



III NextGen Leadership Program and Class V Induction

June 5, 2016: Tokyo, Japan

TMI ASSOCIATES
Roppongi Hills Mori Tower
Tokyo Courtesy of III Member
Mitsue Aizawa



CONFERENCE FACULTY

Mitsue Aizawa

TMI Associates, Tokyo

Donald S. Bernstein

Davis Polk & Wardwell LLP, New York

Alan Bloom

Ernst & Young, London

Prof. Hon. Samuel L. Bufford

Pennsylvania State University,
University Park, PA

Thomas M. Gaa

Bialson, Bergen & Schwab, Palo Alto

Prof. Christoph Paulus

Humboldt University, Berlin

Hon. James M. Peck

Morrison & Foerster LLP, New York

CONFERENCE CO-CHAIRS

E. Bruce Leonard

Miller Thomson LLP, Toronto

Maurice Fleming

NextGen Nomination Director
Miller Thomson LLP, Toronto

Franca Tibando

NextGen Executive Director
Miller Thomson LLP, Toronto

Shinichi Abe

Kasumigaseki International Law Office
NextGen Tokyo Organizing Committee

III Chairman's Welcome

The International Insolvency Institute congratulates the Members of Class V on their induction into the III NextGen Leadership Program, and extends a warm welcome to everyone to the III's 16th Annual Conference in Tokyo, Japan.

The III is dedicated to advancing and promoting insolvency as a respected discipline in the international field. Its primary objectives include improving international co-operation in the insolvency area and achieving greater co-ordination among nations in multinational business reorganizations and restructurings. The III's membership is drawn from the most senior and respected insolvency practitioners, judges and academics in the world and it has valuable liaisons with many of the most senior regulatory and administrative professionals in the insolvency field.

Through the III NextGen Leadership Program, the III invites the next generation of leading restructuring and insolvency professionals and academics to be part of an inspiring organization. The III's objective in establishing the NextGen Leadership Program is to encourage interest and provide opportunities for younger members of the insolvency community to become active in the complexities of international insolvencies. Now in its fifth year, the NextGen Leadership Program creates opportunities for the next generation of insolvency professionals and academics to connect with their contemporaries from around the world and to develop a wonderful international network of like-minded colleagues.

The III is proud of the program that has been developed by Members of the III NextGen Leadership Program. In particular, we express our appreciation to our Tokyo Host Committee led by **Mitsue Aizawa** and, in particular, to **Shin Abe** who was tireless in putting together the arrangements for a successful NextGen Program in Tokyo. We are grateful to the III Members who served as Chairs for the panel presentations in Tokyo, namely, **Mitsue Aizawa** (TMI Associates), **Donald S. Bernstein** (Davis Polk & Wardwell), **Alan Bloom** (E&Y), **Professor Hon. Samuel L. Bufford** (Penn State University), **Thomas M. Gaa** (Bialson, Bergen & Schwab), **Hon. James M. Peck** (Morrison & Foerster) and **Professor Christoph Paulus** (Humboldt University). They have guided the creation, development and analysis of crucial issues and developments in the international insolvency area and directed the preparation and presentation of terrific papers on those topics by Members of the III NextGen Leadership Program. Congratulations are in order for everyone who participated in the preparation and presentation of the III NextGen Leadership Program in Tokyo. We commend the Members of the NextGen Leadership Program for their vision and extraordinary effort in putting our Tokyo Program together and very much appreciate the outstanding Faculty of III Members who offered their time, energy and commitment to supporting this very successful Program.



Bruce Leonard
Chair, International Insolvency Institute
Toronto

Sunday, June 5, 2016 - Summary of Events

III NextGen Leadership Program and Class V Induction

(TMI Associates, Roppongi Hills Mori Tower, Tokyo Courtesy of III Member Mitsue Aizawa)

8:00 a.m. – 8:30 a.m.	Registration and Refreshments
8:30 a.m. – 8:45 a.m.	Welcome to Tokyo (Mitsue Aizawa, TMI Associates)
8:45 a.m. – 9:00 a.m.	Introduction and Welcome (Bruce Leonard)
9:00 a.m. – 9:10 a.m.	Introduction and Organizational Outline (Franca Tibando)
9:10 a.m. – 10:00 a.m.	<p>Use of Arbitration Procedures in International Insolvency Cases</p> <p>Chair: Prof. Hon. Samuel L. Bufford, Penn State University, University Park, PA</p> <p>Panelists: Kizzy L. Jarashow, Goodwin Procter LLP, New York Stacy A. Lutkus, Drinker Biddle & Reath LLP, Albany, New York Iván Josué Romo Valdovinos, Sonpetrol México, México</p>
10:00 a.m. – 10:45 a.m.	<p>Management Responsibilities in Insolvency Situations</p> <p>Co-Chairs: Donald S. Bernstein, Davis Polk & Wardwell LLP, New York Nicholas A. Segal, Freshfields Bruckhaus Deringer LLP, London</p> <p>Panelists: Thomas Piro, Kvale Advokatfirma DA, Oslo Samantha Martin, Morrison & Foerster LLP, New York Ivo-Meinert Willrodt, PLUTA Rechtsanwalts GmbH, Munich</p>
10:45 a.m. – 11:00 a.m.	Refreshment Break
11:00 a.m. – 11:45 a.m.	<p>Solving Sovereign Debt Crises</p> <p>Chair: Prof. Christoph Paulus, Humboldt University, Berlin</p> <p>Panelists: Rosa Maria Rojas Vertiz Contreras, Supreme Court of Justice of Mexico, Mexico City Fernando Hernandez, Marval, O'Farrell & Mairal, Buenos Aires Teddy M. Kapur, Pachulski Stang Ziehl & Jones LLP, Los Angeles</p>
11:45 a.m. – 12:30 p.m.	<p>Improving Cross-Border Cooperation in International Cases: The Model Law, E.I.R. and More</p> <p>Chair: Hon. James M. Peck, Morrison & Foerster LLP, New York</p> <p>Panelists: Look Chan Ho, Freshfields Bruckhaus Deringer LLP, London Darren S. Klein, Davis Polk & Wardwell LLP, New York Christiaan Zijderveld, Houthoff Buruma, Amsterdam</p>

Sunday, June 5, 2016 - Summary of Events

12:30 p.m. – 2:00 p.m.	Buffet Lunch for Faculty and Registered Delegates Hills Club: French Cellar
2:00 p.m. – 2:45 p.m.	Restructuring Systems and Procedures in Japan Chair: Mitsue Aizawa, TMI Associates, Tokyo Panelists: Christopher Creger, BDO Consulting, New York Ataru Iizuka, TMI Associates, Tokyo Zentaro Nihei, Anderson Mori & Tomotsune, Tokyo
2:45 p.m. – 3:30 p.m.	Intellectual Property Issues in Bankruptcies and Reorganizations Chair: Thomas M. Gaa, Bialson, Bergen & Schwab, Palo Alto Panelists: Carlo Ghia, Studio Legale Ghia, Rome Federica Pietrogrande, Studio Legale Bird & Bird, Milan Eugenio Brialess Gomez-Tarragona, Harvard Law School, Cambridge
3:30 p.m. – 3:45 p.m.	Refreshment Break
3:45 p.m. – 4:30 p.m.	Multinational Corporate Group Insolvencies: Lessons from Nortel Chair: Alan Bloom, Ernst & Young, London Panelists: Sarah Coleman, Baker Botts LLP, Austin John Sommer Schmidt, Gorrissen Federspiel, Copenhagen Dr. Annika Wolf, PostDoc Fellow for Strategic Management, Goethe-University, Frankfurt
4:30 p.m. – 5:30 p.m.	Induction of Class V (III Members Invited)



USE OF ARBITRATION PROCEDURES IN INTERNATIONAL INSOLVENCY CASES

Chair

Prof. Hon. Samuel L. Bufford
Penn State University, University Park, PA

Panelists

Kizzy L. Jarashow
Goodwin Procter LLP, New York

Stacy A. Lutkus
Drinker Biddle & Reath LLP, Albany

Ivan Josue Romo Valdovinos
Sonpetrol México, México



The Honorable Samuel L. Bufford
Distinguished Scholar in Residence
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Background

Judge Samuel L. Bufford is a Distinguished Scholar in Residence at Penn State University, where he began teaching in 2011. Prior thereto, he served for 25 years as a bankruptcy judge in Los Angeles, in the Central District of California, one of the busiest bankruptcy courts in the United States. During this time he oversaw more than 120,000 bankruptcy cases, including more than 2500 cases involving the reorganization of business under chapter 11. His most famous case was the Anna Nicole Smith case, which reached the U.S. Supreme court twice.

