Tenth World Congress

19 – 22 March 2017
International Convention Centre
Sydney, Australia

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REACHING THE WORLD FROM ASIA PACIFIC

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President’s Welcome

Dear Delegate,

It’s my pleasure to warmly welcome you to the International Convention Centre Sydney, Australia for INSOL’s Thirty-Fifth Anniversary and Tenth World Congress.

It is just so exciting for INSOL to once again welcome so many distinguished speakers, delegates and guests, knowing that over the course of the next three days we will collectively cover a great deal of ground in terms of topics. We will also make a good few new connections and almost certainly meet some good friends from across the profession.

The Congress is always a time to step away from the day to day, to challenge, to questions and to allow ourselves some much needed time to examine the big issues of the day and come away with some new and useful insights. It isn’t overstating the case to suggest that the most significant active players in the restructuring market are gathered here to share their views – take every chance to engage, to share and to gain contacts and knowledge. In a fast paced industry such as ours, such time is truly precious.

The Congress will also be a terrific occasion to launch INSOL’s Strategic Plan to 2021, an update of the INSOL’s authoritative publication Statement of Principles for a Global Approach to Multi-Creditor Workouts and the Fifth edition of Directors in the Twilight Zone. Further, it will be my pleasure to introduce INSOL’s new President to you given my impending retirement.

My thanks go to the Congress Co-Chairs, Paul Billingham of Grant Thornton, Rhonda McCann of Australia and New Zealand Banking Group and Leon Zwier of Arnold Bloch Leibler and to the Technical Co-Chairs, Peter Gothard, Fellow, INSOL International, Ferrier Hodgson and John Martin of Henry Davis York, the Treasurer Daniel Bryant, Fellow, INSOL International, PPB Advisory and our Sponsorship & Marketing Chair Karen O’Flynn, Clayton Utz, and the Technical Programme Committee and their members. I also thank our speakers for the work that has gone into preparing for each of the sessions.

Finally, a word of thanks to our main sponsors: Borrelli Walsh, FTI Consulting, Grant Thornton, Henry Davis York and Lipman Karas. Without their financial support, much of what you will experience would not be possible. Many thanks also to all our sponsors of events, functions and exhibition stands.

Mark Robinson
President, INSOL International
Partner, PPB Advisory
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Congress Co-Chairs’ Welcome

On behalf of INSOL International we are very pleased to welcome you and your accompanying guests to Sydney.

A really special technical programme lies ahead of us and we look forward to meeting with all delegates and having a full and frank exchange of ideas over the course of the Congress.

The theme of this Congress is “Embracing Change”. Accordingly, we have selected speakers who reflect diversity in our profession. But to make that theme meaningful we need our delegates to participate and give voice to the impact of the changing times.

Sometimes the real challenge is selecting which sessions to attend as all topics offer something of value and every session is led by luminaries from within the field.

We would like to thank the members of the Main Organising Committee for their tremendous effort in organising the Congress and to the Technical Committee for their excellent work on preparing the programme. Special thanks also go out to the many excellent speakers who will take part in the various plenary and breakout sessions.

Grasp this chance to reflect, learn and connect. It’s going to be a fast paced few days – enjoy!

We look forward to seeing you at this evening’s Welcome Cocktail Reception at the striking new International Convention Centre, Darling Harbour.

Paul Billingham
Grant Thornton

Rhonda McCann
Australia and New Zealand Banking Group

Leon Zwier
Arnold Bloch Leibler
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Technical Co-Chairs’ Welcome

A warm welcome to INSOL International’s Tenth World Congress here in Sydney.

Thanks to our sponsors and the various committees that make this event possible. Once again we have a truly world class programme of speakers, topics and breakout sessions.

The world doesn’t stand still and the last 12 months has thrown out some spectacular surprises both politically and financially. A strong, adept and flexible insolvency and restructuring profession is a prerequisite for a stable and growth-oriented global economy. It is for all of us to strive to understand more, question more deeply and to deliver more effective solutions to the challenges we encounter in our professional lives.

That’s what makes opportunities like this so important. It’s a chance to consider and debate points away from the actual arenas in which we conduct our work, a chance to bring knowledge up to date, a chance to hear opposing views and a challenge to question how we respond when faced with new scenarios. So get in amongst it over the next couple of days and really enjoy the opportunity to engage with colleagues old and new.

We look forward to meeting with every one of you over the course of the event. We hope you will enjoy your time in Sydney.

Here’s to a successful Congress!

Peter Gothard
Fellow, INSOL International
Ferrier Hodgson
Technical Co-Chair

John Martin
Henry Davis York
Technical Co-Chair
Experts in international insolvency

Henry Davis York, one of Australia’s leading law firms, is at the cutting edge of cross-border insolvency, having played a principal role in landmark cross-border disputes that have set the law in this area at the highest appellate level.

Our firm has one of the top restructuring and insolvency practices in the country, with partners recognised internationally as pre-eminent in the field. HDY lawyers practice law both domestically and across international borders, assisting clients in complex restructuring and insolvency matters around the globe.

HDY is proud to be a principal sponsor of INSOL 2017, the Tenth World Quadrennial Congress, and provide continued support to INSOL with HDY partners John Martin as Technical Co-Chair and Scott Atkins, Chair of Taskforce 2021, INSOL Board member and Fellow.

HENRY DAVIS YORK

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Ancillary Programme

Saturday 18 March 2017

Venue: International Convention Centre (ICC)  
Darling Drive, Darling Harbour, Sydney NSW 2000

Registration: Registration Desk East, Ground Floor,  
Convention Centre, ICC Sydney

INSOL Academics’ Colloquium
8.00am – 9.00am Delegate Registration, Registration Desk East
8.00am – 9.00am Continental Breakfast, E3.1 & E3.2 Foyer, Level 3
9.00am – 4.45pm Meeting Session, E3.1 & E3.2, Level 3

Twelfth Joint INSOL/UNCITRAL/World Bank Group  
Multinational Judicial Colloquium on Insolvency
8.00am – 9.00am Delegate Registration, Registration Desk East
8.00am – 9.00am Continental Breakfast, E5.4 & E5.5 Foyer, Level 5
9.00am – 5.15pm Meeting Session, E5.4 & E5.5, Level 5
(Closed meeting)

Member Associations’ Roundtable
1.00pm – 5.00pm Meeting Session, VIP Boardroom, Ground Floor
(by invitation only)

Sunday 19 March 2017

INSOL Academics’ Colloquium
8.30am – 8.50am Continental Breakfast
8.50am – 5.00pm Meeting Session, E3.1 & E3.2, Level 3

Twelfth Joint INSOL/UNCITRAL/World Bank Group  
Multinational Judicial Colloquium on Insolvency
8.30am – 9.00am Continental Breakfast, E5.4 & E5.5 Foyer, Level 5
9.00am – 5.00pm Meeting Session, E5.4 & E5.5, Level 5
(Closed meeting)
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- Jason Karas: jkaras@lipmankaras.com
- Jeremy Scott: jscott@lipmankaras.com
- Andrew Ford: aford@lipmankaras.com
- Tim Kentish: tkentish@lipmankaras.com
INSOL Offshore Meeting
8.00am – 9.00am Delegate Registration, Registration Desk East
8.00am – 9.00am Continental Breakfast, Cockle Bay Room 2, Level 3
9.00am – 5.35pm Meeting Session, