



7th Annual TMA  
Western Regional  
Conference



*Turn The*  
**TIDE**



*conference planning*  
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*TMA Northern California Chapter*





# 7th Annual TMA Western Regional Conference

## ABOUT THE CONFERENCE

Hosted by the Arizona, Northern California, Rocky Mountain, and Southern California Chapters, education sessions at the TMA Western Regional Conference will focus on the theme of “Turn the Tide,” discussing pertinent industry topics and how to use that information to effect transformation. The turnaround industry requires professionals to make calculated decisions at critical times to see positive changes. Sometimes it’s about taking that next step to “Turn the Tide” and change the direction in which a business is headed.

## CONFERENCE AGENDA

WEDNESDAY, JULY 15	
8:00 a.m. – 8:30 a.m.	Golf Registration
8:30 a.m. – 1:00 p.m.	TMA Western Regional Conference Golf Tournament*
6:00 p.m. – 8:00 p.m.	Registration Open
6:30 p.m. – 8:00 p.m.	Opening Reception
THURSDAY, JULY 16	
8:00 a.m. – 1:30 p.m.	Registration Open
8:00 a.m. – 8:30 a.m.	Networking Breakfast
8:30 a.m. – 9:30 a.m.	Claims and Codes Case Study
9:30 a.m. – 10:00 a.m.	Sharpen Your Networking Tools
10:00 a.m. – 10:30 a.m.	Networking Break
10:30 a.m. – 11:45 a.m.	<b>Judges Roundtable</b> <i>Stern v. Marshall</i> Four Years Later: Crushing Wave or Calm Water?
Noon – 1:30 p.m.	Featured Speaker Luncheon
2:00 p.m. – 4:00 p.m.	Networking Activities**
6:00 p.m. – 8:00 p.m.	Networking Reception
FRIDAY, JULY 17	
8:00 a.m. – Noon	Registration Open
8:00 a.m. – 8:30 a.m.	Networking Breakfast
8:30 a.m. – 9:30 a.m.	Covering Your Bases: Providing Insurance for Your Directors and Officers
9:30 a.m. – 10:30 a.m.	TMA NextGen Panel: The Shifting Retail Landscape – Are America’s Malls Dying?
10:30 a.m. – 10:45 a.m.	Networking Break
10:45 a.m. – Noon	Cram-Down Interest Rates After <i>Momentive</i>
7:10 p.m.	Networking Baseball Outing*

\*Additional fee and pre-registration required.

\*\*Pre-registration required.

Schedule subject to change. Visit [tmawesternregional.org](http://tmawesternregional.org) for the latest agenda.





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*special*  
**EVENTS**





## TMA WESTERN REGIONAL CONFERENCE GOLF TOURNAMENT\*

Wednesday, July 15, 8:30 a.m. – 1:00 p.m. / Check-in at 8:00 a.m.  
Aviara Golf Club

Wind through the green rolling hills of the Aviara Golf Club, taste the salty air of the blue Pacific, and enjoy the spectacular views of the Bataquitos Lagoon. Named by *Golf Digest* and *Golf Magazine* as one of the best resort golf courses in America, and the #1 golf resort in San Diego according to the readers of *Conde Nast Traveler*, this championship Arnold Palmer 18-hole layout is the proud home to the 2015 LPGA Kia Classic.

The TMA Western Regional Golf Tournament will be played as a scramble format with a shotgun start at 8:30 a.m.

*\*Additional fee and pre-registration required.*



## STYLE YOUR SOLES\*

Thursday, July 16, 2:00 p.m. – 4:00 p.m.

You can truly make a local and global difference as you decorate and provide shoes for children in need in Southern California and in remote areas of the world. Enjoy a cocktail and get your creative juices flowing while using TOMS shoes as your actual canvas. Various themes and art supplies will be provided to help you use your imagination to sketch shoe designs.

*\*Pre-registration required.*



## CULINARY CREATIONS\*

Thursday, July 16, 2:00 p.m. – 4:00 p.m.

Start the afternoon off right as a mixologist creates cocktails to your taste, letting you in on their secrets as they demo different drinks. Drink in hand, join the award-winning Park Hyatt Aviara chefs as they teach and entertain with their step-by-step commentary on the preparation of Peruvian Ceviche and Corn Tortillas. At the conclusion of the lesson you will savor the fruits of your labor.

*\*Pre-registration required.*



## SAN DIEGO PADRES VS. COLORADO ROCKIES\*

Friday, July 17, 7:10 p.m.  
Petco Park

There's no better way to spend a summer night than at a baseball game. Attend this group outing for a chance to network and meet new people all while enjoying America's favorite pastime.

