

\$1750

Academics: free

Judges: free

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Below is a detailed conference agenda.



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Date	Time	Session	Minutes
JUNE 9	9:10-10:05	NextGen Class XIII: Sustainability in Insolvency and Restructuring Procedures	55 1.1
	10:05-11:00	NextGen Class XIII: Getting to Know Asia	55 - 1.1
	11:15-12:45	NextGen Class XIII: Moot Court	90 - 1.8
	2:00-2:55	NextGen Class XIII: Treatment of Digital Assets, ICOs and Cryptocurrencies in Insolvency Proceedings	55 - 1.1
JUNE 10	10:45-12:00	Recovery, Valuation and Realization of Digital Assets	75 - 1.5
	1:50-3:05	Valuation in Corporate Reorganizations	75 - 1.5
	3:20-4:35	Distressed M&A: Trends and Challenges	75 1.5
	4:50-6:05	Insolvency Proceedings without Insolvency?	75 1.5
JUNE 11	9:00-10:15	UNIDROIT Bank Liquidation Legislative Guide	75 1.5
	10:30-11:45	Navigating Financial Distress in Emerging Economies	75 - 1.5
	1:15-2:30	The Model Law on Cross Border Insolvency: Reflections, Benefits and Challenges Ahead	75 1.5
	2:45-4:00	Developing a Market for DIP Financing	75 1.5
	4:15-5:30	ESG and Insolvency	75 1.5
TOTAL (15.5 Hours)			930 - 18.6

NextGen Class XIII: Sustainability in Insolvency and Restructuring Procedures

June 9, 2024, 9:10 AM – 10:05 AM (55 minutes)

The Fullerton Hotel Singapore, 1 Fullerton Square, Singapore 049178

This remains a hot topic as we enter 2024 and we want to know what sustainability issues may arise in our practice -- whichever region you are in! Can measures introduced in Europe be meaningfully applied in other regions, and vice versa? Are there lessons we can glean from practices in the Americas? Ask more questions and share your answers!

Panelists:

- **Carlo Ghia**, Italian Ministry of Economic Development, Rome, Italy
- **Thiago Junqueira**, Chalfin Goldberg Vainboim Advogados, Rio de Janeiro, RJ Brazil
- **Gabriel Olivera**, O'Melveny, New York, NY United States
- **Mariam Zaidi**, Parimal Capital & Housing Finance, Mumbai, India

Carlo Ghia, Italian Ministry for Enterprises and Made Italy, Rome, Italy. Carlo Ghia has been member of Studio Legale Ghia, one of the leading law firms in Italy with offices in Rome and Milan, which focuses its activities in the areas of commercial law, insolvency, restructuring and bank law.



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Since his junior practice, Carlo had the opportunity to work on international insolvency cases such as Parmalat Group, Delta Airlines and other US bankruptcy proceedings, acquiring also experiences working with US law firms.

As a lawyer he assists major creditors, such as banks, financial institutions and insurance companies in insolvency proceedings and judicial matters.

As an insolvency practitioner he worked on several restructuring and insolvency cases. Qualified as subject expert in Commercial Law at University Guglielmo Marconi of Rome, Carlo is also Alumni Member of the NextGen Leadership Program of the International Insolvency Institute and Member of the Italian Chapter of the Turnaround Management Association.

Currently Carlo has taken position at the Ministry for Enterprises and Made Italy, working on policies regarding insolvency and restructurings.

Thiago Junqueira, Chalfin Goldberg Vainboim Advogados, Rio de Janeiro, RJ Brazil. Thiago Junqueira became a partner at CGV Advogados in March 2020. Since then, his work has been focused on advising companies on complex issues relating to (re)insurance and data protection law, as well as litigation involving such matters. Over the years he has worked with the main players in the market.

Besides having been a guest researcher at the Max Planck Institute for Comparative and International Private Law (Germany) and given lectures at prestigious European universities, such as Salamanca (Spain), Pontificia Comillas (Spain) and Coimbra (Portugal), Thiago is also a professor at Fundação Getulio Vargas and the School of Business and Insurance. He has published numerous articles in the leading journals and was also the author of the book *Tratamento de dados pessoais e discriminação algorítmica nos seguros*, and the co-organizer of the two-volume book *Temas Atuais de Direito dos Seguros*.

Thiago is a frequent speaker at conferences in Brazil and has been a regular contributor to the Brazilian Chapter of the Thomson Reuters Insurance and Reinsurance Global Guide.

He holds a Doctorate Degree in Civil Law from the Rio de Janeiro State University, and a Master's degree in Civil Law from the University of Coimbra (Portugal).

He is currently the director of international relations of the Brazilian Academy of Civil Law and co-coordinator of the Seguros Contemporâneos column on the website *Conjur*.

Thiago has been recognised by key independent research publications (Chambers and Partners, WWL and The Legal 500) as a leading lawyer in the (re)insurance field.

Gabriel Olivera, O'Melveny, New York, NY, United States. Gabriel Olivera is a counsel in O'Melveny's New York office and focuses on advising clients on financial reorganizations. A native of



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Puerto Rico, Gabriel combines his restructuring experience with his Spanish-speaking ability to help bridge language and cultural barriers with Latin American clients involved in complex financial restructurings. He has extensive experience in corporate and municipal bankruptcy-related matters, and has represented debtors, creditors' committees, bondholders, directors and officers, and other parties-in-interest in some of the most well-known bankruptcy matters. Gabriel is currently part of the O'Melveny team assisting the Government of Puerto Rico to restructure its \$70 billion of funded debt obligations and \$50 billion in pension obligations.

Prior to entering private practice, Gabriel served as judicial law clerk for the Honorable Brian K. Tester (Ret.) formerly of the US Bankruptcy Court for the District of Puerto Rico.

Mariam Zaidi, Parimal Capital & Housing Finance, Mumbai, India. Mariam Zaidi works as a senior legal counsel in the centralised dispute resolution and litigation team at Piramal Capital & Housing Finance Limited. She handles matters of the wholesale financial services of Piramal Group. She has expertise in matters regarding restructuring and insolvency including both in-court and out of court.

Ms. Zaidi has advised and represented various foreign and domestic creditors, insolvency professionals and stressed funds under the insolvency laws. She was selected by the Global Restructuring Review as one of the world's rising stars for "40 under 40" 2022 within the cross-border restructuring community.

Recently, Ms. Zaidi has been selected by INSOL International for the 'Future Leaders Programme for India 2023'. She is also a INSOL International fellow and a NextGen member of the International Insolvency Institute.

Ms. Zaidi has also conducted various global podcasts on insolvency organized by INSOL International and International Insolvency Institute and has been a panelist in various international conferences.

NextGen Class XIII: Getting to Know Asia

June 9, 2024, 10:05 – 11:00 AM (55 minutes)

The Fullerton Hotel Singapore, 1 Fullerton Square, Singapore 049178

Is there anything unique about 'Asian' restructurings? Any tips and tricks for getting things done in the region? What are some issues that have arisen in coordinating Asian-related restructurings?

Panelists:

- **Liz Downing**, Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates, Boston, MA, United States
- **Kotaro Fuji**, Nishimura & Asahi, Singapore
- **Shuai Guo**, China University of Political Science and Law, Beijing, China
- **Eloise Matsui**, Omni Bridgeway, Hong Kong, China



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- **Ishana Tripathi**, O.P. Jindal Global University, Jindal Global Law School, Sonipat, India

Liz Downing, Skadden, Arps, Slate, Meagher & Flom LLP and Affiliates, Boston, MA, United States Liz Downing has advised debtors, creditors, equity sponsors, sellers, purchasers and other parties-in-interest on all stages of complex restructuring transactions, including prepackaged, prearranged and traditional Chapter 11 cases, out-of-court workouts, distressed acquisitions and cross-border proceedings. Ms. Downing has experience counseling clients across a wide variety of industries, including health care, energy, financial services, shipping and retail.

In recognition of her work, Ms. Downing was named to American Bankruptcy Institute's 40 Under 40 list in 2023. She also was selected to the NextGen Leader Program of the International Insolvency Institute, an organization that focuses on promoting international cooperation and coordination through improvements in restructuring-related law and transactional regimes.

Kotaro Fujii, Nishimura & Asahi, Singapore Kotaro has expertise in the crossover area between restructuring/insolvency and Southeast Asian practices by leveraging over 3 years' experience working at our Singapore office.

Kotaro has engaged in many restructuring cases through not only formal insolvency proceedings but also out-of-court workouts. From 2019 to 2023, he provided legal advice on cross-border M&A, restructuring/insolvency, disputes, and other corporate matters (with a focus on those related to Singapore, Indonesia, Malaysia, and Philippines) from our Singapore Office by leveraging the knowledge and experience in local legal and commercial practices and the connection with local professionals.

Shuai Guo, China University of Political Science and Law, Beijing, China. Dr Shuai Guo is an Assistant Professor of Law at the China University of Political Science and Law (CUPL) in Beijing. He teaches and researches international business and economic law, in particular, international insolvency law, international financial law, international trade law, and international investment law. Currently, he is a consultant at the International Institute for the Unification of Private Law (Unidroit) in Rome, Italy, for its bank insolvency project.

He holds a Doctoral Degree from Leiden University, the Netherlands. His PhD dissertation *Recognition of Foreign Bank Resolution Actions* (Edward Elgar, 2022) compares cross-border bank resolution practices in the European Union, the United States of America, and China. He is the author of two other books: *Confidentiality, Secrecy and Privilege in Corporate Insolvency and Bank Resolution* (Eleven International Publishing, 2020), and *New Bank Insolvency Law for China and Europe, Volume 3: Comparative Analysis* (Eleven International Publishing, 2021). He publishes in leading international journals such as *International Insolvency Review*, *Asia Pacific Law Review*, *Norton Journal of Bankruptcy Law and Practice*, *International Corporate Rescue*, etc. He is involved in several research projects, including III Committee Model Laws @Work, confidentiality, secrecy and privilege matters in relation to the new EU Restructuring Directive, Asian Principles on Corporate Restructuring,



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and reform on Chinese cross-border insolvency laws. He also sits on the academic committee for the new Chinese Financial Stability Law.

He is a sub-committee member of INSOL International Early Researcher Academics and Director of the Beijing Society of Insolvency Law. In 2022, he was included in Global Restructuring Review's 40 under 40. He is a 2018 III prize winner in International Insolvency Studies for his article 'Cross-border Resolution of Financial Institutions: Perspectives from International Insolvency Law' and a member of NextGen Class VII since the same year. He sits on the academic committee of III and served on the Executive Committee of the NextGen Leadership program from 2021 to 2023.

Eloise Matsui. Omni Bridgeway, Hong Kong, China. Eloise joined Omni Bridgeway in November 2022 as an Investment Manager. Eloise brings to the Omni Bridgeway team extensive experience in restructuring and insolvency matters and general commercial litigation along with cross-border expertise.

Eloise was formerly in private practice as a Partner at Stephenson Harwood in their restructuring and insolvency team in Hong Kong, where she acted for foreign companies, Hong Kong listed and private companies and insolvency practitioners in debt restructurings, insolvency scenarios and associated litigation and creditor clients on enforcement options in distressed scenarios.

Prior to this she was with King & Wood Mallesons in their litigation and regulatory team where she acted for financial services, mining & resources and government sector clients on large scale commercial litigation, regulatory matters, insolvency advice, enforcement action and providing general dispute resolution advice.

Eloise holds a Bachelor of Laws and Bachelor of Commerce degrees from the University of Western Australia and is a qualified lawyer in Australia and Hong Kong. She also holds a diploma in insolvency from Queensland University of Technology and IPA (now known as the Australian Restructuring Insolvency & Turnaround Association (ARITA)). She serves as a member of the Executive Board of the International Women's Insolvency & Restructuring Confederation (IWIRC). Eloise is also a member of the International Insolvency Institute (III) NextGen Leadership Program. She regularly tutors as part of the Professional Diploma in Insolvency offered by the Hong Kong Institute of Certified Practising Accountants (HKICPA).

Eloise is recognized in the 2022 Global Restructuring Review 40 under 40, China Business Law Journal 2022 rising star, as a recommended lawyer in 2022 Legal 500 Asia Pacific for Restructuring and Insolvency: foreign firms China / Restructuring and insolvency Hong Kong/Dispute resolution: Litigation Hong Kong, and Chambers and Partners Asia Pacific 2022 and 2023 (China) Restructuring/Insolvency as Up and Coming. Eloise was awarded the ALB Hong Kong Law Awards 2021 Young Lawyer of the Year, IWIRC Fetner Award in 2019 for exceptional contributions by an international IWIRC member, "GRR 2019: Future Thought Leader Award" awarded to a junior woman under the age of 40 who is a name to watch in future and the 2016 IWIRC rising star.



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Ishana Tripathi, O.P. Jindal Global University, Jindal Global Law School, Sonipat, India. Ishana is currently a professor of corporate insolvency and contract law at Jindal Global Law School and was inducted into the III NextGen Leadership Program, Class X (2021). She obtained her undergraduate degree from NALSAR University of Law, Hyderabad and is admitted to practice in India. She has an LL.M in law and economics with a research focus on debt markets and insolvency from the Institute of Law and Economics, University of Hamburg and Erasmus University, Rotterdam.

Over the past decade, Ishana has worked with leading Indian law firms such as AZB & Partners and J. Sagar Associates, in the areas of corporate/ commercial dispute resolution, and general corporate transactions. She has also consulted with various European multinationals such as Körber AG and Indian policy organizations such as Vidhi Centre for Legal Policy on transactions, working papers and policy reports.

Ishana is also a member of the INSOL International Academic Group and the American Bankruptcy Institute.

NextGen Class XIII: Moot Court

June 9, 2024, 11:15 AM – 12:45 AM (90 minutes)

The Fullerton Hotel Singapore, 1 Fullerton Square, Singapore 049178

The moot problem/hypothetical will involve a few international insolvency issues, highlighting cross-border insolvency. This problem was shared by INSOL International and III and was written by Judge Elsbeth de Vos (District Court of Amsterdam), Kathlene Burke (Skadden Arps Slate Meagher & Flom) and Ian Mann (Harneys).