Judge Bufford is the author of two books, numerous law review articles and 95 published opinions. His book, *United States International Insolvency Law*, was published in 2009. In addition, he is a frequent lecturer throughout the United States and abroad on issues of bankruptcy law and legal ethics. Judge Bufford served as editor in chief of the *America Bankruptcy Law Journal* from 1990 to 1994.

Judge Bufford has taught more than 25 seminars for judges and other professionals abroad since 1991. He has taught and consulted recently in Greece, Korea, Abu Dhabi, China, France, Mexico, Oman, Egypt, Jordan, Tunisia, Albania, Algeria, Ecuador, Romania, Serbia, Montenegro and Morocco. He has also conducted seminars in Los Angeles and consulted with visiting judges and government officials from numerous countries including Russia, Serbia, China, Thailand, Romania and Montenegro. Judge Bufford will be teaching in Romania at the University of Bucharest, Faculty of Law in 2017.

Judge Bufford was Nomura Lecturer on Law at Harvard Law School for the winter, 2005 term, where he taught a course in international and comparative insolvency law. He also taught this course at Harvard in 2004, and at the University of Southern California in 2006. He has also been a law professor at Ohio State University. He earned his law degree from the University of Michigan, where he was an editor of the *Michigan Law Review* and of the *Journal of Law Reform*. In addition, he holds a Ph.D. in philosophy from the University of Texas and was a philosophy professor for nearly ten years.

Judge Bufford is active in numerous bar association activities. He serves as co-chair of the Academic Committee of the International Insolvency Institute. He is also a past chair of the American Bar Association's National Conference of Federal Trial Judges.



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Background

Iván J. Romo is the Chief Executive Officer of Sonpetrol México an oil & gas drilling company part of Sonpetrol Group (SG). SG has more than 50 years of experience providing technical assistance, drilling & work-over onshore and offshore, geothermal and mining survey in all continents.

He has solid international experience in commercial and labor consultancy, litigation and insolvency cases which helps him to provide a general perspective in business development around the world.

Before becoming CEO, Mr. Romo participated in the most relevant insolvency cases in Mexico as REFA Mexicana, Vitro, Mexicana de Aviación, Oceanografía, Altos Hornos de México and others. Nowadays, he collaborates as Off-Counsel for relevant bankruptcy cases. He was involved in high profile arbitration and litigation cases as the millionaire disputes that COMMISA and CONPROCA had with PEMEX. He also participated in the acquisition made by Anheuser-Busch InBev to Grupo Modelo.

He has given conferences, lectures and TV interviews in countries as Mexico, USA, Spain, Italy and France. He is an active member of the Mexican Bar Association and actually he is the sub-coordinator of the Insolvency Committee. He is also member of the International Insolvency Institute -NextGen Program-, the American Bankruptcy Institute, the Instituto Iberoamericano de Derecho Concursal and INSOL International.

He obtained his Law Degree with honorable mention from Escuela Libre de Derecho in which he is joint professor of the Insolvency course. He obtained his Masters in Business Administration in Instituto Tecnológico Autónomo de México (ITAM), México, and his degree of Master in Global Management in Tulane University, USA. Currently, he is PhD candidate in Instituto de Investigaciones Jurídicas of Universidad Nacional Autónoma de México (IIJ-UNAM), México.

Background

Ms. Jarashow represents debtors and creditors in complex bankruptcy, insolvency, restructuring and reorganization matters. Recent representative engagements include her work as counsel to creditors in the Chapter 11 cases of Energy Future Holdings Corp., counsel to creditors and derivatives counterparties in the Chapter 11 cases of Lehman Brothers Holdings and counsel to consortiums of bondholders in the Chapter 11 cases of Tribune Company and Washington Mutual. She has also represented clawback defendants in the SIPC proceedings of Bernard L. Madoff Investment Securities LLC and former clients and partners in the Chapter 11 case of Dewey & LeBoeuf LLP.

Ms. Jarashow has also served as debtors' counsel in the Chapter 11 cases of Coloprep, Inc., Mervyn's Holdings LLC, Powermate Holding Corp., Linens 'N Things and Fluid Routing Solutions.

Prior to joining Goodwin Procter, Ms. Jarashow was an associate in the New York offices of Stutman, Treister & Glatt, Friedman Kaplan Seiler & Adelman and Morgan Lewis & Bockius. During law school, she served as a judicial extern to The Honorable Barbara S. Jones of the U.S. District Court for the Southern District of New York.

Ms. Jarashow is a member of the American Bankruptcy Institute and the New York State Bar Association.

Education

J.D., 2007
 Fordham University
(cum laude)
 B.A., 2004
 New York University



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Background

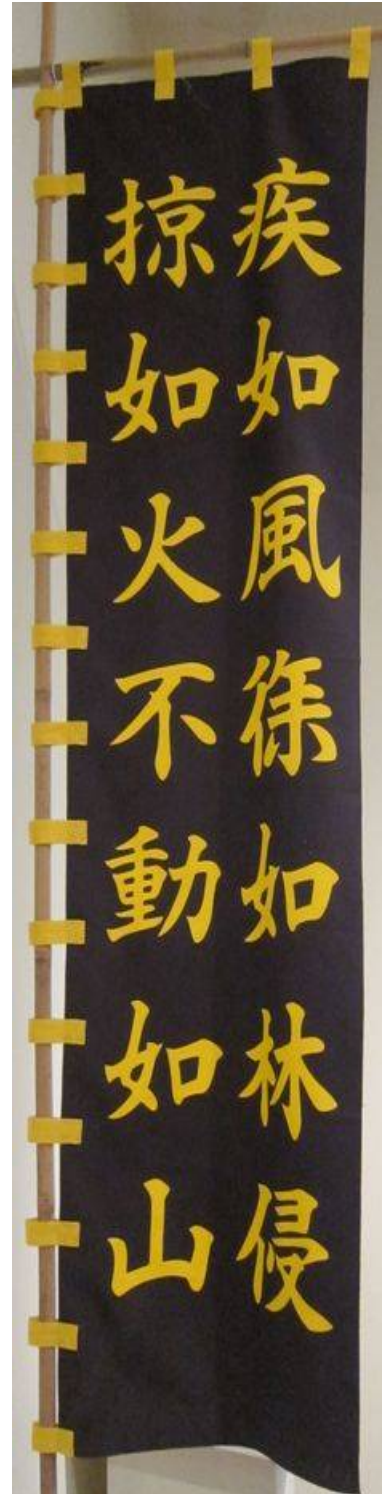
Stacy A. Lutkus is a senior attorney in the Corporate Restructuring Practice Group of Drinker Biddle & Reath LLP.

Stacy has experience in all aspects of both in and out-of-court complex reorganization matters. She has advised clients in preparing chapter 11 matters for filing and negotiating restricting transactions, including distressed asset sales/purchases, debtor-in-possession financing and exit financing. She has experience representing debtors, hedge funds, and bank lenders in financial services, real estate, telecommunications, travel, and gaming industries.

Prior to joining Drinker Biddle, Stacy worked for several years as the lead Law Clerk for the Lehman chapter 11 and SIPA cases in the United States Bankruptcy Court for the Southern District of New York. During her tenure with the court, Stacy developed a deep knowledge of, and interest in, cross-border matters and the chapter 15 process. In addition to her work on legal opinions and the day-to-day operation of pending cases, Stacy assisted in the facilitation of court-to-court communication in connection with chapter 15 and other cross-border matters, and regularly addressed issues arising in connection with requests for international judicial assistance. Stacy also assisted in the mediation of the American Airlines, MF Global, Syms/Filene's Basement, Residential Capital, General Motors, and Excel Maritime chapter 11 cases.

Before entering the legal field, Stacy spend several years working as a Special Agent in the Criminal Investigation Division of the United States Internal Revenue Service, where she developed a deep understanding of United States tax and anti-money laundering statutes and gained experience conducting witness interviews, participating in enforcement operations, preparing special agent reports, and testifying in court proceedings.

Stacy earned her law degree from the University of Pennsylvania Law School, where she was an editor for the University of Pennsylvania Journal of International Economic Law. Prior to law school, Stacy was a Fulbright Scholar pursuing graduate research in Economics at the Universität Mannheim in Mannheim, Germany. She earned her bachelor's degree, *magna cum laude*, from Drexel University.





MANAGEMENT RESPONSIBILITIES IN INSOLVENCY SITUATIONS

Co-Chairs

Donald S. Bernstein

David Polk & Wardwell LLP, New York

Nicholas A Segal

Freshfields Bruckhaus Deringer LLP

Panelists

Thomas Piro

Kvale Advokatfirma DA, Oslo

Samantha Martin

Morrison & Foerster LLP, New York

Ivo-Meinert Willrodt

PLUTA Rechtsanwalts GmbH, Munich



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Background

Mr. Bernstein, who heads Davis Polk's Insolvency and Restructuring Practice, is globally recognized as among the small group of leading insolvency lawyers in the world. He has received numerous honors, including being elected by his peers as the Chair of the National Bankruptcy Conference, the most prestigious professional organization in the field. Mr. Bernstein's practice includes representing debtors, creditors, liquidators, receivers and acquirers in major corporate restructurings and insolvency proceedings, as well as advising financial institutions and other clients regarding credit risks involved in derivatives, securities transactions, and other domestic and international financial transactions.

Representations

- Companies in restructurings and reorganizations, including Ford Motor Company, U.S. Industries, LTV Steel, Lomas Financial, Liberte Investors, Allis-Chalmers and Johns-Manville
- Agent banks, major lenders or official creditors' committees in restructurings and bankruptcy proceedings, including those of Tribune Companies, Delphi, Syncora, Lehman Brothers, Refco, C-BASS, Centro Properties, Enron, Conseco, Adelphia, Bethlehem Steel, McLeodUSA, Dow Corning, Memorex Telex, R.H. Macy, Morrison-Knudsen, Drexel Burnham Lambert, Crown Paper, U.S. Office Products and Toshoku America
- Liquidators or receivers in international insolvency proceedings, including those of L.J. Hooker and Princeton Economics/Cresvale International
- Global financial institutions, such as JPMorgan Chase, Citibank, Goldman Sachs and Morgan Stanley, on credit exposures and global credit risk management

Mr. Bernstein is listed as a leading lawyer in numerous legal industry publications, including:

- Band 1, USA: Bankruptcy/Restructuring – *Chambers Global 2013-2014*
- Band 1, Nationwide: Bankruptcy/Restructuring – *Chambers USA 2012-2014*
- Band 1, New York: Bankruptcy/Restructuring – *Chambers USA 2012-2014*
- Bankruptcy – *Super Lawyers 2013*
- Practical Law Company's *Cross-border Restructuring & Insolvency Handbook*
- Legal Media Group's *Expert Guide to the World's Leading Lawyers – Best of the Best* and *Expert Guide to the World's Leading Insolvency & Restructuring Lawyers*
- Law Business Research's *Who's Who Legal – International Who's Who of Business Lawyers* and *Who's Who Legal – International Who's Who of Insolvency and Restructuring Lawyers*
- American Lawyer Media's *Corporate Counsel: Annual Guide to the Bankruptcy and Creditor-Debtor Rights Law*

Past Public Service

Chair, National Bankruptcy Conference
Treasurer and Member of the Executive Committee, New York City Bar Association
Adjunct Professor of Law, New York University School of Law
Chair, TriBar Opinion Committee
Chair, Committee on Bankruptcy and Reorganization, New York City Bar Association
Director, New York County Lawyers Association
Chair, Visiting Advisory Committee, University of Chicago Law School

Current Memberships

American Bar Association, including Business Bankruptcy Committee and the Committee on Legal Opinions
American College of Bankruptcy; American Bar Foundation; New York City Bar Association; New York County Lawyers Association; INSOL International; American Bankruptcy Institute; International Insolvency Institute



Nicholas A. Segal
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Background

Nick is a judge of the Grand Court in the Cayman Islands (assigned to the Financial Services Division) and a partner with Freshfields Bruckhaus Deringer LLP in London. He currently sits as a judge on a part-time basis with cases assigned to him from time to time.

Nick is a member of Freshfields' global restructuring and insolvency group. He specialises in a wide variety of work in commercial and banking law, restructuring, insolvency (including bank resolution) and litigation (with much of his work, including his litigation practice, having an international dimension).

Since returning to London from New York in 2006, he has advised Northern Rock; the Bank of England on the Lehmans collapse and other failing institutions; the administrators of Heritable Bank, Kaupthing Bank and the Dunfermline Building Society; on the litigation relating to the proposed Lehmans scheme of arrangement, the restructuring of Parex Bank (for the bank), on the British Midland/British Airways sale transaction (advising the board of BMI), HM Government on the Royal Mail; Anglo Irish Bank (including the exit consent litigation with Assenagon); the Government of Trinidad and Tobago on the resolution of the CLF Group and Stemcor on its global restructuring.

Nick is dual qualified (England and New York). He was educated at Oxford University where he obtained a first class degree and teaches on the BCL course. He has written and lectured extensively in restructuring, insolvency, banking and restitution law. He is one of the consulting editors of Totty, Moss and Segal on Insolvency (Sweet & Maxwell) and Debt Restructuring (OUP, 2011) and a contributor to a number of leading textbooks. He is a fellow of the Society for Advanced legal Studies and of INSOL; an international fellow of the American College of Bankruptcy and a trustee of the British and Irish Legal Information Institute. He is on the editorial board of the International Insolvency Review, the Journal of Corporate Law Studies and Insolvency Intelligence. He is also chair of the UNIDROIT UK Foundation for International Law and the Oxford University Alumni Board.



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Background

Mr. Thomas Piro has long experience as a lawyer in the field of restructuring, insolvency and credit assurance. He is often appointed as a trustee for bankruptcy estates by Oslo Court of Probate and Enforcement. Mr. Piro is also working with reorganizations, judicial debt restructuring proceedings and purchase and sale of business.

Education

1998 Law degree, University of Oslo, Norway

Career

2001 Salaried partner, Kvale Advokatfirma DA
2004 Partner, Kvale Advokatfirma DA

Appointments

Appointed trustee with Oslo Bankruptcy Court

Background

Samantha Martin is an associate in the Business Restructuring & Insolvency Group of the New York office of Morrison & Foerster LLP. Ms. Martin's practice focuses on the representation of chapter 11 debtors, official committees, and other parties in interest in complex chapter 11 proceedings. Ms. Martin also has advised foreign representatives in chapter 15 recognition proceedings. Notable engagements include HOVENSA LLC (chapter 11 debtor), Walter Energy Inc. (official creditors' committee), Energy Future Holdings Corp. (official creditors' committee), Residential Capital, LLC (chapter 11 debtors), Fairfield Residential LLC (official creditors' committee and liquidating trust), Extended Stay (mezzanine lender), and Qimonda AG (chapter 15 debtor).

Ms. Martin currently serves as co-chair of the NY Chapter of the International Women's Insolvency & Restructuring Confederation (IWIRC), and co-chair of the Morrison & Foerster New York Women's Affinity Group. Ms. Martin also is a member of Class IV of the International Insolvency Institute NextGen Program. Ms. Martin received her J.D. from the Benjamin N. Cardozo School of Law, where she received a Jacob Burns Medal and served as Managing Editor of the Cardozo Law Review. Ms. Martin is admitted to practice in the state of New York.