*\*Additional fee and pre-registration required. Transportation not included.*



# Education SESSIONS

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## CLAIMS AND CODES CASE STUDY

Thursday, July 16, 8:30 a.m. – 9:30 a.m.

What exactly is “successor liability” and is it something you should be worried about? Hear panelists review the doctrine of successor liability, explain the conditions under which successor liability claims may arise, and discuss various types of successor liability claims (product liability, labor & pension law, antitrust, etc.). Stay until the end to hear a case study of the section 363(f) sale that took place in the high-profile General Motors bankruptcy.

**Eric Goldberg**, DLA Piper LLP (*Moderator*)  
**Eve Karasik**, Levene, Neale, Bender, Yoo & Brill LLP  
**Sharon Kopman**, Hackman Capital Partners  
**Cynthia Nelson**, FTI Consulting

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## SHARPEN YOUR NETWORKING TOOLS

Thursday, July 16, 9:30 a.m. – 10:00 a.m.

This interactive session provides a structured environment for professionals to meet new referral sources at smaller breakout tables, improve their elevator pitch, and expand their network. Attendees have the chance to talk to their group about the specific referrals they are interested in and get immediate feedback on how to refine their pitch.

LEARN MORE AND REGISTER AT  
[TMAWESTERNREGIONAL.ORG](http://TMAWESTERNREGIONAL.ORG)



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## JUDGES ROUNDTABLE

### STERN V. MARSHALL FOUR YEARS LATER: CRUSHING WAVE OR CALM WATER?

Thursday, July 16, 10:30 a.m. – 11:45 a.m.

In 2011, the Supreme Court issued its controversial decision in *Stern v. Marshall*, 564 U.S. 2 (2011), causing a wave of uncertainty as to whether a bankruptcy court has constitutional authority to enter a final judgment in connection with numerous matters. Hear first-hand experiences on the actual impact *Stern v. Marshall* has had, how much of an issue the decision has really created, in what ways bankruptcy practice has changed, and the current majority and minority views as to the scope of the constitutional authority of bankruptcy courts.

**Hon. Martin Barash**,  
United States Bankruptcy Court,  
Central District of California

**Hon. Kevin Carey**,  
United States Bankruptcy Court,  
District of Delaware

**Hon. Peter Carroll**,  
United States Bankruptcy Court,  
Central District of California

**Hon. Howard Tallman**,  
United States Bankruptcy Court,  
District of Colorado

**Hon. William Thurman**,  
Chief Judge, United States Bankruptcy Court,  
District of Utah

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## COVERING YOUR BASES: PROVIDING INSURANCE FOR YOUR DIRECTORS AND OFFICERS

Friday, July 17, 8:30 a.m. – 9:30 a.m.

When a company and/or its officers and directors allegedly do something wrong, one of the most important assets for failed companies is their directors and officers (D&O) liability insurance policy. Realizing this, counsel and parties jockey to receive as much of the coverage as possible, often at the expense of the other party with rights to the insurance. Expert panelists will explore allocation issues and discuss potential avenues for maximizing insurance proceeds through D&O coverage.

**Lori Sinanyan**, Jones Day (*Moderator*)

**Les Brown**, Perkins Coie LLP

**Pat Donovan**, Cordes & Company

**Annette W. Jarvis**, Dorsey & Whitney LLP

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## TMA NEXTGEN PANEL: THE SHIFTING RETAIL LANDSCAPE – ARE AMERICA'S MALLS DYING?

Friday, July 17, 9:30 a.m. – 10:30 a.m.

America's retail landscape has experienced a dramatic secular shift in recent years due to economic turmoil, technological disruption, and changing consumer habits. Join us for a lively discussion as our panel of industry experts discusses the current and future state of mall-based retail in the U.S.

**David Shainberg**, Balmoral Funds LLC (*Moderator*)

**Craig Boucher**, Deloitte CRG

**Josh Fried**, Pachulski Stang Ziehl & Jones LLP

**James Rategan**, Hilco Global

**Andrea Weiss**, Balmoral Funds LLC

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## CRAM-DOWN INTEREST RATES AFTER MOMENTIVE

Friday, July 17, 10:45 a.m. – Noon

There is much to be learned from the *Momentive* case and other recent decisions addressing the appropriate interest rate to be paid to creditors under Bankruptcy Code § 1129(b) for claims in classes that do not consent to confirmation of a plan and related strategic issues. Join us for a detailed discussion of recent decisions and real world considerations.