Case Summary: The plaintiffs are Blujay Fund Ltd and Blujay Opportunities Ltd, both investment funds located in Nuzilia. They are subsidiaries of Blujay Holding, a company registered in Bermuda. Together they form a group of companies of which Holding is the top company and where the strategy of the whole group is determined (together also referred to as Blujay et al.). The defendant is Robin Investment Fund based in Nuzilia (also referred to as Robin). It represents a group of holders of bonds in both Blujay Fund Ltd and Blujay Opportunities Ltd. Due to financial difficulties, on May 2, 2022, Blujay et al. commended the Provisional Liquidation proceedings with the Bermuda Court. In these proceedings they filed winding-up petitions and requested the appointment of a Provisional Liquidator (PL) with limited - "light touch" - powers. On May 4, 2022 the Bermuda Court issued an order appointing Jane Bargewell as PL. On May 4, 2022 the PL, as the Foreign Representative of the company, filed the Chapter 15 Petitions in the US Bankruptcy Court. Permission has been granted to Blujay to appeal to the Nuzilian Supreme Court on whether the Bermuda discharge was validly granted and the U.S. was capable of recognizing that discharge. Permission has been granted for Robin to appeal to the Nuzilian Supreme Court on whether the injunction in the US Court's Enforcement Order is enforceable.



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Panelists:

- **Peter Bowden**, Gilbert + Tobin, Melbourne, Australia
- **Kathlene ("Kat") Burke**, Maples Group, Dublin, Ireland
- **Andrea Harris**, Grant Thornton, Guernsey, Channel Islands
- **Amelia Tan**, Carey Olsen, Singapore

Peter Bowden, Gilbert +Tobin, Melbourne, Australia. Peter heads Gilbert + Tobin's Restructuring + Insolvency group.

He specializes in front-end restructuring and insolvency and has significant experience advising hedge funds, banks, special situations groups, investment banks, insolvency practitioners, creditors and debtors on all elements of restructuring, insolvency, liability management, workouts, banking and distressed debt transactions in a range of industries including financial services, energy, mining, mining services, property, construction, agriculture and manufacturing.

Peter is admitted to practice in both Australia and the UK and gained significant international experience while working in Tokyo for a leading global law firm. Prior to joining Gilbert + Tobin, he was a partner at a global law firm where he focused on front-end restructuring, insolvency and distressed debt.

Peter is a member of the Australian Restructuring Insolvency and Turnaround Association and the Turnaround Management Association ("TMA") and is on the Victorian TMA Committee.

Recently, Peter has worked on many prominent and market leading restructuring and insolvency matters including Basslink, Greensill / GFG, Adaman Resources, Sargon, Toys R Us, Norske Skog, Mirabela Nickel, Nexus Energy, Arrium, LM First Mortgage Income Fund, Acquire Learning, Banksia Secured Investments, Timbercorp and Eastmark/One Denison.

Peter is listed in Best Lawyers for 2017 - 2023 in insolvency and reorganization law and 2022 - 2023 in distressed investing and debt trading including being named 'Lawyer of the Year' for distressed investing and debt trading in Melbourne in 2022. He was also named as a rising star partner in IFLR1000 in 2021 in insolvency and reconstruction. He has been listed in Chambers Australia for a number of years and is presently listed as Band 2 in the 2023 Chambers Asia-Pacific guide for Restructuring and Insolvency.

Peter is also a well-regarded author on restructuring and insolvency matters and has recently contributed to: The Restructuring Review – 15th Edition, Australian Chapter; International Insolvency & Restructuring Report 2022/23; and Getting the Deal Through – Insolvency and Restructuring – Australian Chapter - 2022/2023.

Kat Burke, Maples Group, Dublin, Ireland. Kathlene Burke is an Of Counsel of Maples and Calder's Dispute Resolution & Insolvency team in the Maples Group's Dublin office. She specializes in advising clients on restructuring and insolvency matters. Her extensive background includes representing a diverse array of clients, including debtors, ad hoc groups, creditors and equity holders, in complex



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and contentious in-court schemes and reorganization cases across Europe, the US and various other jurisdictions.

Kathlene joined the Maples Group in 2023. She previously worked for international law firms in London and New York including Skadden, Arps, Slate, Meagher & Flom LLP and Weil, Gotshal & Manges LLP.

Andrea Harris, Grant Thornton, Guernsey, Channel Islands. Andrea is a Director in our Recovery and Reorganization Team. Based in Guernsey, she is a Fellow of INSOL International, a Chartered Accountant and a Certified Fraud Examiner. Her wealth of experience has been gained globally with work domiciled in Australia, Bermuda, Barbados, the BVI, Cayman and the Channel Islands, and she has taken appointments as Liquidator, Administrator, Administration Manager and Director over various entities.

Andrea is a member of the ARIES Legal and Regulatory Committee and is a member of the Guernsey Insolvency Rules Committee. She is also a member of the Editorial Board for INSOL World, the quarterly publication for INSOL International, and is the Co-Chair of the Channel Islands network of the International Women in Insolvency and Restructuring Confederation.

Amelia Tan, Carey Olsen, Singapore. Amelia is counsel in Carey Olsen's litigation, insolvency and restructuring practice in Singapore. She has a broad range of experience in commercial litigation, with a focus on complex, multi-jurisdictional shareholder / director litigation, corporate disputes, fraud and asset tracing and cross-border insolvency and restructuring matters.

Amelia also has significant experience in seeking urgent interlocutory relief for clients, including freezing orders and injunctions, and enforcement matters and has represented clients in the High Court, Court of Appeal and the Privy Council. She regularly advises listed companies and financial institutions, high net worth individuals and insolvency practitioners in the region.

Amelia is Co-Chair of the International Women's Insolvency & Restructuring Confederation (IWIRC), Singapore Network and one of the first offshore law practitioners to be approved as a member of the Insolvency Practitioners Association of Singapore (IPAS). She is also an active member of INSOL.

Amelia is fluent in English and Mandarin.

Amelia practised in another leading offshore firm in Singapore before joining Carey Olsen in 2019.

Prior to moving offshore in 2018, Amelia was an Advocate and Solicitor of the Supreme Court of Singapore and practised at one of the largest leading Singapore law firm, where she gained extensive experience in international arbitration, corporate and shareholder litigation, trade and commodities disputes and insolvency related matters.



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Amelia is admitted as a solicitor of the Eastern Caribbean Supreme Court (BVI) and is enrolled as a Registered Associate in the Supreme Court of Bermuda. She is also admitted as a solicitor of the Senior Courts of England and Wales (non-practising).

NextGen Class XIII: Treatment of Digital Assets, ICOs and Cryptocurrencies in Insolvency Proceedings

June 9, 2024, 2:00 PM – 2:55 PM (55 minutes)

The Fullerton Hotel Singapore, 1 Fullerton Square, Singapore 049178

Are we approaching the end of the crypto winter -- or is there some way to go? Either way, we have gleaned some lessons from the failures of various players in the digital assets space and are ready to share them.

Panelists:

- **Emma Beechey**, Chambers, Sydney, Australia
- **Rikita Karakawa**, Abe, Ikubo & Katayama, Tokyo, Japan
- **David Schiff**, Davis Polk, New York, NY, United States
- **Darius Tay**, Black Oak LLC, Singapore

Emma Beechey, Chambers, Sydney, Australia. Ms Beechey practices in commercial litigation, with specializations in domestic and cross-border insolvency, banking and financial regulation. She regularly acts for local and foreign insolvency practitioners, major financial institutions, corporations, investors and regulators in complex commercial and insolvency matters.

She appears in all Australian courts, principally in the Federal Court and the Supreme Court of New South Wales at both trial and appellate level. She has appeared unled in significant cases at both first instance and on appeal. Her recent briefs include appearing unled for Garuda Indonesia in the NSW Court of Appeal in a successful claim of foreign state immunity; appearing for SMBC in relation to the Forum Finance fraud; appearing for three successful defendants in the Anchorage v Bakewell proceedings; and appearing unled in the NSW Court of Appeal in Caron v Jahani (No 2) (2020) 102 NSWLR 537.

Her recent cross-border insolvency briefs have included acting for Thai Airways, Garuda Indonesia, Astora Women's Health, and the liquidators of GetSwift and Caledonian Bank.

Ms Beechey also acts for financial regulators including ASIC and APRA, including in cryptocurrency-related matters and superannuation matters.

Ms Beechey is recognized annually in each of the Australian ranking guides. She is a Fellow of INSOL International and the lecturer for the Australian module of the INSOL Foundation Certificate in International Insolvency Law. She also has a detailed understanding of cryptocurrencies, smart contracts, blockchain technology and NFTs.



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Rikita Karakawa, Abe, Ikubo & Katayama, Tokyo, Japan. Rikita Karakawa has been involved in wide variety of domestic and international cases, including cases relating to restructuring, intellectual property, competition law and corporate law. He also has extensive experience in dispute resolution such as negotiation and litigation.

With regard to restructuring, Mr. Karakawa has been engaged in cases of in-court procedure and out-of-court private rehabilitation, representing industry-leading companies as well as middle-sized enterprises as clients, which has given him abundant experience in this area. Also, as for intellectual property, Mr. Karakawa has been representing domestic and international clients in patent infringement litigation as well as patent invalidation trials. In addition to patent law, he also advises clients on copyright and trademark law on a daily basis.

Recently, Mr. Karakawa has been focusing on competition law. Through secondment to international construction machinery manufacturer and law firms abroad, he has been involved in competition law cases such as international merger filing as well as international cartel investigation and class action lawsuits.

David Schiff, Davis Polk, New York, NY, United States. Advises on a wide range of U.S. and international restructurings, bankruptcies and liability management transactions.

David advises on a wide range of U.S. and international restructurings, bankruptcies and liability management transactions. He represents hedge funds, creditor groups, banks, companies, equity sponsors and other strategic parties.

David is ranked as a "Rising Star Partner" in restructuring by *IFLR1000* and was named to the American Bankruptcy Institute's "40 Under 40" list in 2023. He is a member of the International Insolvency Institute's NextGen Leadership Program.

Darius Tay, Black Oak LLC, Singapore. One of the founders of BlackOak, Darius' work focuses on special situations, including both contentious and non-contentious aspects of corporate restructuring and insolvency ("CRI"), banking and finance as well as mergers and acquisitions for special situations. A key component of Darius' practice is advising various fund managers on both compliance and regulatory matters as well as issues arising from their investments and portfolio companies and working with various debtor companies.

As a separate component of Darius' practice, he works closely with various start-ups, especially those in the logistics field, advising them with all aspects of their business including regulatory and business contracts as well as assisting them with corporate governance and fund raising.

Darius was appointed to the Singapore Supreme Court's Young Amicus Curiae Scheme in 2014. He acted as amicus curiae in the only reported Singapore judgment on the issue of testamentary capacity regarding the disposal of one's Central Provident Fund (Singapore's national retirement savings plan)



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monies and was also part of the Insolvency Practitioners Association of Singapore's working committee on their amicus brief in *Kao Chai Chau Linda v Fong Wai Lyn Carolyn and Others* [2016] 1 SLR 21, a landmark Singapore decision on insolvency practitioners' remuneration.

Darius is an experienced lawyer specializing in Corporate Restructuring and Insolvency and has been ranked in leading publications such as *Asia Law*, *Chambers Asia Pacific*, *The Legal 500 Asia Pacific*, *Best Lawyers* and *IFLR 1000*. Darius's recent notable clients/deals include, amongst others: Nam Cheong Limited, Bain Capital, Yang Kee Logistics Pte Ltd, Eqonex Limited and the Singapore Cube Highway Entities (i.e., Cube Highways and Infrastructure Pte. Ltd., Cube Highways and Infrastructure II Pte. Ltd., Cube Highways and Infrastructure III Pte. Ltd.).

Recovery, Valuation and Realization of Digital Assets

June 10, 2024, 10:45 AM – 12:00 PM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will discuss the practical effects associated with the valuation, realization and recovery of digital assets. It may also include how certain insolvency provisions (e.g., moratorium) may apply in the context of crypto assets.

Panelists:

- **Scott Barker**, Buddle Findlay, Wellington, New Zealand
- **Andy Dietderich**, Sullivan & Cromwell LLP, New York, NY, United States
- **Hon. Martin Glenn**, US Bankruptcy Court for the Southern District of New York, Columbia Law School Adjunct Professor, New York, NY, United States
- **Kwan Kiat Sim**, *Moderator*, Rajah & Tann, Singapore
- **Yuri Sugano**, Nishimura & Asahi, Tokyo, Japan

Scott Barker, Buddle Findlay, Wellington, New Zealand. Scott Barker specialises in litigation and insolvency law. He advises both private and public sector clients.

He acts on a range of litigation assignments including contractual disputes, tort claims, insurance, property, trust and shareholder disputes, judicial reviews and investigations, as well as a wide range of insolvency related assignments.

He has appeared in the District and High Courts, Court of Appeal, Supreme Court and Privy Council and has also been involved in mediations, expert determinations and arbitrations.

Andy Dietderich, Sullivan & Cromwell LLP, New York, NY, United States. Andy Dietderich is Co-Head of the Sullivan & Cromwell Global Finance & Restructuring Group and one of the leading business restructuring lawyers in the United States. Andy started S&C's multi-disciplinary



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restructuring practice in 2008 and has overseen its growth and expansion in response to client demand for higher quality legal services for corporate debtors. The practice is unique among its competitors with respect to its complete integration with the rest of S&C and the use of creative solutions from outside the conventional restructuring toolbox.

Chambers recognizes Andy as a “strategy genius, who is able to boil down complex concepts into things clients can easily understand.” Andy has been the lead debtor counsel for some of the most significant chapter 11 cases ever filed, including Eastman Kodak and, recently, FTX (digital assets), Kidde-Fenwal (the first “forever chemicals” bankruptcy), SVB Bank (diversified financial institution), Garrett Motion (auto), California Resources Corporation (oil & gas) and LSC Communications (printing). He also helps S&C clients purchase distressed companies (such as Chrysler and General Growth Properties) and execute out-of-court restructurings and rescue sales of every type, including in cases where bankruptcy filings were thought inevitable by other restructuring experts but ultimately avoided.