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Background

Ivo's practice focuses on complex corporate restructuring and insolvency matters both domestically and in cross-border contexts. Since years he is regularly appointed as Insolvency Administrator by several courts in the South of Germany (Handling of more than 250 corporate bankruptcy cases) and has comprehensive experience in Insolvency Proceedings of all sizes.

He has extensive experience in both the legal and commercial aspects of corporate restructurings, bankruptcies, receiverships, work-outs and enforcement of creditors' rights, remedies, in the negotiation, documentation and prosecution of insolvency plans, shareholders liabilities and claw back claims, plan confirmation proceedings and recognition of foreign insolvency proceedings, the negotiation and documentation of director liabilities claims and fraud actions. His expertise covers insolvency, banking, restructuring arrangements and distressed M&A.

He also advises clients on the legal aspects of investing in distressed investments and in distressed situations. His case experience spans a variety of industries, including the automotive, manufacturing, retail, solar, "grey" capital market, private equity and telecommunications sectors.

Ivo is a lawyer and holding a M.B.A from the University of St. Gallen (Switzerland). Ivo has been granted the title of Accredited Specialist in Bankruptcy Law (Fachanwalt für Insolvenzrecht) by the 'Stuttgart Bar Association. He was recently named a Fellow of INSOL International, a world-wide federation of national associations of lawyers, accountants and other professionals who specialize in turnaround and insolvency matters on an international level.

Ivo also worked for a stock listed (Mid-Cap Dax) private equity company as a Director and for 3 years in Germany and the USA for an engineering and a chemical company as a CRO.

Professional Qualifications/Education/Language

- Lawyer ('Rechtsanwalt')
First State Exam: University of Munich, State of Bavaria
Second State Exam: State of Brandenburg
- Executive M.B.A HSG (CH)
- Accredited Specialist in Bankruptcy Law
- Fellow of INSOL International
- German, English, French





SOLVING SOVEREIGN DEBT CRISES

Chair

Prof. Christoph Paulus
Humboldt University, Berlin

Panelists

Rosa Maria Rojas Vertiz Contreras
Supreme Court of Justice of Mexico, Mexico City

Fernando Hernandez
Marval, O'Farrell & Mairal, Buenos Aires

Teddy M. Kapur
Pachulski Stang Ziehl & Jones LLP, Los Angeles



Professor Christoph Paulus
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Background

Christoph Paulus is professor of law at the Law School of the Humboldt Universität zu Berlin, Germany, a position that he has held since 1994. He wrote his Dissertation (Dr. iur.) and his Habilitation at the University of Munich; and he earned an LL.M. from the University of California at Berkeley in 1984. As a Feodor Lynen Fellow of the Alexander v. Humboldt-Stiftung he had been at UC Berkeley in 1989 and 1990.

Since 1998, he has served several times as a Consultant to the International Monetary Fund in Washington, D.C., thereby inter alia preparing the IMF's brochure on "Orderly & Effective Insolvency Procedures". Additionally, in 2006, he has been appointed as a Consultant of World Bank in Washington, D.C., regarding inter alia insolvency laws and legislation. From November 2006 through November 2011, he served as Adviser of the German delegation for the UNCITRAL deliberations on group insolvency law and further topics.

He is member of the International Insolvency Institute (presently one of the Vice-Presidents), of the International Association of Procedural Law, of the American College of Bankruptcy, of the International Academy of Commercial and Consumer Law and – as an extraordinary member – of the Instituto Iberoamericano de Derecho Concursal. Currently, he is the Chair of the Academic Forum of INSOL Europe.

He is external member of the faculty of the St. Gallen-Hochschule for its MBL program; he has held guest professorships i. a. in Paris (Panthéon-Assas) / France, Cape Town / South Africa, Fukuoka / Japan, Brooklyn School of Law / USA, University of Sydney and Tongji University in Shanghai / China. From 2016 on, he will also be teaching at the Lomonosov University in Moscow / Russia.



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Background

Escuela Libre de Derecho (Mexico City) (1996) Law Degree with honors. Chevening scholar at The London School of Economics and Political Science, LL.M. on Corporate and Commercial Law (2000) with merit. International Bankruptcy Course. Instituto Tecnológico Autónomo de México (ITAM) (January-April 2013). Sponsored by the American College of Bankruptcy and the American College of Bankruptcy Foundation via the The West Education Network (TWEN).

Expert on commercial law, particularly in finance and insolvency law. Has actively participated in the structuring, negotiation and implementation of all types of financing, from syndicated credit agreements to structured financing, including real estate financing for industrial, commercial and residential purposes and security interests. Has also advised several foreign financial institutions and multinational organizations on insolvency and international restructurings, corporate and commercial law matters.

Has expertise in the litigation of civil and commercial matters, as well as, in constitutional proceedings, after having worked for more than 7 years in the First Chamber of the Supreme Court of Justice of Mexico as *Secretaria de Estudio y Cuenta*, where she drafted many judgments, mainly on civil law, business and commercial law, including torts, security interests, real estate, insurance and banking law, as well as, on insolvency law. Combining during such years her knowledge and expertise in those areas with a thorough study and research on human rights, including property rights, housing and freedom of speech.

Rosa was a member of the panel "World-Wide Restructurings" held in the AIJA Annual Congress in Mexico City 2005. Also participated in the discussion table: "Most Bankruptcies are caused by mismanagement", held in the AIJA Seminar, March 1-2, 2007 Barcelona, Spain, and was a Next-Gen Panelist at the 2014 III Conference held in Mexico City, on June 10, 2014, discussing "Life after Vitro. Legal Developments in both Mexico and the United States."

Background

Fernando Hernández received his law degree from the Buenos Aires University School of Law in 1994 and obtained an LL.M. at Columbia University School of Law in 2001. Fernando is partner of Marval, O'Farrell & Mairal since 2011.

Fernando specializes in debt restructuring and insolvency and has over 12 years of experience in cross-border debt restructurings, corporate finance, banking and capital markets. Since 2002 he has been involved in some of the major corporate debt restructurings in Argentina and acquired extensive experience in cross-border private restructurings and insolvency proceedings, including structuring of 'pre-packaged' reorganization processes; negotiation with creditors; support and consent solicitations, cash-outs, exchange offers and tender offers, both private and through international depository systems (i.e. The Depository Trust Company); organization of restructuring offers and reorganization proposals, including write-offs, refinancing, and debt for debt and debt for equity swaps; structuring and negotiation of the terms and conditions of the refinancing and/or the consideration offered (i.e. equity and debt instruments); organization and follow up of restructuring and reorganization plans' implementations, including mandatory exchanges and payments to hold-outs; and insolvency recognition proceedings under Chapter 15 of the United States Bankruptcy Code. The experience acquired by Fernando in restructurings and reorganizations, along with the experience in corporate finance and capital markets, provides Fernando with an integral view of all aspects and matters involved in complex restructurings. Fernando wrote many articles both locally and internationally on matters of his specialization.

Fernando is a member of the International Bar Association, the INSOL International's Latin American Committee and the International Insolvency Institute – NextGen Leadership Program.

Fernando is recommended for Bankruptcy/Restructuring in *Chambers Latin America* (Band 3). The 2014 edition quotes clients who highlighted his "in-depth knowledge of the finance sector", and the 2015 edition quotes clients who highlighted him as a "dedicated practitioner who is experienced and highly qualified". Fernando is also recommended for Banking and Finance as well as Bankruptcy and Restructuring in *Legal 500's* 2013 edition and the 2014 edition, which quoted him as an "excellent lawyer with a remarkable capability to deliver the final product diligently and on time".