**Jeffrey C. Krause**, Gibson, Dunn & Crutcher (*Moderator*)

**Hon. Mary Grace Diehl**,  
United States Bankruptcy Court,  
Northern District of Georgia

**Brad Hall**, AlixPartners

**Ivan R. Lehon**, Ernst & Young Capital Advisors

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### Continuing Education Credits

Education sessions at the TMA Western Regional Conference provide an advanced overview of topics related to the practice of corporate renewal and financial dealmaking. There is no prerequisite or advance study necessary. The conference is a "group-live" educational offering. CTP, CPE, and CLE credit is available (7.2 credits for a 50-minute hour or 6 credits for a 60 minute hour).

Turnaround Management Association is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be submitted to the National Registry of CPE Sponsors through its website: [learningmarket.org](http://learningmarket.org).



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## EARLY BIRD REGISTRATION AND HOTEL RESERVATION DEADLINE: **JUNE 23**

REGISTRATION RATES	EARLY BIRD / BEFORE JUNE 23	REGULAR / JUNE 24 - JULY 17
Member	\$595	\$695
Non-Member	\$895	\$995
Spouse/Guest	\$250	\$250

**GOLF TOURNAMENT FEE: \$225**  
**BASEBALL GAME: \$40**

**EARLY BIRD REGISTRATION: BEFORE JUNE 23**  
**REGULAR REGISTRATION: JUNE 24 - JULY 17**



LEARN MORE AND REGISTER AT [TMAWESTERNREGIONAL.ORG](http://TMAWESTERNREGIONAL.ORG)

*conference*  
**REGISTRATION**



## REGISTRATION FEES

Registration fees include education sessions, meals, and networking receptions. Events are not prorated. To attend any portion of the conference, you must register for the entire conference at the appropriate registration fee. The registration fee allows admission for one individual only. Registrations may not be shared. Each registered attendee will receive a name badge at the conference that must be worn for admittance into all events.

## REGISTRATION LIST DEADLINE & DISTRIBUTION POLICIES

To ensure your inclusion on the registration list, your registration form and payment must be received at TMA Global's offices by 11:59 p.m. Central on Monday, July 6. Registered attendees will receive an advance copy of this list via email approximately one week prior to the conference. Following the conference, a final registration list will be emailed to all registered attendees. The final registration list will include the names of all conference attendees, including those individuals who registered after the registration list deadline.

## PROMOTION CODES

If you have a promotion code, it must be presented when registering. Refunds will not be given for promotion codes received after registration is submitted.

## CANCELLATION POLICY

Notification of cancellation must be submitted in writing (email is acceptable). Cancellations will not be reviewed or processed until they are received in writing. Phone cancellations are not accepted. Cancellations received on or before June 30, will be refunded less a \$250 processing fee. Refunds will be issued no later than August 8. Cancellations received after June 30, will not be refunded.

## SUBSTITUTION POLICY

Substitutions are permitted. Substitutions must be submitted in writing (email is acceptable) for TMA consideration. Phone substitutions are not accepted. Please note that substitutions made after Monday, July 6 may not be reflected on the registration list. The substitute must be from the same firm as the original registrant and the substitution notice must contain accurate contact information for the new registrant; otherwise, TMA cannot guarantee an accurate listing on the registration list. Substitute registrants with different membership status and/or registration category will be invoiced the difference in registration fees.

## ATTIRE

Recommended attire for education sessions and social functions is business casual.

## About TMA

Turnaround Management Association is the leading organization dedicated to turnaround management, corporate restructuring, and distressed investing. Established in 1988, TMA has more than 9,300 members in 49 chapters worldwide, including 31 in North America. Members include turnaround practitioners, attorneys, accountants, investors, lenders, venture capitalists, appraisers, liquidators, executive recruiters, and consultants, as well as academic, government, and judicial employees.







*hotel*  
**RESERVATIONS**

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**Park Hyatt Aviara**  
7100 Aviara Resort Drive  
Carlsbad, California 92011

**Online Reservations:** [tmawesternregional.org](http://tmawesternregional.org)  
**Reservations Phone:** 760-603-6888  
**Discounted Room Rate:** \$259 plus taxes

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**Reservation Deadline: Tuesday, June 23**

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TMA strongly encourages you to make your hotel reservation early, as the hotel and discount block may sell out prior to June 23, the reservation deadline. After the deadline, reservations will be accepted on a space-available basis and higher rates may apply. To receive the discounted room rate, please mention TMA when making your reservations.



# Thank you SPONSORS

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## ITEM/EVENT SPONSORS





Turnaround Management Association  
150 North Wacker Drive, Suite 1900  
Chicago, IL 60606 USA



## 7th Annual TMA Western Regional Conference

Early bird and hotel reservation deadline: [June 23](#)

July 15-17, 2015 / Park Hyatt Aviara / Carlsbad, California / [tmawesternregional.org](http://tmawesternregional.org)