Andy was born in rural Oregon and graduated Harvard College and Harvard Law School magna cum laude. He clerked for the Sixth Circuit Court of Appeals and has practiced at S&C for his entire career.

Hon. Martin Glenn, US Bankruptcy Court for the Southern District of New York, Columbia Law School Adjunct Professor, New York, NY, United States. Martin Glenn was sworn in as a United States Bankruptcy Judge for the Southern District of New York on November 30, 2006. He was appointed Chief Judge of the United States Bankruptcy Court for the Southern District of New York on March 1, 2022.

He received his B.S. degree from Cornell University in 1968 and his J.D. degree from Rutgers Law School in 1971. He was an Articles Editor of the Rutgers Law Review.

Judge Glenn was a law clerk for Hon. Henry J. Friendly, Chief Judge of the U.S. Court of Appeals for the Second Circuit, from 1971-72.

From 1972 until his appointment to the bench, Judge Glenn practiced law with O’Melveny & Myers LLP, in Los Angeles from 1972-85 and in New York from 1985-06.

Judge Glenn is a member of the American Law Institute; International Insolvency Institute; New York Federal-State Judicial Council; New York City Bar; National Conference of Bankruptcy Judges; and American Bankruptcy Institute. He is a past member of the Committee on International Judicial Relations of the United States Judicial Conference, and of the Bankruptcy Judge Advisory Group of the Administrative Office of the U.S. Courts.

Judge Glenn is an Adjunct Professor at Columbia Law School and a Contributing Author of Collier on Bankruptcy. He is a frequent lecturer on bankruptcy-related issues.

Kwan Kiat Sim, Moderator, Rajah & Tann, Singapore. Kwan Kiat currently heads the firm’s Restructuring & Insolvency practice group, which is the largest dedicated legal practice in the country



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dealing with banking and financing disputes, corporate insolvencies, business advisory, workouts and debt restructurings, and enforcement of creditors' rights.

Kwan Kiat has been cited and recognized by international legal directories such as Chambers Asia-Pacific 2022 as a "Band 1" practitioner, recommended as a "Thought Leader" and "Global Leader" by Who's Who Legal: Restructuring & Insolvency 2022, and named "Lawyer of the Year" in Insolvency and Reorganisation Law by Best Lawyers in Singapore 2023. He has also been identified as a "Highly Regarded" and "Distinguished" practitioner by asialaw Profiles 2023, IFLR1000 2023, and Benchmark Litigation 2022.

According to The Legal 500 Asia Pacific 2022, Kwan Kiat is "commercial minded, highly analytical, and helpful. Besides strong technical knowledge, his ability to see through complex restructuring and understand the landscape among various stakeholders, serves as a cutting-edge tool for lenders."

Called to both the Singapore and New York bar, Kwan Kiat's practice comprises domestic and cross-border disputes and advisory work. He has advised and acted for debtors, lenders and insolvency office holders in debt restructuring, liquidations, and receiverships of both local and foreign companies.

Apart from regularly advising in the whole gamut of insolvency proceedings, from liquidation, receivership to judicial management and schemes of arrangement, many of the matters Kwan Kiat acted in had a strong cross-border element.

In addition, Kwan Kiat regularly acts for clients in a wide variety of commercial disputes, including banker-customer disputes and shareholder disputes. He is also active in arbitration, having advised and acted for clients in several multi-million-dollar arbitration disputes.

Kwan Kiat is part of the expert group involved in the ongoing work in UNCITRAL Working Group V (Insolvency Law) on applicable law in insolvency proceedings and has been appointed by the Singapore Ministry of Law to be the Singapore national correspondent for UNCITRAL CLOUT (Case Law on UNCITRAL Texts).

A regular speaker at local and overseas seminars and conferences, Kwan Kiat also teaches Insolvency Law and is the Deputy Subject Coordinator for the Insolvency Law and Practice course for the Singapore Bar Examinations.

Yuri Sugano, Nishimura & Asahi, Tokyo, Japan. Yuri is a partner in the Nishimura & Asahi Restructuring and Insolvency team and also the co-head of the Labour Law Practice team. With over 20 years' experience, she has extensive expertise in complex cross-border restructuring and insolvency cases. She also has plenty of experience supporting foreign clients on Japanese labor issues.

Yuri specializes in Restructuring and Insolvency and Labor Law. She is especially well-known in the restructuring market given her outstanding expertise and experience in cross-border restructuring



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and insolvency cases. She has plenty of experience providing foreign clients with restructuring and business closure of their Japanese subsidiaries. She also supports foreign clients on a wide range of labor issues, including labor disputes, personnel restructuring and general labor law matters daily. She is actively engaged in diversity & inclusion promotion activities. Utilizing her expertise as a labor-law specialist, as well as her experience as a member of the D&I promotion council at Nishimura & Asahi and as a director of LLAN (lawyers for LGBT & Allies Network), she has supported clients' D&I initiatives.

Valuation in Corporate Reorganizations

June 10, 2024, 1:50 PM – 3:05 PM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will discuss aspects such as the valuation methods generally used by insolvency courts in different jurisdictions, challenges associated with each valuation method, stages of the insolvency/restructuring procedures where valuation becomes more relevant, and actors involved in valuation dispute (appointment, remuneration, independence). It will also discuss valuation of companies whose main assets are data and intangible assets, as well as the impact of rising interest rates on valuations.

Panelists:

- **Angela Ee**, *Moderator*, Ernst & Young Solutions LLP, Singapore
- **Michael Katzenstein**, FTI Consulting, New York, NY, United States
- **Manoj Pillay Sandrasegara**, WongPartnership, Singapore
- **Tom Smith KC**, South Square, London, United Kingdom
- **Hon. Christopher S. Sontchi**, Singapore International Commercial Court, University of Chicago, Singapore

Angela Ee, Ernst & Young Solutions LLP, Singapore. Angela is EY Asean and Singapore Restructuring Leader at Ernst & Young Solutions LLP with extensive restructuring and insolvency experience across various sectors, particularly in oil and gas, and in real estate. She is a transaction advisory professional and has been with the London and Singapore member firms' offices for more than 20 years.

As a Capital Markets Services (CMS) licensed representative, she is experienced in restructuring and Judicial Management of listed companies. Angela has been involved in a variety of assignments ranging from problem loan workouts, insolvency, due diligence, valuations, mergers and acquisitions to dispute resolutions relating to clients involved in a wide range of industries.



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Additionally, Angela is a board member of the Insolvency Practitioners Association of Singapore (IPAS) and a committee member of IWIRC Singapore Network. She is a graduate of the University of Kent.

How Angela is building a better working world, "In the course of my work with clients that are stressed or distressed, I focus on helping them make the best of the situation by thoughtfully guiding them through the challenges they face and developing workable services. I am committed to obtaining an appropriate outcome for stakeholders in difficult circumstances. This helps to build a better working world for EY clients, their employees and their communities."

Michael Katzenstein, FTI Consulting, New York, NY, United States. Michael Katzenstein is Leader of the Interim Management Practice. Mr. Katzenstein specializes in-court and out-of-court restructurings and has led engagements across many industries including traditional and new media, entertainment, technology, bio-technology, telecommunications and other subscriber-based businesses and investment funds and fund liquidations. He has decades of cross-border restructuring experience and is called upon to advise in many of the largest and most complex situations.

Mr. Katzenstein's roles have included: CRO of the Zohar funds, Cayman funds in Chapter 11; CRO of Global Cloud Exchange, an international carrier; Chapter 11 financial advisor to OneWeb, a global satellite operator; Chapter 11 financial advisor to Internap, a data services provider; Chapter 11 financial advisor to Fuse Media, traditional and new media; Chapter 11 financial advisor to Synergy Pharmaceuticals, a specialty drug company; Chapter 11 financial advisor to Fusion Telecom, telecom services; Chapter 11/CCAA financial advisor to Nortel, \$4 billion cross-border bondholders, global telecoms equipment enterprise; CRO and Interim CEO, SFX Entertainment, global live events enterprise; CRO Digital Domain, special effects and media company; CRO and Interim CEO GSI Group (now Novanta), global photonics and precision-based equipment and systems; Chapter 11 financial advisor to Official Committee of Creditors of Nextel International, international telecommunications; Chapter 11 financial advisor to Official Committee of Creditors of M*Modal, a medical transcription business.

Mr. Katzenstein is regularly called upon to lead and assist in implementing strategy for companies in financial or operating distress or transition. His clients include large and mid-sized corporations and many major financial institutions and hedge funds.

Mr. Katzenstein served as Chairman of the Board of Directors at Caribbean Asset Holdings, cable television, ILEC and competitive wireless operations in the U.S. Virgin Islands, British Virgin Islands and St. Maartin. He also served as Chairman of the Board of Directors and member of the executive and audit committees at RCN, a business/enterprise CLEC and broadband services provider in major U.S. markets. Mr. Katzenstein also served on the Board of Directors and audit committee at Sun-Times Media Group, which owned and operated more than 30 newspaper titles in the greater Chicago market and the Board of Directors at GSI Group. Mr. Katzenstein is a Post-Effective Liquidating Trustee for the Sun-Times estate and serves as monitor for the benefit of claimant trusts in the first St Vincent's hospital restructuring.



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Mr. Katzenstein has served on many occasions, as a consulting or testifying witness on industry and corporate governance issues and has significant testimony experience, including in his capacity as CRO or financial advisor in restructuring proceedings. He began his career as a mergers and acquisitions and securities lawyer and was a partner in a New York law firm.

Manoj Pillay Sandrasegara, WongPartnership, Singapore. Manoj Pillay Sandrasegara is Co-Head of WongPartnership's Special Situations Advisory Practice and a Partner in the Indonesia Practice. He leads the firm's cross-border restructuring practice in Asia and is globally ranked as a pre-eminent Tier 1 practitioner having extensive experience in complex cross-border debt restructurings act for borrowers, court-appointed administrators and special situation investors.

Manoj is the Chairman of the Insolvency Practitioner's Association of Singapore and an elected member of the International Insolvency Institute and an advisory board member of the Singapore Management University's Singapore Global Restructuring Initiative. He was appointed by the Ministry of Law to the Committee to establish Singapore as a debt restructuring center in Asia. Manoj is also a regular speaker on the international circuit on cross-border restructurings.

He is described as "the doyen of the restructuring Bar" by *Chambers Asia-Pacific – Asia-Pacific's Leading Lawyers for Business* and is known to be "the first port of call for any major restructuring in the market for the last few decades." *The Legal 500: Asia Pacific – The Client's Guide to the Asia Pacific Legal Profession* recognizes Manoj as a "leading individual" for Restructuring & Insolvency in Singapore and he is listed as a "Elite Practitioner" in *Asialaw Profiles – The Guide to Asia-Pacific's Leading Law Firms*, he is noted for his "standout reputation in the field". He was commended by *Chambers Global – The World's Leading Lawyers for Business* for his depth of experience in advising Chinese companies on their debt restructuring and is described as "incredibly strategic and always looking two steps down the road - absolutely brilliant".

Tom Smith, KC, South Square, London, United Kingdom. Tom Smith KC specializes Tom specializes in commercial litigation and arbitration, banking and finance, corporate insolvency and restructuring and company law including investment funds (hedge funds and private equity) and civil fraud and asset recovery.

Tom is an experienced advocate in both court litigation and arbitrations. He has extensive experience of major commercial trials. He has also been involved in many of the major restructuring and insolvency cases in recent years, including significant Supreme Court and Privy Council decisions in the fields of banking, insolvency and restructuring and investment funds. Tom frequently appears as an advocate both in England and in other jurisdictions including the Cayman Islands, the British Virgin Islands, Dubai, Bermuda, Trinidad and Tobago and Gibraltar.

Tom is described as very bright, quick-witted, and very approachable. He is named by Chambers and Partners as a leading silk in seven areas (banking & finance, chancery: commercial, commercial dispute resolution, company, fraud: civil, restructuring/insolvency and offshore) and as a star individual in restructuring and insolvency.



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Tom is Head of Chambers at South Square. He is also a member of the Financial Markets Law Committee and a Deputy High Court Judge, Chancery Division.

Hon. Christopher S. Sontchi, Singapore International Commercial Court, University of Chicago, Singapore. Christopher S. Sontchi is an International Judge of the Singapore International Commercial Court (SICC) and is the former Chief Judge of the United States Bankruptcy Court for the District of Delaware where he served for 16 years. He is a frequent speaker in the United States and abroad on issues relating to corporate reorganizations, having made over 100 appearances.

He is a Lecturer in Law at The University of Chicago Law School and has taught restructuring to international judges with the World Bank Group, most recently in the People's Republic of China. He is also a member of the Singapore International Arbitration Centre, International Insolvency Institute, Judicial Insolvency Network, National Conference of Bankruptcy Judges, American Bankruptcy Institute and INSOL International. He was recently inducted into the American College of Bankruptcy. In addition, he is a member of the International Advisory Council of the Singapore Global Restructuring Initiative and the Founders' Committee for The University of Chicago Law School's Center on Law and Finance.

Justice Sontchi has testified before Congress on the safe harbors for financial contracts. He has also published articles on creditors' committees, valuation, asset sales, and safe harbors.

Justice Sontchi attended the University of North Carolina at Chapel Hill where he was elected to Phi Beta Kappa. He received his J.D. from The University of Chicago Law School, after which he returned to his native Delaware to serve as a law clerk in the Delaware Supreme Court.

Distressed M&A: Trends and Challenges

June 10, 2024, 3:20 PM – 4:35 PM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will discuss current trends and practices in M&A transactions in distressed situations, as well as some of the legal, regulatory and other types of challenges for the development of a market for distressed assets/debt.