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Background

Mr. Kapur represents debtors, creditors' committees, trustees, and asset purchasers in chapter 11 corporate bankruptcies, chapter 9 municipal bankruptcies and out-of-court restructurings. He has represented clients in a broad range of industries such as healthcare, retail, real estate, automotive, and technology.

Mr. Kapur has played an integral role in cases that have been awarded the "Mid-Size Company Turnaround of the Year" by the *Turnaround Management Association* and "Reorganization of the Year Award" by *The M&A Advisor*. In 2016 and 2015, *Los Angeles* magazine recognized Mr. Kapur as a "Super Lawyer," an honor bestowed on only 5% of Southern California attorneys. He was recognized as a "Rising Star" by the same publication in 2014 and 2013. In 2014, the National Asian Pacific American Bar Association recognized Mr. Kapur as one of the "Best Lawyers Under 40." And in 2013, *The M&A Advisor* awarded Mr. Kapur the "40 Under 40 Recognition Award," and *The Recorder* named Mr. Kapur a "Lawyer on the Fast Track," identifying him as among fifty attorneys in California "whose early accomplishments indicate they will be tomorrow's top lawyers and leaders."

Mr. Kapur also possesses a strong business background. He was a vice president in a real estate investment division at American International Group, and an analyst in the investment banking division at Merrill Lynch & Co.

Mr. Kapur serves as a mentor and member of the board of the nonprofit organization Imagine LA, which facilitates a team mentorship program to help families permanently exit homelessness and poverty.

Mr. Kapur earned his J.D. from New York University School of Law, where he was an Articles and Notes Editor for the *NYU School of Law Journal of Legislation and Public Policy*. He earned his Master in Public Administration from Harvard University, and his B.A., *magna cum laude*, from Rice University. Mr. Kapur is admitted to practice in California and Texas (inactive), and is resident of our Los Angeles office.





**IMPROVING CROSS-BORDER COOPERATION
IN INTERNATIONAL CASES: THE MODEL
LAW, E.I.R. AND MORE**

Chair

Hon. James M. Peck

Morrison, Foerster LLP, New York

Panelists

Darren S Klein

Davis Polk & Wardwell LLP, New York

Look Chan Ho

Freshfields Bruckhaus Deringer LLP, London

Christiaan Zijderveld

Houthoff Buruma, Amsterdam



Hon. James M. Peck
Morrison & Foerster LLP
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Background

Hon. James M. Peck is global co-chair of Morrison & Foerster's Business Restructuring & Insolvency Group and is based in the firm's New York office.

Judge Peck served as a United States Bankruptcy Judge for the Southern District of New York from 2006 to 2014 and presided over the chapter 11 and SIPA cases of Lehman Brothers and its affiliates, constituting the largest bankruptcy filing in U.S. history. Other notable matters over which Judge Peck presided include the chapter 11 cases of Iridium, Quebecor, Charter Communications, Extended Stay Hotels, and ION Media and the chapter 15 case of Japan Airlines. Judge Peck also brokered settlements in a number of high-profile cases including American Airlines, Syms/Filenes, MF Global, General Motors, Residential Capital, and Excel Maritime.

By invitation, Judge Peck is a fellow of the American College of Bankruptcy and serves as a director and member of the Executive Committee of the International Insolvency Institute. From 2007 to 2010, he served on the National Conference of Bankruptcy Judges (NCBJ) Board of Governors as Second Circuit Governor and was judicial chair of the American Bankruptcy Institute's annual New York City Bankruptcy Conference. He served on NCBJ's Education Committee and Finance Committee and in 2012 was elected as an at-large member of NCBJ's Board of Governors. Judge Peck has served as co-chair of the ABI's Advisory Committee on the Safe Harbors and is a member of The World Bank's Task Force on Insolvency and Creditor/Debtor Regimes. He is also a member of advisory board of ABI's annual Views From the Bench seminar at Georgetown Law School.

Judge Peck is a frequent speaker on insolvency issues, and has participated in conferences across the globe presented by the NCBJ, the American Bankruptcy Institute, the American College of Bankruptcy, the American Bar Association, the Association of Insolvency & Restructuring Advisors, the Commercial Law League of America, the Turnaround Management Association, the New York Institute of Credit, the International Insolvency Institute, INSOL Europe, INSOL International, the International Bar Association, the Law Council of Australia, the Law Society of Singapore, and numerous law schools. He gave the keynote address at the INSOL Europe Congress in Venice in 2012, and in 2013 was the only judge asked to speak at the resolution planning conference of The Board of Governors of the Federal Reserve and at The World Bank's Law, Justice, and Development Week. Judge Peck is an adjunct professor of finance at New York University's Stern School of Business. He is also an accredited member of the Singapore Mediation Center's Panel of Principal Mediators.



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Background

Mr. Klein is an associate in Davis Polk's Corporate Department, practicing in the Insolvency and Restructuring Group. He has substantial experience on a wide range of restructurings and bankruptcies, in and out of court.

Work Highlights

- The note purchasers, exchanging noteholders and lenders in connection with a \$400 million debt recapitalization of Venoco, Inc., consisting of new first- and second-lien notes and a new secured term loan
- Investors in connection with an offer by Sandridge Energy of \$1.25 billion secured second lien notes and an exchange of \$275 million unsecured notes for convertible notes
- Investors in connection with bonds secured by Schahin II Finance Company (SPV) Limited and secured by the Sertão vessel
- The agent for, and lender under, the approximately \$3.9 billion pre-petition senior secured credit facility in the Chapter 11 cases of Cengage Learning, Inc. and certain of its affiliates
- Patriot Coal and its affiliates in connection with their Chapter 11 cases
- Pinnacle Airlines and its affiliates in connection with their Chapter 11 cases
- Joint administrators and liquidators of Lehman Brothers International (Europe) and its U.K. Lehman affiliates, including in connection with the tens of billions of dollars of claims that such companies have against Lehman's U.S. entities
- Counsel to the agent and arranger in connection with a \$600 million debtor-in-possession financing for NewPage Corporation in NewPage's Chapter 11 cases

Memberships

Co-Chair, Membership Committee, International Insolvency Institute NextGen Leadership Program
 Member, New York Society of Security Analysts; Member, American Bankruptcy Institute

Articles

Co-Author, "The Fiduciary Duties of Directors of Troubled Companies," *American Bankruptcy Institute Journal*, February 2015
 Co-Author, "Two New Cases Cast A Shadow Over Credit Bidding," *New York Law Journal*, June 2014
 Co-Author, "Bondholders Encounter Unexpected Turbulence," *American Bankruptcy Institute Journal*, November 2013
 Co-Author, "Viewpoint: Who Owns a Distressed Bank's Tax Refunds?" *Dow Jones, Daily Bankruptcy Review*, July 2013

Background

Look Chan Ho is a member of the firm's global restructuring and insolvency group and leads the firm's restructuring and insolvency practice in Asia.

Based previously in London and currently in Hong Kong, Look specialises in corporate insolvency, with a particular emphasis on cross-border insolvency. He has extensive experience in financial institutions resolution regimes. In addition to restructuring and insolvency matters, his practice often involves the structuring of regulatory capital and structured finance products. He is particularly well known for his high level of legal expertise and frequently advises on transactions involving novel and complex legal issues. He also advises the firm's English law opinion committee.

He also spent one year on secondment to the World Bank advising various developing nations on insolvency law reform.

Publications

Look has published extensively in textbooks and legal journals on insolvency-related topics, and his publications are widely cited in legal literature. For example, he is the general editor of *Cross-Border Insolvency: A Commentary on the UNCITRAL Model Law* (3rd edn. Globe Publishing, 2012), the author of *Key Authorities in Corporate Insolvency* (Nova Law and Finance, 2012), a co-author of *Butterworths Guide to the Insolvency Rules* (LexisNexis, 2010), a co-author of *Principles of Corporate Finance Law* (2nd edn. OUP, 2014), and a consultant editor of *Corporate Rescue and Insolvency* (LexisNexis).