Panelists:

- **Debra Grassgreen**, *Moderator*, Pachulski, Stang, Ziehl & Jones, San Francisco, CA, United States
- **Stephen E. Hessler**, Sidley Austin LLP, New York, NY, United States
- **D.J. Miller**, Thornton Groat Finnigan LLP, Toronto, ON, Canada
- **Ashok Kumar**, BlackOak LLC, Singapore
- **Adrián Thery Martí**, Garrigues, Madrid, Spain



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Debra Grassgreen, Moderator, Pachulski, Stang, Ziehl & Jones, San Francisco, CA, United States. Debra Grassgreen, immediate past president of the International Insolvency Institute, is a senior partner in Pachulski Stang Ziehl & Jones' San Francisco office and chairs the firm's international insolvency practice. She has significant experience representing debtors, trustees, and creditors' committees in large and complex chapter 11 cases nationwide and internationally in the technology, media, telecommunications, and life sciences industries both in and out of court. Some of her more notable engagements include representing solar power manufacturer Solyndra, American Suzuki Motor Corporation, Mesa Airlines, and the creditors (including abuse survivors) in the Weinstein Company chapter 11 case. In addition, Ms. Grassgreen has represented high profile individuals, including boxer Mike Tyson and singer Toni Braxton, among others.

Ms. Grassgreen, an American College of Bankruptcy Fellow, has held a variety of leadership positions in prestigious insolvency organizations including the International Women's Insolvency & Restructuring Confederation and the American College of Bankruptcy, chairing its Insolvency Committee and, currently, is its 9th Circuit Regent. For the past ten years, she has participated in the United Nations Commission on International Trade Law's Working Group V and its expert group meetings as an NGO delegate. She is widely regarded as a leading expert on cross border restructuring matters and frequently speaks and writes on cross border matters and others.

Ms. Grassgreen has garnered several accolades for her work in the insolvency arena. Last year, the Los Angeles and San Francisco Daily Journal named Ms. Grassgreen to its list of "Top Bankruptcy Lawyers" in California and, for several years, has listed Ms. Grassgreen as one of its "Top Women Lawyers." In 2021, the International Women's Insolvency and Restructuring Confederation selected her as its 2021 "Woman of the Year in Restructuring." She holds Chambers USA's highest rank (Band 1) in Bankruptcy/Restructuring and Martindale-Hubbell's highest recognition for ethical standards and legal ability (AV Preeminent). She is listed in Who's Who Legal: Thought Leaders—Global Elite; Lawdragon as one of its 2023 and 2022 "500 Leading U.S. Bankruptcy & Restructuring Lawyers" and one of its 2020 "500 Leading Global Restructuring & Insolvency Lawyers;" and in "Best Lawyers in America" (every year since 2001) for her work in both Bankruptcy and Creditor Debtor Rights/Insolvency and Reorganization Law and Litigation - Bankruptcy.

Ms. Grassgreen is a graduate of the University of Florida, where she also received her J.D., and is admitted to practice in Florida as well as California.

Stephen E. Hessler, Sidley Austin LLP, New York, NY, United States. Stephen Hessler is the leader of Sidley's global Restructuring group and a member of the firm's Executive Committee. In his more than two decades of experience, he has represented debtors, creditors, and investors in large and complex Chapter 11 cases, out-of-court restructurings, asset acquisitions, and related litigation. Steve has counseled clients across a broad range of industries, including telecommunications, travel, energy, gaming, real estate, financial institutions, and manufacturing.



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He led the company-side representation of some of the most significant Chapter 11 reorganizations in recent history, including Frontier Communications and Windstream Holdings, and represented the purchasers of Hertz Global Holdings in their Chapter 11 cases.

Steve has consistently been recognized as a leading Bankruptcy/Restructuring lawyer by Chambers USA (2015–2023), with sources in the 2022 edition noting he is an “excellent corporate bankruptcy counsel, and a brilliant strategist and tactician.” Sidley’s Restructuring group is also regularly ranked as a leading practice in *Chambers Global*, *Chambers USA*, and *Chambers UK* (2012–2022). The group was shortlisted for 2023 Bankruptcy “Law Firm of the Year” by *Chambers USA*.

Steve is a frequent lecturer and author on various restructuring-related topics. In fall 2023, he co-taught Corporate Governance: Board and Director Roles in Critical Decisions at the University of Chicago Booth School of Business. For nearly a decade, Steve co-taught a restructuring class at the University of Pennsylvania, most recently as an Adjunct Full Professor of Finance at the Wharton School, and received the Wharton Teaching Excellence Award in 2019, 2020, and 2021. He also co-founded the University of Pennsylvania Institute for Restructuring Studies, a multidisciplinary initiative intended to address topical restructuring issues and influence the public policy debate in a manner that has practical application for investors, practitioners, academics, and regulators.

In 2023 and 2018, Steve testified before the Senate Judiciary Committee, and in 2017, 2015, and 2014 he testified before the House Judiciary Committee, on various amendments to reform the Bankruptcy Code. He also has published multiple articles in legal and mainstream publications and organized or participated in multiple seminars on these topics.

He is the founder and chair of Leadership in Financial Education, a nonprofit that provides innovative and experiential workshop learning to New York City high school students. Steve is also currently a director, and for almost 15 years was the board chair, of Futures and Options, Inc., a 501(c)(3) organization that places students from New York City high schools in paid and mentored internships at private sector and nonprofit firms. He is the former chair of the Advisory Board on Administrative Claims, Critical Vendors, and Other Pressures on Liquidity for the American Bankruptcy Institute’s Commission to Study the Reform of Chapter 11 (2012–2015).

D.J. Miller, Thornton Grout Finnigan LLP, Toronto, ON, Canada. D.J. is a leading restructuring lawyer in national and cross-border / multi-jurisdictional matters. She is known for her deep knowledge of the domestic and international insolvency frameworks and has built a reputation for applying strategic skills to achieve precedent-setting outcomes for her clients.

D.J. is considered “go-to” counsel for clients requiring creative advice both within, and outside of, formal insolvency proceedings. She has appeared as counsel at all levels of Court in Canada on behalf of clients, and regularly works with lenders, companies experiencing financial distress or their stakeholders, landlords and court-appointed monitors and receivers. She is often retained by



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lawyers, financial advisors and stakeholders from other jurisdictions who request advice in connection with Canadian insolvency and cross-border matters.

D.J. is consistently recognized as a leading practitioner in insolvency litigation and financial restructuring. In particular, she has been recognized by Chambers Canada and Chambers Global where she is described by interviewees as “extremely strategic”. She has been named Insolvency Litigator of the Year four times by Benchmark Canada Litigation, appeared multiple times in the Top 50 Women Litigators in Canada and is listed in various ranking publications, including Who’s Who Legal, Best Lawyers in Canada and Lexpert. In 2023, D.J. was the recipient of IWIRC’s global recognition as Woman of the Year in Restructuring.

Passionate about the advancement of the practice of insolvency law, D.J. has been actively involved with multiple professional organizations throughout her career, including serving on various boards and executive committees. D.J. has also developed course materials and served as guest lecturer on insolvency law at several law schools in Ontario. She regularly speaks at conferences and is the author of papers on various issues affecting her clients.

Ashok Kumar, BlackOak LLC, Singapore. Ashok is a well-respected veteran in the area of corporate restructuring and insolvency, with 30 years of experience in legal practice. Handling both the contentious and non-contentious aspects of this practice on cross-border as well as domestic deals, Ashok regularly acts for debtors, creditors, financial institutions, funds and insolvency professionals, providing practical solutions when companies are in a distress or near-distress situation. Ashok is consistently named as a leading lawyer in this practice area in various reputable ranking publications, including Chambers Asia-Pacific, IFLR 1000, Benchmark Litigation, Legal 500, Asialaw, Who’s Who Legal, and Best Lawyers International.

Ashok has also contributed significant time and resources towards the development of the corporate restructuring and insolvency field in Singapore and the region. He sits on various committees and has released various publications related to his core practice area.

Adrián Thery Martí, Garrigues, Madrid, Spain. Adrian Thery heads the Restructuring & Insolvency Department in Madrid. He advises debtors or their stakeholders on out-of-court restructurings, as well as on in-court restructuring or insolvency proceedings, both domestic or cross-border.

Member of the Group of Experts on restructuring and insolvency law (E03362) established to assist the European Commission (DG Justice) in relation to the preparation of legislative proposals and policy initiatives.



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Insolvency Proceedings without Insolvency?

June 10, 2024, 4:50 PM – 6:05 PM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will discuss whether any type of financial condition should be required for the initiation of insolvency and restructuring procedures. It will also discuss different experiences around the world: from countries/procedures requiring default or actual insolvency to countries moving from actual or imminent insolvency to “likelihood of insolvency” to those procedures not requiring any formal financial condition such as the scheme of arrangement. It will also discuss some recent cases and developments in countries not formally requiring a financial condition for the initiation of insolvency proceedings where certain courts have required the existence of financial distress. The panel will discuss the practical implications associated with requiring a financial condition for the initiation of insolvency proceedings, such as whether the measures imposed by insolvency law interfering with creditors’ rights are justified as well as whether a reorganization/liquidation procedure of solvent companies would be recognized under the Model Law on Cross-Border Insolvency.

Panelists:

- **Céline Domenget-Morin**, Weil, Gotschal & Mages LLP, Paris, France
- **Blossom Hing**, Drew & Napier LLC, Singapore
- **Dan T. Moss**, Jones Day, Washington DC, United States
- **Karen Fellowes KC**, Stikeman Elliott, Calgary, Vancouver, Canada
- **Javier Lorente**, *Moderator*, Estudio Lorente & Lopez, Buenos Aires, Argentina

Céline Domenget-Morin, Weil, Gotschal & Mages LLP, Paris, France. Céline Domenget-Morin is a partner in Weil’s Restructuring Department, based in the Firm’s Paris office.

She specializes in guiding distressed corporations, as well as their shareholders and creditors, through judicial or out-of-court restructurings. She also provides knowledgeable, value-driven advice to investors seeking opportunities, including in distressed businesses.

Céline draws on her broad experience in French and European restructuring and insolvency law to handle complex out-of-court (mandat ad hoc and conciliation) and insolvency proceedings (safeguard, accelerated safeguard, and bankruptcy).

Céline has also significant experience in distressed M&A and insolvency proceedings litigation.

Prior to joining Weil, Céline was a partner at a large global law firm where was head of the Paris Restructuring team.



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Céline is fluent in French and English.

Blossom Hing, Drew & Napier LLC, Singapore. Blossom's practice is focused on disputes as well as debt restructuring and insolvency work. She is actively involved in court (appearing as lead counsel before the Singapore High Court and Court of Appeal) and arbitration (SIAC, ICC, LCIA, HKIAC, AIAC and IICRA) work, handling derivative actions, shareholder, corporate and commercial disputes. She works extensively with clients based in Indonesia, China, Hong Kong, the US and Europe as well as Singapore.

Blossom is on the panel of arbitrators of the SIAC and HIAC. She is also a member of the court of arbitration of the Abu Dhabi International Arbitration Centre and a council member of the ICC Institute. Blossom has also been recognised in The Legal 500 Asia Pacific, Chambers Asia-Pacific, IFLR1000, asialaw Leading lawyers, asialaw Profiles and Best Lawyers International for her dispute resolution and restructuring/insolvency work.

Blossom was named Litigator of the Year in Southeast Asia in both 2021 and 2023 Asian Legal Business (ALB) Women in Law Awards, and she was also identified as one of Asia's top 50 most highly recommended arbitration and litigation practitioners in ALB's Asia Super 50 Disputes Lawyers in 2021. Earlier in 2020, she won the Woman Lawyer of the Year (Law Firm) in the 2020 ALB SE Asia Law Awards.

Dan T. Moss, Jones Day, Washington DC, United States. Dan Moss has significant experience in business finance and restructuring, with a particular focus on complex corporate and cross-border reorganizations, distressed acquisitions, and crypto-related matters. He represents debtors, creditors, and creditor committees in significant corporate and government reorganizations and counsels clients on avoidance litigation and corporate governance matters.

Dan served as co-lead counsel for Diebold Nixdorf in its successful restructuring in 71 days of more than \$2.7 billion in funded debt in the first-ever dual proceeding under the United States Bankruptcy Code and Dutch restructuring law. He was also co-lead counsel for the Official Committee of Unsecured Creditors in the Toys "R" Us Property Company I and Peabody Energy chapter 11 cases. Further, Dan played a significant role in the City of Detroit's chapter 9 case — from litigating the City's eligibility for chapter 9 to plan confirmation.

In connection with Jones Day's representation of the Chapter 7 Trustee of Anthracite Capital, one of the largest chapter 7 cases ever filed, Dan oversaw all aspects of this engagement, which resulted in a recovery of approximately \$47 million for the estate and a release of more than \$33 million in secured affiliate claims. He also was a member of the team that represented Chrysler in the sale of its assets to Fiat.



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Dan also devotes time to monitoring various legislative proposals pending in Congress that would amend the Bankruptcy Code and pro bono activities such as the representation of disabled veterans. He is an active leader of INSOL International and writes frequently about cross-border restructuring matters.

Karen Fellowes KC, Stikeman Elliott, Calgary, Vancouver, Canada. Karen Fellowes, KC is Senior Counsel in our Advocacy Group, and the Western Canadian Leader for our national Restructuring & Insolvency Group. Her practice is based in Calgary and Vancouver, and she serves clients throughout Western Canada. Karen specializes in protecting the interests of banks, secured lenders, unsecured creditors, landlords and tenants, debtors, suppliers and other stakeholders in commercial re-organizations, workouts, restructurings and proceedings under the Bankruptcy and Insolvency Act, Companies' Creditors Arrangement Act and court-appointed receiverships.

Karen also specializes in asset tracing and recovery and has contributed to and attended the UNCITRAL Group V sessions on this subject at their meetings in New York (2022) and Vienna (2021).

She also represents clients in commercial disputes including litigation, mediation, and arbitration, and is called to the Bars in each of Ontario, Alberta, and British Columbia.

In 2020, Karen was recognized in the Lawdragon 500 Leading Global Bankruptcy & Restructuring Lawyers list. She has been awarded the Fetner Award for outstanding international member of the International Women's Insolvency and Restructuring Confederation, and awarded a Women of Inspiration (Integrity) Award from the Universal Women's Network (2020).

She was also honoured with a King's Counsel (KC) appointment in 2020, a prestigious designation conferred on members of the legal profession to recognize their distinguished service and expertise in a particular area of law.

In 2022, Karen was invited to join the International Insolvency Institute (III), an invitation-only membership of the most senior, experienced and respected practitioners, academics, judges and financial industry professionals in the world, dedicated to improving international cooperation in the insolvency field.

Karen is also a frequent presenter at conferences and seminars on insolvency-related matters and women's leadership.

Karen is the Chair of the International Women's Insolvency and Restructuring Confederation (IWIRC), and co-founder and past Chair of the Western Canada Network of IWIRC, which was awarded the Ryan Award for outstanding network under her leadership. She is also a member of the Editorial Board for Practical Law Canada's Insolvency module and is Secretary of the Board for the Advocates Society Insolvency Practice Group.



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An active volunteer, Karen is the President and Chair of the Board for Pro Bono Law Alberta, where she was involved in developing the training program for lawyer and Trustee volunteers at legal advice clinics. She was awarded the “Volunteer of the Decade” (Building Blocks Award for Contributions to Program Development) by Pro Bono Law Alberta in 2017.

In 2018, Karen travelled to Kathmandu, Nepal to teach commercial arbitration and commercial law to female Nepalese lawyers.

As a volunteer member of the Law Society of Alberta’s Conduct Committee, a mentor with the Law Society’s Mentor Express program, and a volunteer with the Consumer Debt Negotiation Project, she helped consumers deal with the economic impact of the COVID-19 pandemic.

Karen is also on the Expert’s panel for the Canadian Climate Law Initiative at UBC, and speaks to Boards of Directors on climate risk, opportunities, and liabilities.

Before joining Stikeman Elliott, Karen practiced at another major global law firm.

Javier Lorente, Estudio Lorente & Lopez, Buenos Aries, Argentina. Javier is internationally recognized as a specialist in insolvency and complex commercial issues. He is constantly consulted by companies and lawyers on matters of concern.

For more than 30 years, he has represented debtors and creditors in bankruptcy proceedings, corporate matters and commercial litigation. He has been appointed as an Expert Witness in bankruptcy proceedings brought by a foreign debtor, all of which are filed before the United States Federal Bankruptcy Court, Southern District of New York.

Javier is a regular Adjunct Professor of Commercial Law, Faculty of Law, University of Buenos Aires (U.B.A.) and the Universidad Católica Argentina (U.C.A.) and of different postgraduate courses.

He has participated and participates in countless congresses and conferences in the country and abroad, speaking on topics of his specialty.

He is the author of several published books (and participations in books), as well as more than ninety articles published by specialized journals both nationally and internationally.

He has been recognized for several years by Apertura Magazine as one of the 50 most recognized lawyers in Argentina and by Chambers & Partners internationally.

He is currently a member of the International Bar Association, INSOL International (member of the Latin American Committee from 2008 to date), the International Insolvency Institute (member of the Board of Directors period 2019/2021), Founding Partner of the Ibero-American Institute of Bankruptcy Law and member of the Argentine Institute of Commercial Law.

Prior to becoming a partner at Lorente & Lopez, he was a partner at Vanasco Law Firm and NTMDALL.



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UNIDROIT Bank Liquidation Legislative Guide

June 11, 2024, 9:00 AM – 10:15 AM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will discuss the UNIDROIT Bank Liquidation Legislative Guide.

Panelists:

- **Professor Mathias Haentjens**, Leiden University, Leiden Law School, Leden, The Netherlands
- **Professor Janis Sarra**, University of British Columbia, Peter A. Allard School of Law, Vancouver, Canada
- **N.S. Vishwanathan**, Axis Bank, Mumbai, India
- **Professor Ignacio Tirado**, *Moderator*, UNIDROIT, University of Madrid, Madrid, Spain

Mathias Haentjens, Leiden University, Leiden Law School, Leden, The Netherlands. Since Professor Haentjens studied Greek and Latin at the University of Amsterdam (BA cum laude), and obtained his master's degree in 2001. He became a teacher of Classics and later obtained a master's degree in Law (cum laude) in 2003 at the University of Amsterdam. He obtained his PhD at the University of Amsterdam in 2007 and has been a visiting scholar at Université de Paris II (Panthéon-Assas), Harvard Law School and New York University School of Law.

Between 1 August 2012 and 31 December 2022, Matthias was a Professor of Private Law, specialising in financial law. He has held the chair for Civil Law since 1 January 2023.

Since 2016, Professor Haentjens was a Deputy Judge at the Court of Amsterdam, and since 2020, he has been a member of the Supreme Court Bar Committee. He advises several national and international law-making bodies. He was a member of the EU Commission's Expert Group for the Law Applicable to Securities and Claims and advised the Dutch government on the Securities Transfer Act. He has been a member of the UNIDROIT Working Groups for Digital Assets and Private Law and Bank Insolvency and is an elected member of several international professional organisations, including the International Insolvency Institute, the European Law Institute and the European Banking Institute, where he is Secretary to the Academic Board.

Prior to joining Leiden Law School, Professor Haentjens worked as an attorney at De Brauw Blackstone Westbroek. In this capacity, he handled cases both as a transaction lawyer and as a Supreme Court litigator. In 1 January 2023, he rejoined De Brauw as a part-time attorney.

Professor Haentjens is primarily interested in property law, tort law, private international law and Supreme Court litigation. His research focuses on how traditional systems of law cope with modern developments such as digital assets and emission rights. The interaction between EU law and national private law, and between private law and public law, is another key area of interest. Is our private



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legal system prepared for the next few decades, and when we will have to address climate change and digitalisation?

Professor Haentjens' key publications include his legislative advice for the Association of International Insolvency Law 'COVID-19 as a stress-test for insolvency law' (2021, in Dutch), his book 'Financial Collateral: Law and Practice' (Oxford University Press, 2020) and his inaugural address at Ghent University entitled 'Incoherence United, Private Law Concepts under Pressure of EU Financial Law' (Tijdschrift voor Privaatrecht 2017/III, in Dutch).

His research is part of the Coherent Private Law research programme.

Professor Haentjens is responsible for both undergraduate (Law and International Business Law) and graduate courses (Civil Law) and teaches various seminars.

Janis Sarra, University of British Columbia, Peter A. Allard School of Law, Vancouver, Canada.

Dr. Janis Sarra served as UBC Presidential Distinguished Professor from 2014 to 2019, an appointment by the President to recognize a faculty member that has made outstanding contributions as a scholar and academic leader. Prior to this appointment, Dr. Sarra served as Director of the Wall Institute for Advanced Studies at UBC. Dr. Sarra is Professor of Law at the Peter A. Allard School of Law and founding Director of the National Centre for Business Law. She served as Associate Dean of the Allard School of Law until 2007, with oversight of development, strategic planning, alumni relations and communications. Dr. Sarra is the Principal Co-investigator of the Canada Climate Law Initiative, a research collaboration between UBC and York University and is Canadian investigator of the Commonwealth Climate and Law Initiative at Oxford University.

Dr. Sarra's research and teaching interests are in the areas of corporate finance, climate-related financial risk and corporate governance, banking law, securities law, contracts, commercial insolvency law and law and economics. In 2004, she was awarded the title of Distinguished University Scholar for her scholarship in corporate and securities law. She has published ten books and more than one hundred refereed articles in climate governance, corporate finance, corporate governance and management, securities law and commercial insolvency law.

Dr. Sarra also served as Senator of the University of British Columbia from 2003 to 2008. She is a board member of the International Insolvency Institute and a director of Assuris. She was previously Director of the Canadian Insolvency Foundation, a director of the Canadian Insolvency and Restructuring Professionals Association and on the board of the British Columbia Law Institute. For more than twelve years, Dr. Sarra served as a commercial arbitrator and labour mediator/arbitrator. Dr. Sarra previously served as Vice-Chair of the Ontario Pay Equity Hearings Tribunal, as well as Vice-Chair of the Canadian Social Assistance Review Board. She holds five degrees from the University of Toronto in Political Science, Economics and Law. She previously taught at the University of Toronto Faculty of Law and the Ryerson University School of Business. Former posts also include Board Member, Ontario Labour Relations Board, Senior Research Associate Ontario Legislative Assembly



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and Executive Assistant, Metropolitan Toronto Municipal Council, and Research Associate, Health Advocacy Unit.

Dr. Sarra's contributions to public policy development include: member of the Canadian delegation of the United Nations Commission on International Trade Law (UNCITRAL) Working Group V, 2008-2020, Vienna and New York; World Bank Insolvency and Creditors Rights Task Force, Working Group on Insolvency of Non-Bank Financial Institutions, 2009, Washington, DC; Experts Committee, Expert Witness, Senate Committee on Banking Trade and Commerce, Review of Insolvency Legislation, February, 2008, Ottawa; Member, Ontario Attorney General's Interministerial Task Force on Administrative Tribunals.

Recent books include *From Ideas to Action: Governance Paths to Net Zero* (forthcoming Oxford University Press, 2020); *Predatory Lending and the Destruction of the African-American Dream*, with Cheryl Wade (Cambridge University Press, 2020); *Rescue!* (Carswell Thompson, 2014); *The 2020 Annotated Bankruptcy and Insolvency Act*, (Carswell Thomson, 2020); *Securities Law in Canada, Cases and Commentary*, with M. Condon, A. Anand and S. Bradley (Emond Montgomery, 2017); *Director and Officer Liability in Corporate Insolvency*, with R.B. Davis (Butterworths, 2010); *The Treatment of Employee Wage and Pension Claims in Insolvency, A Comparative Study of 62 Jurisdictions* (Thomson Reuters, 2008), *Business Organizations: Principles, Policy and Practice* (Emond Montgomery, 2008), with R. Yalden et al; *Creditor Rights and the Public Interest, Restructuring Corporations* (University of Toronto Press, 2003). Dr. Sarra was editor and contributing author of *An Exploration of Fairness: Interdisciplinary Inquiries in Law, Science and the Humanities* (Carswell, 2013) and *A Voice for Many* (2012). She served as Editor in Chief of the *Annual Review of Insolvency Law*, Canada's leading refereed annual volume of insolvency law theory, policy and practice for 16 years; and was editor in chief and contributing author of *Corporate Governance in Global Capital Markets* (UBC Press, 2003).

Nurani Subramanian Vishwanathan, Axis Bank, Mumbai, India. N.S. Vishwanathan, has been a career Central Banker and is the non executive chairman of Axis Bank. He joined the Reserve Bank of India ("RBI") in 1981 as a Direct Recruit Officer and rose through the rank and retired as Deputy Governor in March 2020.

He has varied experience as a central banker, including handing administrative functions for RBI. As the Deputy Governor, he has handled the Banking, non-banking and cooperative banking regulation, governance, internal control, risk management functions and human resource management of RBI and enforcement.

During his illustrious career, he handled the role of Director – Supervision Bank of Mauritius (Central Bank of Mauritius) and acted as the Chief Vigilance Officer and Head of Internal Audit, Industrial Financial Corporation of India. He was also a member of the Board of Securities and Exchange Board of India (SEBI) between July 2016 and March 2020.



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He has been invited to be a member of various international committees and organisations and has also been part of various domestic bodies / committees.

He holds a master's degree in economics and a bachelor's degree in arts from Bangalore University and has completed an advanced leadership programme from Judge Business School, Cambridge University, UK.

Prof. Ignacio Tirado, UNIDROIT, University of Madrid, Madrid, Spain. Currently the Secretary General of UNIDROIT, Professor Ignacio Tirado teaches commercial law (corporate, securities, banking, and insolvency law) at the Universidad Autónoma of Madrid (Spain). He holds a Ph. D. from the University of Bologna, a Ph. D. from the Universidad Autónoma of Madrid, and an LLM from the University of London. He is a tenured visiting Professor of the University of Rome, where he is coordinator of the Comparative Law module of the LLM on Business Restructuring. He has been visiting scholar at several other universities, including: the University of British Columbia, the China University of Law and Political Science, the University of Hong Kong, the University of Turin, the Humboldt University of Berlin, and the Universidad Adolfo Ibáñez of Santiago de Chile.

Ignacio is Senior Legal Consultant at the World Bank (first at the Legal Vice-Presidency, now at the Financial Sector Practice). In this role, Ignacio has participated, among other, in the assessment and/or reform of the insolvency and creditors' rights systems of Mexico, Peru, Paraguay, Poland, Kosovo, Romania, Albania, Ukraine, Kenya, Kazakhstan, Maldives or Bangladesh. Assessments and technical assistance included banking risk management, credit information systems, secured transactions, credit enforcement, out of court arrangements and insolvency proceedings, as well as the institutional framework in charge of implementing the said regimes. He is a member of the Insolvency and Creditors' Rights Regimes World Bank Task Force since 2010.

Since 2013, Ignacio has been a consultant on insolvency-related matters to the IMF's Legal Department. Among other assignments, he has participated in Article IV consultations in Spain. Since 2016, Ignacio also works as Consultant for the Private Sector Development Initiative of the Asian Development Bank.

Ignacio has represented the World Bank in UNCITRAL's Working Group V (insolvency) and Spain and the International Insolvency Institute in Working Group VI (secured transactions). He is a Director at the International Insolvency Institute, where he is the Co-Chair of the Academic Committee. He has published extensively in the fields of sovereign insolvency, corporate insolvency, banking, and corporate law, both in international and national law reviews and publications, and is a regular speaker at national and international events.



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Navigating Financial Distress in Emerging Economies

June 11, 2024, 10:30 AM – 11:45 AM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will cover issues such as insolvency risks and practical challenges/tips when dealing with financial distress in emerging economies, as well as advantages/challenges associated with choosing foreign jurisdictions for a corporate restructuring.

Panelists:

- **Steven Kargman**, *Moderator*, Kargman Associates, New York, NY, United States
- **Luis Fernando Palomino Bernal**, Palomino, Flores, Hernández Abogados, Mexico City, Mexico
- **Cyril Schroff**, Cyril Armarchand Mangaldas, Mumbai, India
- **Hon. Daniel Carnio Costa**, (ret.) São Paulo, Brazil
- **Prof. Winifred Mary Tarinyeba-Kiryabwire**, Makerere University School of Law, Kampala, Uganda

Steven Kargman, *Moderator*, **Kargman Associates, New York, NY, United States**. Steven T. Kargman, a leading expert on international restructurings, is the Founder and President of Kargman Associates, a New York City-based strategic advisory firm specializing in international restructurings. The firm provides strategic advice to clients involved in complex and challenging International restructuring, distressed debt, non-performing loan (NPL) and cross-border insolvency/ restructuring situations.