Education

MA, BCL (Oxon), LLM (Cantab), LLM (NYU)
 Attorney-at-Law, New York
 Solicitor-Advocate, England and Wales
 Registered Foreign Lawyer, Hong Kong

Languages

Chinese (Mandarin and Cantonese); Malay



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The Netherlands

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Background

Christiaan specialises in insolvency and restructuring matters. In this context Christiaan advises companies in the financial services sector (eg banks and hedge funds) as well as other major creditors in complex cross border matters. He also advises current and former directors on directors' and officers' liability issues. In the past Christiaan acted as a trustee in bankruptcy cases.

Christiaan graduated from the University of Leiden in 1999 with a Masters at Law (doctoraal civiel recht), and completed the specialisation course on insolvency and restructuring (Grotius opleiding Insolventierecht / Insolad) 2005. In 2008 he successfully completed the first Fellow of Insol class. He joined Simmons & Simmons as a partner in 2009.

Christiaan is a co-author for SDU Commentaar Insolventierecht (comments to the articles relating to a plan of composition) and he gives lectures/courses on a regular basis. This includes lectures for Grotius/CPO, for Kluwer Legal Courses and VU Law Academy on various insolvency and other subjects.

Christiaan is recommended by Chambers Global and Chambers Europe. According to Chambers Global 2015, clients describe him as "very creative in solving commercial problems" and according to Chambers Europe 2014 Christiaan "has all the qualities that we look for - hands-on, direct, strategic and commercial."

Areas of Practice

Financial Markets
Distressed Debt, Restructuring & Insolvency

Recent Work

- advising a real estate development company (owner of more than 60 properties and more than EUR 750 MM in debt including joint ventures) on the restructuring of its portfolio
- advising a special servicer on the collection and enforcement of a defaulted real estate loan in a securitisation portfolio
- acting for the noteholder members of the creditors committee of Lehman Brothers Securities N.V. on the wind down of Lehman Brothers Securities N.V
- advising a purchaser on the enforcement of an acquired distressed loan ('loan to own').



**Mitsue Aizawa****TMI Associates**

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Background

Partner at TMI Associates (2015 – Present)

Bingham Sakai Mimura Aizawa (Formerly known as New Tokyo International Law Office) (Co-Founding and Managing Partner, 1985-2015)

Miyake Imai Ikeda Law Office (1981-1985)

Ministry of Construction, Housing Bureau and Planning Bureau (1967-1977)

Practice Areas

General Corporate Legal Practice; M&A; Civil Rehabilitation and Corporate Reorganization; Bankruptcy and Special Liquidation; Voluntary Liquidation and ADR for Business Turnaround; Commercial Litigation; International Litigation; Arbitration; Mediation and ADR; Unfair Competition; Crisis Management; IP Strategies

Education

Howard University School of Law, Master of Comparative Jurisprudence (1981)

Legal Training and Research Institute of the Supreme Court of Japan (1977-1979)

Keio University (Graduate School of Economics, Master's course in Economic Policy) (1967)

Keio University (Bachelor of Economics, 1965)

Admission

Japan (1979)

Languages

Japanese/English

Memberships

Tokyo Bar Association; Tokyo Bar Association, Bankruptcy Law Section; Inter-Pacific Bar Association; International Insolvency Institute; Director, Japanese Association of Turnaround Professionals; Study Group on Business Revitalization Practice; Study Group on Bankruptcy and Recovery Law Practice; Japanese Global Network for Bankruptcy Lawyers



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Background

Chris Creger is a Manager in the New York office of BDO Consulting. He has over 6 years of experience in matters relating to bankruptcy and insolvency, focusing on filing preparation, claims management, noticing and communication, balloting and solicitation, and both cash and equity distributions. Chris provides financial advisory, business restructuring and transaction support services to corporations, lending institutions, private equity firms, hedge funds and law firms. He works with a wide range of clients including secured lenders, bondholders, unsecured creditors, debtors, stockholders, private equity and other investors, with matters involving turnaround, bankruptcy, out-of-court workouts, litigation, lender and M&A due diligence, transactional support, and profit improvement services.

Chris has significant experience in a wide range of industries including consumer goods, retail, manufacturing, financial institutions, publications, media, telecommunications, oil and gas, textiles, and healthcare, where he works with companies and their stakeholders to overcome challenging financial and operational issues.

Professional Affiliations

Turnaround Management Association (TMA)
 TMA Global NextGen Committee - Sub-Committee Chair - Finance/Sponsorship
 TMA Global NextGen Committee - Committee Member
 TMA NextGen NY Committee - Committee Member
 TMA NextGen NY Operational Lead - Marketing and Strategic Communications
 TMA NextGen NY Operational Lead - Restructuring Liaison

Education

BS, Financial Economics, Centre College
 IBC, International Business & Managerial Finance, University of Nicosia (Intercollege)

Community Involvement

Happy Days and Special Times, Charleston, South Carolina
 Cycle for Survival, New York, New York and San Francisco, California
 Holland Soccer USA Foundation, New York, New York

Background

Zentaro Nihei has extensive experience advising on complex restructuring and insolvency matters as well as M&A, intellectual property and litigation in Japan and globally. He has advised major institutions on some of the largest Asian restructuring deals. In addition, he has worked on major corporate compliance and securities cases. He has substantial experience in international and domestic corporate restructuring and insolvency cases.

Practice Areas

Restructuring/Bankruptcy and Insolvency; M&A Commercial Litigation; IP Licensing and Transactions; Asia and Emerging Countries; Corporate and Commercial Law

Education

Kyoto University, Bachelor of Laws (2003); Duke University School of Law, Master of Laws (2011)

Admissions

Japan (2004)
 New York (2012)

Languages

Japanese
 English

Professional Associations

Daiichi Tokyo Bar Association



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Background

Associate at TMI Associates (2015 – Present)
Bingham Sakai Mimura Aizawa (Formerly known as New Tokyo International Law Office) (2005-2011, 2013-2015)
Morgan, Lewis & Bockius LLP (Formerly known as Bingham McCutchen LLP), New York (2012-2013)
Metal One Corporation (2008)

Practice Areas

Civil Rehabilitation and Corporate Reorganization; Voluntary Liquidation and ADR for Business
Turnaround; M&A; Bankruptcy and Special Liquidation; Commercial Litigation; General Corporate
Legal Practice; Company Fraud Investigation

Education

Duke University School of Law (LL.M., 2012)
Legal Training and Research Institute of the Supreme Court of Japan (2004-2005)
The University of Tokyo (LL.B., 2002)

Admission

New York (2013)
Japan (2005)

Languages

Japanese/English

Memberships

Tokyo Bar Association
New York State Bar Association
Tokyo Bar Association, Bankruptcy Law Section (Treasurer, 2014)





Thomas M. Gaa
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Background

Thomas Gaa represents publicly traded corporations and small to medium-sized technology companies and other businesses, in domestic and international matters, with an emphasis on business reorganizations and out-of-court workouts, creditor-debtor rights, the treatment of intellectual property and the asset sales in insolvency proceedings, and cross-border insolvency, credit and collection issues.

Mr. Gaa has lectured on business reorganizations, treatment of technology and intellectual property assets in bankruptcy and insolvency proceedings and cross-border credit and insolvency issues before local bar associations, the State Bar of California, the State Bar of Nevada and the American Bar Association as well as other professional and trade groups.

Education

- Master of Law, International and Comparative Law, Georgetown University (1987)
- Juris Doctor, University of Montana School of Law (1980)
- Bachelor of Arts and Phi Beta Kappa, Michigan State University (1973)

Admissions

- State of California (1987)
- State of Montana (1980)
- United States District Court, Northern District of California
- United States District Court, Central District of California
- United States District Court of Montana
- United States Court of Appeals, Federal Circuit
- United States Court of International Trade



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Background

Carlo Ghia is an attorney at Studio Legale Ghia since 2009. He is an expert in civil, banking and bankruptcy Law. He is an adjunct professor for the School of Legal Professionals at "Univeristà degli Studi Guglielmo Marconi." He is a member of the NextGen Program of International Insolvency Institute and member of TMA Italia.