Mr. Kargman has had extensive front-line experience and played a leadership role in many of the largest and most complex restructurings in the emerging markets. He is frequently invited to speak at major professional, industry and academic conferences around the world and holds leadership positions in prominent professional organizations dedicated to international restructuring and international insolvency.

He was formerly Lead Attorney and the senior restructuring lawyer with the Export-Import Bank of the United States, the official export credit agency of the US government, in Washington, D.C. and represented the US Government in many of its largest corporate debt restructurings in the emerging markets. At Ex-Im Bank, he specialized in restructuring and project finance transactions in the emerging markets and served as the principal attorney for the Bank's Asset Management Division (the Bank's Division responsible for restructurings and workouts).

He has worked on major restructuring and project finance transactions throughout Latin America and Asia in such countries as Brazil, China, Colombia, India, Indonesia, Mexico, the Philippines, Singapore, Turkey and Venezuela. Among other major transactions, he worked on the \$13.9 billion Asia Pulp & Paper restructuring as well as two of the most significant project finance restructurings in Indonesia,



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the Paiton and Jawa power project restructurings. He was also involved with the Dabhol power project restructuring in India, and he worked on some of the largest restructuring matters in Mexico and elsewhere in Latin America. [[> go to Representative Transactions](#)]

He has interacted with senior officials in the private and public sectors throughout Latin America and Asia, and he has worked closely with officials in the US Treasury Department, the US State Department (both at main State as well as with embassies overseas), and the Overseas Private Investment Corporation (OPIC). He has also worked closely with senior officers of other creditor institutions, both public and private, in the US and abroad (e.g., Europe, Asia, etc.) and has played a leadership role on several creditor steering committees and organized and led several export credit agency working groups.

He previously served as General Counsel of the New York State Financial Control Board, New York State's chief financial oversight agency for New York City, practiced corporate finance with the international law firm of Debevoise & Plimpton in New York, and served as a law clerk to the Hon. Gilbert S. Merritt of the U.S. Court of Appeals for the Sixth Circuit.

He has appeared on panels and lectured widely around the world—in Africa, Asia, Europe, Latin America and North America—on international restructuring and project finance topics. He has testified before the United States Senate and has addressed the United Nations General Assembly's Second Committee (Economic and Financial Committee). In August 2004, he served as a visiting lecturer for a course on international law in Rio de Janeiro sponsored by the Organization of American States and he is a regular lecturer on international restructuring topics at the International Law Institute in Washington, DC.

He has lectured in major cities throughout the United States, and he has also lectured in numerous foreign cities, including Bangkok, Beijing, Berlin, Cartagena (Colombia), Chandigarh (India), Dublin, Entebbe (Uganda), Frankfurt, Geneva, Guanajuato (Mexico), Hanoi, Ho Chi Minh City, Hong Kong, Jakarta, Kampala (Uganda), Kuala Lumpur, Lagos (Nigeria), London, Madrid, Mexico City, Munich, Naples, New Delhi, Ottawa, Paris, Rio de Janeiro, Rome, Sao Paulo, Salzburg, Seoul, Shanghai, Shenzhen, Singapore, Tokyo, Vancouver, and Warsaw.

In addition, among other speaking engagements, he has lectured and appeared on panels before the American Bankruptcy Institute, the American Bar Association, the Asian Institute of International Financial Law, the Association of the Bar of the City of New York (Committee on Project Finance), the Asan Plenum (Asan Institute for Policy Studies), the Business Recovery & Insolvency Practitioners Association of Nigeria (BRIPAN), the Center for American and International Law (formerly known as the Southwestern Legal Foundation), the Center for Law for Law and Globalization (affiliated with the American Bar Foundation and the University of Illinois College of Law), Centre for International Governance Innovation (CIGI), The Fletcher School of Law and Diplomacy, the Forum on Asian Insolvency Reform (FAIR), Harvard Asia Business Conference, INSOL Europe, INSOL India, INSOL International, Institute of Chartered Accountants of Nigeria (ICAN), Instituto Colombiano de Derecho



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Concursal (Colombia), Instituto Federal de Especialistas de Concursos Mercantiles (IFECOM-Mexico), the International Bar Association, the International Insolvency Institute, the Institute of Asian-Pacific Business Law, the International Law Association (American Branch), the International Project Finance Association, the Inter-Pacific Bar Association, the National University of Singapore Centre for the Study of Commercial Law, the New York State Bar Association, the United States-Mexico Law Institute, the U.S. Department of State Advisory Committee on Private International Law, the Wharton Restructuring Conference, and the Yale Law School Center for the Study of Corporate Law. [[go to Speaking Engagements](#)]

He has published numerous articles on topics concerning international finance and international restructuring/insolvency, and emerging markets in leading professional publications, including Annual Review of International Insolvency, Business Law International (a publication of the International Bar Association), China Business Review, Financier Worldwide, International Corporate Rescue, The International Economy, INSOL World (a publication of INSOL International), Insolvency and Restructuring International (a publication of the International Bar Association), International Financial Law Review, The Journal of Private Equity, The Journal of Structured and Project Finance, and Marine Money. His publications include a three-part series in International Financial Law Review on the major challenges of emerging market restructurings, an article in the Spring 2005 issue of The Journal of Private Equity-Special Turnaround Management Issue entitled "Opportunities and Pitfalls in Emerging Market Restructurings: A Strategic Perspective," and major articles analyzing and commenting on newly adopted insolvency laws in Brazil and China. [[go to Publications](#)]

He served as a member of the official United States delegation to the Working Group on Insolvency of the United Nations Commission on International Trade Law (UNCITRAL) for the Working Group's project on the development of a legislative guide for insolvency law and has been a member of the American Bar Association delegation for the UNCITRAL Working Group's project on the treatment of corporate groups in insolvency and subsequent projects. He has also been an advisor to the World Bank, the United Nations and the U.S. Department of State on international insolvency and restructuring issues.

He has served as Professor from Practice and as a Member, Affiliated Transnational Faculty at Peking University School of Transnational Law (STL) in Shenzhen, China which is the only law school in China offering a US JD-style legal education. Since 2010, he has taught courses to graduate Chinese law students at STL on "International Debt Restructuring in a Global Economy," "Advanced Topics in International Debt Restructuring and Cross-Border Insolvency," "Sovereign Debt Restructuring," and "International Finance." In addition, from 2001-2004 he served as an Adjunct Professor at American University's Washington College of Law for a course on international project finance.

He is a Founding Member and served as a two-term member of the Board of Directors of the International Insolvency Institute, a leading invitation-only international insolvency organization of prominent insolvency professionals from around the world. He has served as Co-Chair of the



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Institute's Committee on Sovereign Insolvencies and has served as Rapporteur for the Institute's Committee on Extraordinary Restructuring Solutions. He also serves as Vice-Chair of the UNCITRAL Coordinating Committee and formerly served as Co-Chair of the Subcommittee on International Bankruptcy of the American Bar Association's Business Bankruptcy Committee. He is a Fellow of the American College of Bankruptcy, an invitation-only honorary association of leading bankruptcy and insolvency professionals, and serves as a member of the advisory board of the Institute of Asian-Pacific Business Law. In addition, he is a member of INSOL International, the International Bar Association, the Inter-Pacific Bar Association, the Association of the Bar of the City of New York, and the American Bankruptcy Institute, the National Committee on American Foreign Policy, the American-Indonesian Chamber of Commerce, and the Yale Club of New York City.

In recent years, Mr. Kargman has traveled to virtually all major regions of the globe and has visited literally dozens of countries around the world, including: Austria, Brazil, Canada, China, Colombia, Costa Rica, Czech Republic, Dominican Republic, Egypt, France, Gabon, Germany, Greece, Hong Kong (SAR), Hungary, India, Indonesia, Ireland, Italy, Jamaica, Japan, Korea, Malaysia, Mexico, Morocco, Nigeria, Philippines, Poland, Singapore, Spain, Sweden, Switzerland, Tanzania, Thailand, Tunisia, Turkey, Uganda, United Kingdom, and Vietnam.

Luis Palomino, Palomino, Flores, Hernández Abogados, Mexico City, Mexico. Luis Palomino has been a trial lawyer since 1996. He specializes in financial restructuring and insolvency proceedings. He specializes in litigation and negotiations between Partners and Shareholders. He is a director of various business groups. He is Managing Partner of the firm "Palomino, Flores, Hernandez, Abogados", with offices in Mexico City and Guadalajara.

Cyril Shroff, Cyril Amarchand Mangalda, Mumbai, India. Cyril Shroff is the Managing Partner of Cyril Amarchand Mangaldas since May 2015 and previously was the Managing Partner of Amarchand & Mangaldas & Suresh A. Shroff & Co.

With over 41 years of experience in a range of areas, including corporate and securities law, disputes, banking, bankruptcy, infrastructure, private client, financial regulatory and others. He is consistently ranked as "eminent practitioner" in India by *Chambers Global* and often regarded as the "**M&A King of India**" and regularly recognized as an award-winning professional across various practices and recognized as "**Thought Leader Global Elite for M&A and Governance**" by *Who's Who Legal* 2022.

Hon. Daniel Carnio Costa, São Paulo, Brazil. Hon. Daniel Carnio Costa sat as bankruptcy judge in São Paulo/Brazil from 2011 to 2023. He is the current secretary-general of the National Forum of Bankruptcies of the National Council of Justice of Brazil (CNJ). He earned his Master and PhD in law in Brazil, Master on comparative law at Samford University in the USA and was a post-doctor fellow at University of Paris 1 - Panthéon/Sorbonne. He also served as Guest Professor at California Western School of Law and is a Permanent Professor of Business Law at PUC/SP.



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Dr. Winifred Mary Tarinyeba-Kiryabwire, Makerere University School of Law, Kampala, Uganda,

Dr. Winifred Tarinyeba-Kiryabwire is an Associate Professor and attached to chair Commercial Law Department. She teaches the Law of Business Associations, Corporate Governance and Corporate Finance Law.

She is a Commonwealth and Fulbright Scholar and has received several fellowships including the Robert S. McNamara Fellowship of the World Bank, Fellow of the Stanford Program in International Legal Studies and the Cambridge Commonwealth Society Fellowship. Dr. Tarinyeba is a Fellow of the Uganda National Academy of Sciences (UNAS). Dr. Tarinyeba was appointed Independent Non-Executive Director on the MTN Uganda Limited Board of Directors and as Board Member of the International Insolvency Institute.

The Model Law on Cross Border Insolvency: Reflections, Benefits and Challenges Ahead

June 11, 2024, 1:15 PM – 2:30 PM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will discuss the adoption and advantages of the Model Law on Cross-Border Insolvency, as well as some of the challenges that need to be addressed to facilitate the adoption of the Model Law on Cross-Border Insolvency and foster cooperation in cross-border insolvency cases.

Panelists:

- **Scott Atkins**, Norton Rose Fulbright, Sydney, Australia
- **Harold Foo**, Parliamentary Affairs at the Ministry of Law, Singapore
- **John Marsden**, Mayer Brown, Hong Kong.
- **Prof. Irit Mevorach**, University of Warwick, Coventry, United Kingdom
- **The Hon. Paul R. Heath KC**, High Court of New Zealand, Auckland, New Zealand

Scott Atkins, Norton Rose Fulbright, Sydney, Australia. Scott Atkins serves as global co-head of financial restructuring and insolvency, the firm's Australian chair, and head of the Australian risk advisory practice. In 2023 he was the global chair of Norton Rose Fulbright.

Scott is an internationally acclaimed industry leader in restructuring and insolvency, as well as risk, governance and complex litigation. He has more than 25 years' of industry experience and is based in Sydney.

Scott has one of the most reputable restructuring and insolvency practices in the Asia-Pacific, having been recognised as Australia's only Eminent Practitioner for this category in the Chambers and Partners regional legal rankings for each of the last three years. Scott's gravitas and deep industry knowledge, experience and insights see him shape the global policy and regulatory agenda in the



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restructuring and insolvency industry and act on some of the most high-profile and precedent setting insolvency matters in the world.

Scott is recognised for his leading experience in cross-border insolvency, acting on both inbound engagements in Australia and advising clients on outbound engagements in jurisdictions including the United States, the United Kingdom, the Cayman Islands, Hong Kong, New Zealand, Indonesia, Singapore, Nauru and the Netherlands. Scott has also led capacity building, policy development and reconstruction projects across a broad range of countries, including the developing economies of Myanmar, Armenia, Bhutan, Brunei, Nauru and Indonesia. These projects have enhanced economic and financial stability and leveraged public and private sector funding, foreign investment, and development finance to unleash the economic potential of these nations.

In Myanmar, Scott led a team which drafted a new insolvency and restructuring framework, culminating in the passage of Myanmar's Insolvency Law in February 2020. This work was transformative in Myanmar's modernisation process, and the legislation now serves as a best practice model for other nations as they seek to strengthen their domestic and cross-border insolvency regimes to underpin financial and economic stability.

Scott is also president and an inaugural fellow of INSOL International, the peak global restructuring and insolvency professional organisation consisting of over 11,000 members. Scott is currently leading the design and implementation of INSOL's 2030 Strategic Plan, which seeks to drive change and transformation across both INSOL and the broader insolvency ecosystem, leading to enduring contributions to global economic growth, financial stability and the enrichment of communities in emerging markets.

Additionally, Scott serves as immediate past president of the Australian Restructuring Insolvency and Turnaround Association (ARITA), Australia's restructuring and insolvency professional association with over 2,200 members.

In the risk space, Scott established the firm's dedicated risk advisory practice in October 2018, the first of its kind among Australian law firms. The success and impact of this practice has since been the focus of a Harvard Law School case study.

Scott's risk advisory practice leverages the capability of a team of multi-disciplinary personnel across the world and traverses a multitude of complex, rapidly evolving legal, regulatory and ESG issues – including cybersecurity, data protection and privacy, money laundering and financial crime, corporate governance and culture, the challenges posed by technological change and disruption, and the business risks and opportunities arising from the global transition to net zero emissions. Scott acts for public and private sector organisations and their officers across various key industries and sectors, including energy and resources, government, banking, and finance, fintech, transport, infrastructure, food, agribusiness and tourism.

From 2019 to 2021, Scott was joint Solicitor Assisting the Inquiry conducted by the Honourable P A Bergin SC into Crown Casino, established by the NSW Independent Liquor and Gaming Authority. The inquiry has been instrumental in effecting wide-spread change and regulatory scrutiny across the



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casino and gaming industry, and in the regulation of money laundering and organised crime in Australia and across the Asia-Pacific region.

Scott has also been a global thought leader on novel and emerging issues such as the commercialisation and governance of outer space, and the complexities arising from cryptocurrency and the interplay of fintech and traditional finance and payment models.

Scott is recognised as a trusted advisor and a persuasive, effective leader and communicator. He regularly publishes thought leadership articles to a worldwide audience on the latest market developments, substantive law and policy reform and complex legal trends and emerging issues. He is also a sought-after speaker, and each year he presents at conferences, seminars and industry events across the world.

Harold Foo, Parliamentary Affairs at the Ministry of Law, Singapore. Harold Foo is a Deputy Director in the Policy Advisory Division and the Counsel for Parliamentary Affairs, at the Ministry of Law. He has been closely involved in insolvency policy development and legislative reform, including the Companies (Amendment) Act 2017 and the Insolvency, Restructuring and Dissolution Act 2018. Internationally, since 2019, he has been the Chair of UNCITRAL Working Group V (Insolvency Law).

Harold is a member of the International Insolvency Institute's NextGen Leadership Programme. He also co-authored a book on corporate insolvency titled Annotated Guide to the Singapore Insolvency Legislation—Corporate Insolvency. Prior to joining the Singapore Legal Service, Harold was part of an insolvency team at one of Singapore's largest law firms.

John Marsden, Mayer Brown, Hong Kong. John Marsden represents clients in commercial and corporate financing matters; non-performing loan disposals; and large-scale, multi-jurisdictional restructurings or insolvencies such as the Asia Pulp and Paper, Pacific Andes, Sapura, Cell C, Lehman Brothers, and Vietnam Shipbuilding Industry Group transactions.

During a three-year placement in the Shanghai office, John advised on substantial property acquisition and financing transactions.

Clients served by John include most of the prominent regional financial institutions and financial advisers.

Prof. Irit Mevorach, University of Warwick, Coventry, United Kingdom. Irit Mevorach is a Professor of International Commercial Law. Before joining Warwick, Irit held a Chair at the University of Nottingham and was the founder and co-Director of the University of Nottingham Commercial Law Centre. Irit holds LLB and LLM degrees from Tel-Aviv University, and a PhD (UCL, London 2006). Between 1998-2003, she practised law at Lipa Meir & Co (Tel-Aviv, Israel). Since 2006, Irit has been acting as an expert adviser to the UK government's delegation to UNCITRAL. In 2013, Irit was appointed Senior Counsel to the World Bank and headed the Bank's Global Initiative on Insolvency and Creditor/Debtor Regimes (2013-2015). In that capacity, she advised governments of some ten countries on reform of business and personal insolvency and creditor/debtor systems and headed the Bank's Global Task Force on Insolvency and Creditor Rights. Irit was awarded British Academy grants for her empirical and comparative research in the area of cross-border insolvency, and her



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academic and policy work has influenced law reform in Europe and globally. She was elected to the International Insolvency Institute (III) membership in 2012, she was the co-Chair of the III academic wing between 2020-2023, and she is currently a board member of the III. She has been elected to the American College of Bankruptcy (international fellow, from 2019), is a member of INSOL, ILA, CERIL, the IEEI, and the World Bank Task Force on Creditor-Debtor Regimes and Insolvency. Irit is on the Editorial Board of the Global Restructuring Review and the Spanish Journal of Insolvency and Restructuring, the International Advisory Council of the Singapore Global Restructuring Initiative (SGRI), the advisory board of the UNIDROIT-Queen Mary Institute of Transnational Commercial Law, she is co-Chair of subgroup III of UNIDROIT Working Group on Bank Liquidation, the UK Correspondent, Case Law on UNCITRAL Texts, and was appointed from 2020 to the Lord Chancellor's Committee on Private International Law.

The Hon. Paul R. Heath KC, High Court of New Zealand, Auckland, New Zealand. Hon Paul Heath KC was called to the New Zealand Bar in 1978, practised as a barrister and solicitor until 1998, when he was appointed Queen's Counsel. In March 2002, after serving for five years as a consultant (two years) and member (three years) of the New Zealand Law Commission, Paul was appointed as a Judge of the High Court of New Zealand. Between 2003 and 2017, he sat as an ad hoc member of the Court of Appeal on numerous occasions, on both the Civil Appeal Division and Criminal Appeal Division. Paul was also a Commercial List Judge and a member of the Commercial Panel of the High Court when he retired from the Bench in April 2018, and joined Bankside Chambers. He is also an Associate at South Square in London, the leading set of insolvency and restructuring chambers.

Paul practises primarily as an arbitrator, both in domestic and international arbitrations. He also provides commercial mediation services and strategic advice in complex disputes, particularly in his specialist field of insolvency and restructuring. He is one of a number of members of Bankside Chambers who also have rooms at Maxwell Chambers in Singapore.

While a member of the New Zealand Law Commission (an independent statutory law reform agency), Paul was the Commissioner in charge of a project called Improving the Arbitration Act 1996. Although completed under Paul's supervision, a report was published in February 2003. A number of its recommendations were incorporated in 2007 Amendments to the Arbitration Act. After his retirement from the Bench, Paul was engaged to advise the Parliamentary Select Committee dealing with the Arbitration Amendment Bill then before Parliament.

Paul is a Fellow of the Chartered Institute of Arbitrators (UK) and a Fellow of the Arbitrators' and Mediators' Institute of New Zealand. He is on the panel of arbitrators available for appointment through the Singapore International Arbitration Centre and on the list maintained by the Hong Kong International Arbitration Centre. In New Zealand, he is a member of panels for the appointment of arbitrators that have been established by the Arbitrators' and Mediators' Institute of New Zealand and the New Zealand Dispute Resolution Centre.

In June 2019, he was appointed as a member of P.R.I.M.E Finance's Panel of Experts for Dispute Resolution. Paul is also available as an arbitrator and mediator through the Arbitration and Mediation Unit recently established by South Square in London. He is currently undertaking a number of both



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international and domestic arbitrations and has also been involved in a cross-border mediation held virtually.

Paul's specialist area of insolvency practice is cross-border insolvency. He was New Zealand's delegate to Working Group V of the United Nations Commission on International Trade Law and chaired two of its meetings when holding the position of Vice Chair. He has been involved in much judicial education in this area, most recently on assignments from the World Bank and INSOL International in both Mauritius and India. Paul has also been engaged by the Asian Development Bank as a consultant on court related projects in Myanmar and Sri Lanka. He is one of the co-consulting editors of the leading New Zealand text on insolvency law, Heath & Whale on Insolvency.

In recognition of his acknowledged skills in both insolvency and dispute resolution, Paul is currently Co-Chair of INSOL International's ADR Colloquium, which is considering how private dispute resolution can complement the role of courts in dealing with cross border insolvency disputes under legislation based (primarily) on the UNCITRAL Model Law on Cross Border Insolvency.

Paul is currently Chief Justice of the Pitcairn Islands and a Judge of the Court of Appeal of Tonga.

Developing a Market for DIP Financing

June 11, 2024, 2:45 PM – 4:00 PM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

Many countries around the world have adopted some forms of DIP financing provisions. Yet, they have not managed to develop a deep market for DIP financing. This panel will discuss why. To that end, it will discuss the market, legal, economic, regulatory, cultural and institutional barriers that may be preventing countries from developing a market for DIP financing. It will also suggest different steps and strategies for the development of a market for DIP financing.

Panelists:

- **Justice Amanda Cohen Benchetrit**, *Moderator*, Consejo General de Poder Judicial, Madrid, Spain
- **José Carles**, Carles Cuesta Abogados y Economistas, Madrid, Spain.
- **Tim Graulich**, Davis Polk, New York, NY, United States.
- **Neil McDonald**, Kirkland & Ellis, Hong Kong.

Justice Amanda Cohen Benchetrit, Consejo General de Poder Judicial, Madrid, Spain. Justice Amanda Cohen Benchetrit is a specialist magistrate by the General Council of the Judiciary in commercial matters, with her judicial career starting in the Provincial Court of Córdoba (First Section), where she occupies a place reserved for commercial specialists.



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Since February 2018, she has been advising the Ministry of Justice (General Directorate for International Legal Cooperation) on commercial matters, having intervened as an expert in the negotiations in the European Union of the so-called “Company Law Package” and of the Proposed Directive on restructuring of debts and second chances, among others. He also advises the Ministry of Economy (Treasury) in the negotiation before the Council of the EU of the Proposal for a Directive on accelerated execution of financial guarantees (AECE) and assists as a technician the Ministries of Justice and Foreign Affairs in the preparation of reports relating to the preliminary rulings that arise in matters of insolvency, companies, and banking law.

She is the representative of Spain (Head of the Spanish delegation) in the Working Groups I (SMEs) and V of UNCITRAL (Insolvency) and has been appointed as an expert representative in the working group on Company Law of the European Commission (since July 2018).

Justice Cohen Benchetrit is an associate professor at the University of Alcalá, and a member of the research group on bankruptcy law of the Department of Commercial Law of the Miguel Hernández University (Elche) and of the advanced research group in Company Law and the securities market (Alcalá).

She is an academic of the Royal Academy of Jurisprudence and Legislation of Spain and member of its Section of Private International Law, and also author of various publications on corporate law, bankruptcy law, banking law, antitrust and publicity. She has given courses and seminars in different institutions and professional associations, nationally and internationally, directed training courses for judges at the headquarters of the CGPJ and intervened in the training in insolvency matters of State Lawyers, also co-directing the National Congress of Company Law (annual), organized by the University of Malaga in collaboration with other institutions, of which three editions have already been held.

Her law degree is from the University of Granada.

José Carles, Carles Cuesta Abogados y Economistas, Madrid, Spain. José Carles has a degree in Law and a degree in Business Administration and Management from the Universidad Pontificia Comillas (ICADE E-3), Executive Master in Business Law from Harvard Law School and Garrigues Study Center, Specialization Program in Bankruptcy Administration at FIDE (2011) and INSOL fellow (2021). José has also worked as Professor of Bankruptcy Law (ICADE) since 2014.

In addition, he completed INSOL International's global insolvency practice course in 2019/2021 with honors and currently co-chairs the Legal Tech and Digital Assets Section of INSOL Europe and is co-editor of the prestigious specialized magazine of the same institution, Eurofenix.



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Specialized in business recoveries, bankruptcy proceedings and commercial litigation, José Carles is among the founding members of the Spanish Bankruptcy Law Club (CEDI) and is a member of the Group of Experts of the Restructuring and Insolvency Section of the Illustrious Bar Association of Madrid (ICAM), as well as the American Bankruptcy Institute, INSOL International or the International Insolvency Institute.

He is a regular speaker at major international forums and has more than 35 publications related to the practice of restructuring and insolvency.

Timothy Graulich, Davids Polk, New York, NY, United States. With deep experience in U.S. and international restructurings, including prepackaged and traditional bankruptcies and out-of-court workouts, Tim heads the Davis Polk international restructuring practice. He has deep experience in U.S. and cross-border restructurings, including in Bermuda, Brazil, Canada, Cayman Islands, China, Curaçao, England, Hong Kong, Ireland, Italy, Japan, Luxembourg, New Zealand, the Netherlands, Mexico, and Mongolia.

He has represented public and private companies, agent banks and lenders, acquirers and hedge funds in connection with prepackaged and traditional bankruptcies, out-of-court workouts, DIP and exit financings, bankruptcy litigation and section 363 sales.

Tim was named an “Outstanding Restructuring Lawyer” by Turnarounds & Workouts in 2018, after receiving the same honor five years earlier. He is an INSOL Fellow, co-chair of the USA/Canada/Caribbean Regional Committee of the International Insolvency Institute, and the co-chair of the Insolvent Financial Institutions Subcommittee of the Insolvency Section of the International Bar Association.

Neil McDonald, Kirkland & Ellis, Hong Kong. Neil McDonald comes to the aid of large global companies in financial distress. Bringing years of experience, a broad knowledge base and polished strategic skills, Neil advises on an expansive range of issues that arise in the restructuring and insolvency of troubled companies. Neil also advises financial institutions, insolvency appointment holders, turnaround management firms and hedge funds in respect of distressed situations. This includes helping clients source and maximize lucrative opportunities that manifest from financial distress.

Apart from his work in the distressed world, Neil is a market leader when it comes to assisting private equity firms involved in tricky portfolio entanglements in emerging markets. He is known for engineering creative and pragmatic “exit solutions” for private equity clients who have investments that are in trouble.



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Recognized as a leading lawyer for restructuring and insolvency by *The Legal 500 Asia Pacific*, *Chambers Asia-Pacific*, *Chambers Greater China*, *IFLR1000* and *PLC Which Lawyer?* guidebook, Neil leads the Firm's restructuring practice in Asia.

ESG and Insolvency

June 10, 2024 9:30 AM – 10:45 AM (75 minutes)

Marina Bay Sands Convention Center, 10 Bayfront Avenue, Marina Bay Sands, Singapore, 018956

This panel will discuss aspects such as the treatment of environmental claims in insolvency, mass torts, corporate governance of insolvent firms, and sustainable finance in the context of rescue financing. It will also include whether insolvency courts can or should consider ESG concerns in deciding whether to approve a restructuring plan (even if approved by the requisite majority of creditors) and more generally whether the purpose of insolvency proceedings has changed (or should change) due to the rise of ESG.