Education

Bachelor at "La Sapienza" University of Rome, with essay on International Law: "The Management of Biological Resources in the Mediterranean Sea"

Liceo Classico "Lorenzo Costa", La Spezia

Concorde International Summer School de Canterbury, Ken, Inghilterra

Academy of Music "Giacomo Puccini" in La Spezia, Italy

"Cranston Calvert Elementary School" in Newport, Rhode Island, USA

Languages Spoken

Italian/English

Background

Federica is the Head of Corporate Restructuring and Insolvency for Italy at Bird & Bird.

She has extensive experience of a wide range of matters related to the restructuring and insolvency of distressed companies both in Italy and abroad, worked with a leading International law firm in New York. She has been involved in many aspects of Italian, American, English and cross-border insolvency proceedings, working on both in- and out-of-court restructurings, including those involving debtors. She has also assisted major financial institutions and hedge funds investing in the Italian distressed market, with a particular focus on Extraordinary Administration (largest size of Italian insolvency).

Her experience includes:

- purchasing assets in the context of Italian insolvency and pre-insolvency proceedings, also through the proposal of composition with creditors ("concordato fallimentare") and pre-insolvency plans ("concordato preventivo");
- in- and out- of court restructuring ("accordo di ristrutturazione" e "piano attestato"), including with respect to negotiations with lenders;
- distressed M&A transactions;
- drafting and negotiating a wide range of contracts with distressed entities;
- filing, negotiating and settling creditors' claims;
- assisting EU creditors with Lehman Bros. claim filing, and
- claims trading.

Federica is frequently invited to make presentations to professional organizations, educational institutions and private groups. She is a member of TMA Europe, she is also one of the founders of the Fordham European Alumni Chapter, she has been a member of the Bankruptcy Committee of the New York City Bar (2009-2010), and she has been recently nominated member of Class I of the NextGen Leadership Program by the International Insolvency Institute.

Federica graduated at Università degli Studi di Roma "La Sapienza" in 2003 and was admitted to the Italian bar in 2006. In 2009 she obtained an LL.M. in Banking, Corporate and Finance from Fordham University, School of Law in New York.



Eugenio Briales Gómez-Tarragona

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Education

- LL.M. in Securities & Financial Regulation, Georgetown University Law Center
- Diploma in Political Economy, Georgetown University
- LL.B., Complutense University of Madrid (Exchange Program: University of Vienna)

Employment

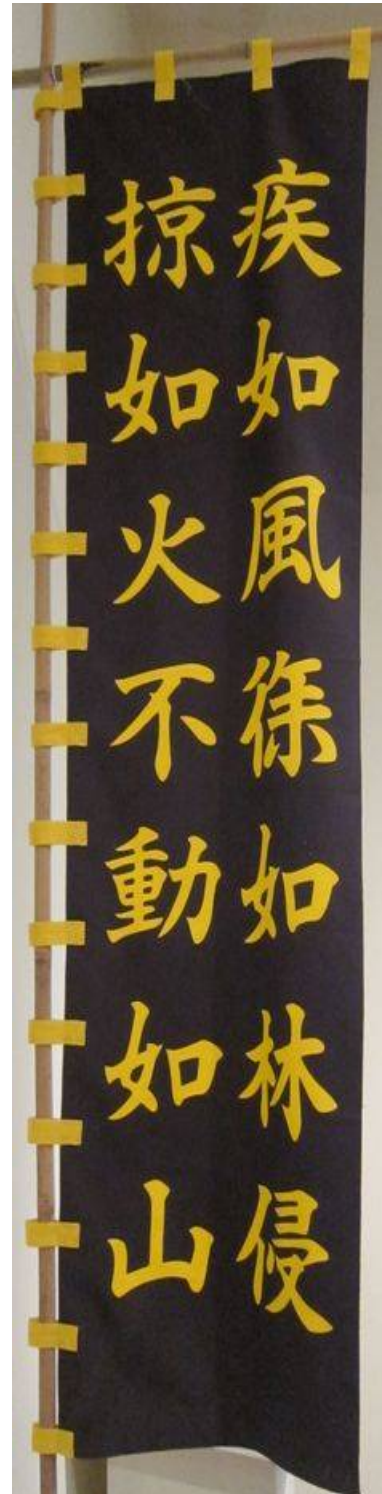
- Secured Transactions Expert and OAS Secured Financing Project Co-Manager, Organization of American States (OAS) Washington, DC 2012-present
- OAS Representative, United Nations Commission on International Trade Law (UNCITRAL). New York, NY 2013- present
- Investment Policy and Promotion Specialist, International Finance Corporation, World Bank Group. Washington, DC 2012
- International Visiting Attorney, CBA Studio Legale e Tributario. Munich, Germany. 2012 Legal Counsel, Citigroup. Madrid, Spain. 2011
- Attorney-Adviser, Ministry of Foreign Affairs and Cooperation of Spain. Vienna, Austria. 2010
- Delegate of Spain and the European Union to UNCITRAL. Vienna, Austria. 2010
- Delegate of Spain and the European Union to the United Nations Office on Drugs and Crime (UNODC). Vienna, Austria. 2010
- Legal Intern, International Trade Law Division, United Nations Office of Legal Affairs (UNCITRAL Secretariat), Vienna, Austria. 2009
- Law Clerk. Government Attorneys Office-Directorate for State Legal Services, Ministry of Justice of Spain. Madrid, Spain. 2008
- Summer Trainee. DLA Piper Weiss-Tessbach Rechtsanwälte GmbH. Vienna, Austria. 2008
- Trainee, Bankruptcy Law. ASM Asesores. Madrid. 2006-2007

Professional Activities

- Member, Expert Group on Security Interests, UNCITRAL, 2014-present
- Member, Insolvency and Creditor/Debtor Regimes Task Force, joint World Bank and International
- Monetary Fund (IMF) Initiative on Standards and Codes, 2013-present
- Member, Expert Working Group on International Interests in Mobile Equipment, International
- Institute for the Unification of Private Law (UNIDROIT), 2013-present

Fellowships and Bar Admissions

- Global Teaching Fellow, Georgetown University Law Center, 2014-present
- Senior Fellow, Georgetown Institute of International Economic Law, 2014-present
- Admitted to practice in Spain, Madrid State Bar Association





**MULTINATIONAL CORPORATE GROUP
INSOLVENCIES: LESSONS FROM NORTEL**

Chair

Alan Bloom

Ernst & Young, London

Panelists

Dr. Annika Wolf

Postdoc Fellow for Strategic Management
Goethe-University, Frankfurt, Germany

Sarah Coleman

Baker Botts LLP, Austin

John Sommer Schmidt

Gorrissen Federspiel, Copenhagen



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Background

Alan joined the firm in 1981 and has specialized in corporate restructuring work since 1979. Alan was Global Restructuring Leader for Ernst & Young from 2007 to 2015.

He has served as President of R3. In 2000/01 he also served as the only practitioner on the Government's DTI/Treasury Working Party on the review of Insolvency and Company Rescue Mechanisms.

Alan advises both corporates and financial stakeholders on how to preserve value in relation to both financial and operational restructurings.