Panelists:

- **Luke Barefoot**, Cleary Gottlieb Steen & Hamilton LLP, New York, NY, United States
- **Sumant Batra**, Insolvency Law Academy, New Delhi, India
- **The Hon. Geoffrey B. Morawetz**, Ontario Superior Court of Justice, Toronto, ON, Canada
- **Antonia Menezes**, World Bank Group, Washington, D.C., United States
- **Christiaan Zijderveld**, *Moderator*, Houthoff, Amsterdam, The Netherlands

Luke Barefoot, Cleary Gottlieb Steen & Hamilton LLP, New York, NY, United States. Luke Barefoot's practice focuses on bankruptcy litigation, insolvency, corporate restructuring, and related litigation matters, with a focus on cross-border and international bankruptcy disputes.

Luke represents both debtors and creditors in restructuring matters, particularly contested matters where developing and executing on a litigation strategy can drive outcomes and recoveries. He is also active in the firm's pro bono practice.

Luke is recognized as a leading lawyer in restructuring by Chambers, Benchmark Litigation, IFLR1000 and The Legal 500. Additionally, he was named a "Rising Star" by Law360 and an "Outstanding Young Restructuring Lawyer" by Turnarounds & Workouts. He received a J.D. degree, with distinction, from Stanford Law School and a B.S. degree, with honors, from Cornell University. Luke joined Cleary Gottlieb in 2004 and became a partner in 2013.

Sumant Batra, Insolvency Law Academy, New Delhi, India. Sumant is an Indian lawyer with nearly three-decade global experience in the areas of insolvency and bankruptcy, creditors' rights, secured



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transactions framework, and corporate governance. Rated as India's No. 1 insolvency lawyer by Legal 500 for many consecutive years, he ranks among the top 30 leading insolvency experts identified by Global Restructuring Review.

An International Fellow of the American College of Bankruptcy, Distinguished Fellow of the Government of India Think Tank, the Indian Institute of Corporate Affairs, Sumant is Visiting Professor of National Law University, Delhi. He is the Founder President of Insolvency Law Academy, an institute of excellence in insolvency. He is leading cutting edge research and industry standard setting for robust insolvency system in India and beyond.

His work experience ranges from policy, legislation and regulations drafting to preparing global best practises, complimented by hands-on legal advisory and law practice in these areas, at international level and in India. His policy experience comes from over 15 years' engagement as senior consultant with the International Monetary Fund, the World Bank Group, Organisation for Economic Cooperation and Development, Asian Development Bank and other developmental institutions. This is complemented by over 25 years of hands-on law practice and consultancy on economic laws with focus on insolvency.

He holds the distinction of being the youngest and the first President of INSOL International from Asia thus far. In his ten-year stint on INSOL Board, Sumant was extensive involved in global bench marking and standard setting in the field of corporate and natural person insolvency.

His book Corporate Insolvency – Law & Practice is considered as the foremost work on fundamental principles and approach to insolvency system.

Batra has served in leadership position in large multiple organisations, and with long standing experience in policy work with various ministries and departments of the Government of India.

The Hon. Geoffrey B. Morawetz, Ontario Superior Court of Justice, Toronto, ON,

Canada. The Honourable Geoffrey B. Morawetz was appointed to the Superior Court of Justice of Ontario in 2005. He served as the Court's Team Leader of the Commercial List from 2010 to 2013, when he was appointed Regional Senior Justice for the Toronto Region. In this role, he heard civil, commercial, and Divisional Court matters. Prior to these appointments, he practised at Goodmans LLP and at the firm now known as Borden Ladner Gervais LLP.

Chief Justice Morawetz is a Fellow of the Insolvency Institute of Canada, a Fellow of the American College of Bankruptcy, and an editor of the Canadian Bankruptcy Reports.

In 2012, Chief Justice Morawetz was honoured with the Distinguished Service Award for Lifetime Achievement by the Emory Bankruptcy Developments Journal, which is based at Emory University School of Law in Atlanta, Georgia. In 2016, he was honoured with the Lifetime Achievement Award by the Insolvency Section of the Canadian Bar Association.



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Chief Justice Morawetz has lectured at universities in both Canada and the United States and has participated in a number of educational programs for the National Judicial Institute.

Since 2008, Chief Justice Morawetz has been an advisor to the Canadian Delegation at the United Nations Commission on International Trade Law - Insolvency Law.

Chief Justice Morawetz graduated from the University of Western Ontario Law School in 1978 and was admitted to the Ontario Bar in 1980.

Antonia Menezes, World Bank Group, Washington, D.C., United States. Antonia Menezes is a Senior Financial Sector Specialist with the Insolvency & Debt Resolution Team of the World Bank Group based in Washington D.C. The focus of her work is providing technical assistance and advice to governments on insolvency and debt resolution reforms, including legal aspects of NPL management, with a particular emphasis on work in Sub-Saharan Africa, the Caribbean and South Asia. She has assisted more than 50 countries in reforming and strengthening their insolvency and creditor/debtor regimes.

Ms. Menezes has published widely in the field of insolvency and represents the World Bank Group at Working Group V (Insolvency) of the United Nations Commission on International Trade Law (UNCITRAL). She is also a Co-Chair of the World Bank Group Insolvency & Creditor/Debtor Regimes (ICR) Task Force, which is responsible for testing and evaluating the effectiveness of the World Bank Group ICR Principles.

Prior to joining the World Bank Group, Antonia was a UK qualified solicitor at two leading international law firms in Paris and London. Ms. Menezes holds an LLM from McGill University, an LPC from the Oxford Institute of Legal Practice, and an LLB from the London School of Economics & Political Science. She is a Member of the International Insolvency Institute, a 2014 INSOL International Fellow and sits on the INSOL Fellow's Cross-Border Insolvency Committee.

Christiaan Zijderveld, Houthoff, Amsterdam, The Netherlands. Christiaan leads Houthoff's Insolvency & Restructuring practice.

He assists clients that face financial difficulties. He also assists creditors (e.g. financial institutions and hedge funds) with distressed investments. Christiaan has been involved in the insolvency matters of Lehman Brothers Treasury Co B.V., Lehman Brothers Securities N.V. (Curaçao) and DSB Bank.

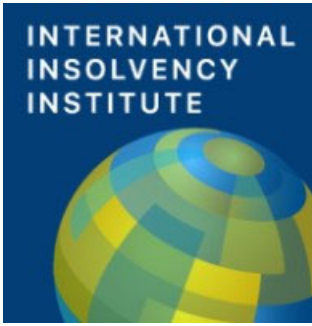
In recent years, much of Christiaan's work has focused on cases relating to the real estate sector, the retail sector, and the oil & gas/offshore sector. Recently Christiaan led the Houthoff team that advises on the cross-border restructuring of Agrokor, an Eastern European agri/food group. Christiaan leads the team that advises the committee responsible for drafting the Uniform Recovery Framework, a compensation scheme that allows Dutch SME's to be compensated for Interest Rate Derivatives they bought from the six largest banks in the Netherlands.



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Christiaan regularly lectures, including for the Grotius/INSOLAD programme and CPO (the foremost post academic legal course provider in the Netherlands). He also regularly publishes on subjects related to his field of work. Christiaan is a member of the Dutch Association of Insolvency Practitioners (INSOLAD), INSOL Europe and a Fellow of Insol International.



Summary **Agenda** Speakers
 Fees Delegates
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Agenda

Here's what's scheduled for the event.

All Dates 6/8-6/12	Saturday 6/8	Sunday 6/9	Monday 6/10	Tuesday 6/11	Wednesday 6/12
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Filters



June 8, 2024

5:30 PM ANET

NextGen Optional Event - Singapore River Cruise

5:30 PM-6:45 PM

64 spots left

7:00 PM ANET

NextGen Opening Reception

7:00 PM-10:00 PM

45 spots left

June 9, 2024

8:30 AM ANET

NextGen Class XIII Program: Light Breakfast, Welcome and Introductions

8:30 AM-9:10 AM

22 spots left

9:10 AM ANET

NextGen Class XIII-Sustainability in Insolvency and Restructuring Proc...

9:10 AM-10:05 AM



Thiago Braga Junqueira (NextG...
Pinheiro Neto Advogados



Carlo Ghia (NextGen)
Italian Ministry of Economic Develo...



23 spots left

9:30 AM ANET

Executive Committee Meeting

9:30 AM-11:30 AM

4 spots left

10:05 AM ANET

NextGen Class XIII-Getting to Know Asia

10:05 AM-11:00 AM



Eloise Matsui (NextGen)
Omni Bridgeway



Shuai Guo (NextGen)
China University of Political Science...



23 spots left

11:00 AM ANET

NextGen Class XIII: Break

11:00 AM-11:15 AM

21 spots left

11:15 AM ANET

NextGen Class XIII-Moot Court

11:15 AM-12:45 PM



Andrea Harris (NextGen)
Grant Thornton



Amelia Tan (NextGen)
Carey Olsen Singapore LLP



21 spots left

12:00 PM ANET

Judicial/Academic Buffet Lunch

12:00 PM-12:45 PM

31 spots left

12:45 PM ANET

Joint Academic and Judicial Session

12:45 PM-2:15 PM

NextGen Class XIII: Lunch

12:45 PM-1:30 PM

22 spots left

1:30 PM ANET

NextGen Class XIII: Quiz Time!

1:30 PM-2:00 PM



Guilherme Franca (NextGen)
Lollato lopes Rangel Ribeiro Advog...



Steven Golden (NextGen)
Pachulski Stang Ziehl & Jones



26 spots left

2:00 PM ANET

NextGen Class XIII-Treatment of Digital Assets, ICO's and Cryptocurre...

2:00 PM-2:55 PM



David Schiff (NextGen)
Davis Polk & Wardwell LLP



Emma Beechey (NextGen)
New Chambers



18 spots left

2:15 PM ANET

Academic Presentation-Open to All Attendees

2:15 PM-3:15 PM

41 spots left

Judicial Committee Business Meeting

2:15 PM-3:15 PM

18 spots left

2:55 PM ANET

NextGen: Induction of Class XIII

2:55 PM-3:10 PM

28 spots left

3:30 PM ANET

Women of III Afternoon Tea Event

3:30 PM-5:30 PM

Capacity full

6:00 PM ANET

Opening Reception

6:00 PM-7:30 PM

400 spots left

June 10, 2024

8:00 AM ANET

Continental Breakfast

8:00 AM-9:00 AM

New Members Breakfast

8:00 AM-9:00 AM

17 spots left

9:00 AM ANET

Keynote Address

9:00 AM-9:30 AM



Dilhan Pillay Sandrasegara
Temasek International Pte. Ltd., Singapore

9:30 AM ANET

Fireside Chat on Current Issues

9:30 AM-10:30 AM



Justice Kannan Ramesh
Supreme Court of Singapore, Singa...



Professor S. Jayakumar
Singapore



10:30 AM ANET

Break

10:30 AM-10:45 AM

10:45 AM ANET

Recovery, Valuation and Realisation of Digital Assets

10:45 AM-12:00 PM



Scott Barker
Buddle Findlay, Wellington, New Ze...



Andy Dietderich
Sullivan & Cromwell LLP, New York,...



12:00 PM ANET

III 2025 Conference Preview!

12:00 PM-12:15 PM

12:15 PM ANET

Buffet Lunch+Regional Breakouts

12:15 PM-1:50 PM

1:50 PM ANET

Valuation in Corporate Reorganisations

1:50 PM-3:05 PM



Angela Ee
Ernst & Young Solutions LLP, Singa...



Michael Katzenstein
FTI Consulting, New York, NY, Unite...



3:05 PM ANET

Break

3:05 PM-3:20 PM

3:20 PM ANET

Distressed M&A: Trends and Challenges

3:20 PM-4:35 PM



Debra Grassgreen
Pachulski, Stang, Ziehl & Jones, San ...



Stephen Hessler
Sidley Austin LLP, New York, NY, Un...



4:35 PM ANET

Break

4:35 PM-4:50 PM

4:50 PM ANET

Insolvency Proceedings without Insolvency?

4:50 PM-6:05 PM



Céline Domenget-Morin
Weil, Gotschal & Manges LLP, Paris,...



Karen Fellowes
Stikeman Elliott, Calgary, AB/ Vanco...



6:30 PM ANET

Legendary Dinner and Presentation of Outstanding Contribution and F...

6:30 PM-10:30 PM

116 spots left

June 11, 2024

7:30 AM ANET

Continental Breakfast

7:30 AM-8:00 AM

8:00 AM ANET

III Members Meeting

8:00 AM-9:00 AM

209 spots left

9:00 AM ANET

UNIDROIT Bank Liquidation Legislative Guide

9:00 AM-10:15 AM



Professor Mathias Haentjens
Leiden University, Leiden Law Scho...



Look-Chan Ho
Des Voeux Chambers, Hong Kong



10:15 AM ANET

Break

10:15 AM-10:30 AM

10:30 AM ANET

Navigating Financial Distress in Emerging Economies

10:30 AM-11:45 AM



Hon. Daniel Carnio Costa
National Forum of Bankruptcies of ...



Steve Kargman
Kargman Associates, New York, NY,...



11:45 AM ANET

Buffet Lunch

11:45 AM-1:00 AM

1:00 PM ANET

III Prize Presentation

1:00 PM-1:15 PM

1:15 PM ANET

The Model Law on Cross-Border Insolvency: Reflections, Benefits and C...

1:15 PM-2:30 PM



Scott Atkins
Norton Rose Fulbright, Sydney, Aus...



Harold Foo
Ministry of Law, Singapore



2:30 PM ANET

Break

2:30 PM-2:45 PM

2:45 PM ANET

Developing a Market for DIP Financing

2:45 PM-4:00 PM



José Carles
Carles Cuesta Abogados y Economi...



Justice Amanda Cohen Benchet...
Consejo General de Poder Judicial, ...



4:00 PM ANET

Break

4:00 PM-4:15 PM

4:15 PM ANET

ESG and Insolvency

4:15 PM-5:30 PM



Luke A. Barefoot
Cleary Gottlieb Steen & Hamilton L...



Sumant Batra
Insolvency Law Academy, New Delh...



5:30 PM ANET

Closing Reception

5:30 PM-6:15 PM

94 spots left

6:00 PM ANET

NextGen Closing Dinner

6:00 PM-10:00 PM

4 spots left

June 12, 2024

9:00 AM ANET

Board of Directors Meeting



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