Professional Experience

- Mid Staffordshire Hospital – first ever administrator of a UK national health services hospital
- Joint Administrator of Nortel, the European arm of major telecommunications company
- Joint Administrator of TXU, a major integrated power company. Restructured over £3bn of debt and achieved business sales of €1bn
- Produced a detailed Plan B involving several jurisdictions to enforce against the Irish owners of Battersea Power Station, London's largest undeveloped real estate site. Sale to Malaysian consortium
- Joint Administrator of Kaupthing Singer & Friedlander, formerly Iceland's largest bank including oversight of the sale of Singer & Friedlander Investment Management to Evolution Group
- Joint Administrator of Landsbanki/Heritable Bank, formerly Iceland's second largest bank by deposits, with a significant presence in the UK market including residential mortgages, asset finance, property finance and premium finance business
- Joint PPP Administrator of Metronet, the company with responsibility for the maintenance and improvement of two thirds of the London Underground system
- Administrator of Barings Bank, the UK's oldest merchant bank, which was the victim of unauthorized trading in Singapore but which, following restructuring, was sold on to the Dutch bank, ING
- Marriott Hotel – Advisor to UK bank with £900m debt against hotel propco, an Irish/Israel J. Options analysis, modelling, tax advice and senior advisory role to bank. Eventual enforcement through BVI administrative receivership and sale
- Administrator of the Olympia & York Canary Wharf project, the UK's largest ever property development which after 18 months of administration was returned to solvency and now operates as a listed company
- Joint Railway Administrator of Railtrack plc, the UK's railway track network, which was restructured and returned to new ownership, through use of a "light touch" administration technique
- Joint Administrative Receiver of the Finelist Group Limited, one of largest manufacturers, distributors and retailers of after-market automotive parts. All businesses preserved as going concerns

Skills

- Financial and operational restructuring
- Advising financial stakeholders to troubled companies
- Advising Government on complex distressed assets



Dr. Annika Wolf
PostDoc Fellow for Strategic Management
Goethe-University Frankfurt, Germany

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Background

Dr. Annika Wolf is a Postdoctoral Fellow and Lecturer for Strategic Management at Goethe-University Frankfurt (Germany), a Visiting Professor for Entrepreneurship at Lanzhou School of Management (China) and a Visiting Fellow at the Department of Law, European University Institute (Italy).

Annika graduated from the University of Bamberg (MA in International and European Business Studies) and the German Graduate School of Management and Law (LL.M in Business Law), and she holds a PhD in Law from Humboldt-University of Berlin.

After working for a financial institution in various countries around the world for several years in investment banking and restructuring, she changed into academics and was awarded a two-year Max Weber Fellowship at the European University Institute (Italy). Her research focuses on international and comparative restructuring and insolvency law, financial regulation and supervision, (behavioral) law and economics, corporate governance and entrepreneurship.

Annika is a member of the NextGen Program of the International Insolvency Institute (Class II) and was awarded the 2006 Gold Medal Prize in International Insolvency Studies. In addition, she is an academic member of INSOL Europe and INSOL International, and the Association for Conflict Resolution, Greater New York Chapter (ACR-GNY).

Background

Sarah Coleman's practice focuses primarily on corporate financing matters. She represents borrowers, financial institutions and agent banks in bank financings, securitizations and structured financings. She also represents companies in private and public placements, securities offerings and derivatives. Before beginning her career in law, Sarah worked as Controller and Chief Financial Officer of a privately held electrical contracting firm.

Experience

Bank Financings

- Publicly traded offshore drilling services company - \$500 million syndicated senior secured credit facility
- Privately-held REIT Entity - \$75 million syndicated revolving credit facility
- Privately-held energy company - \$60 million first lien term loan, \$25 million first lien revolving loan and \$30 million second lien term loan

Mergers and Acquisitions

- Representation of a privately held oil and energy company in sale to energy investment group

Other Representations

- Privately-held renewable energy company - \$90 million dollar revenue stream securitization facility
- Privately-held technology company – programmatic compliance with CFTC and EMIR requirements and negotiation of ISDA Master Agreements, advised client on terms of ISDA Master Agreements, derivatives transactions, and related ISDA provisions and structures

Education

- J.D., The University of Texas School of Law 2014
with honors
- M.Tx., taxation, Mississippi State University 2003
magna cum laude
- B.Acc, accountancy, Mississippi State University 2002
magna cum laude

Admission & Affiliations

- State Bar of Texas
- Austin Bar Association
- Austin Young Lawyers Association
- International Insolvency Institute, NextGen Member



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Background

John Sommer Schmidt is head of the [Insolvency group](#). He specialises in handling distressed companies, which comprises restructurings, voluntary debt arrangements as well as sales or winding up of financially challenged companies. John has extensive experience in all aspects of Danish bankruptcy and restructuring law and he acts as liquidator, restructuring administrator and trustee.

John has extensive knowledge of finance and mortgage law and advises clients on establishing, securing and enforcing all types of creditors' rights.

John is also engaged in litigation and provides advice on general corporate and commercial matters.

In addition to his legal experience, John has a financial background and with this combination of competencies, John is in a position to provide business- and solution-oriented advice focused on creating value for our clients.

Education

LL.M., University of California, Los Angeles School of Law, 2009
Right of audience before the Danish High Court 2007
Admitted to the Danish Bar 2004
Candidatus juris, University of Aarhus 2001
B.Sc. (jur.), Aarhus School of Business 1998

Memberships

Association of Danish Insolvency Attorneys – member of the board of directors
INSOL Europe
International Bar Association

Publications

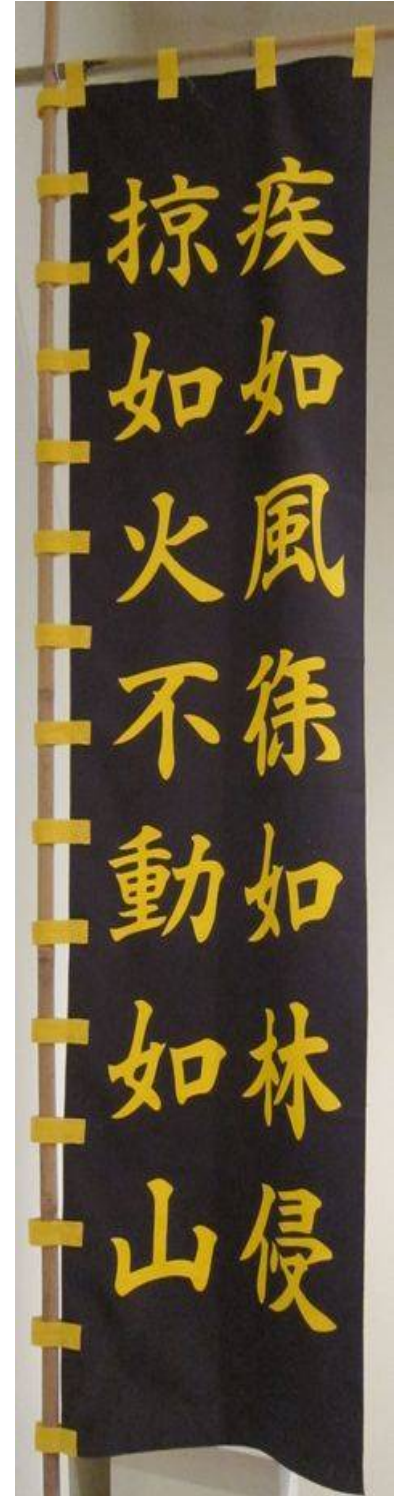
Co-author on article on Denmark in *ICLG Strategic View – Corporate Restructuring*, 2016
Author on: "Denmark" in *The International Comparative Legal Guide to: Corporate Recovery and Insolvency*; published by Global Legal Group Ltd, London, 2007 to 2015
Co-author on: "Challenges for Danish Debtors Seeking to Use U.S. Restructuring Procedures " in *INSOL World*, Second Quarter 2013

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International Insolvency Institute Announces the Medal Winners in the 2016 *Prize in International Insolvency Studies*

Gold Medal Winners

Navigating Scylla & Charybdis: International Arbitration and National Insolvency

David Ehmke, Humboldt-University of Berlin and

david.c.ehmke@gmail.com

Alfred Lewis, University College London

alfieLewis_3@msn.com

Silver Medal Winner

An Analysis and Hypothesis on Forum Shopping in Insolvency Law

Amir Adl Rudbordeh, Radboud Universiteit Nijmegen and Nottingham Trent University

amir_adl@hotmail.com

Bronze Medal Winner

Cross-border Insolvency: A Case for a Transaction Cost Economics Analysis

Michael Guihot, Queensland University of Technology

Michael.guihot@qut.edu.au



III NEXTGEN LEADERSHIP PROGRAM AND CLASS V INDUCTION

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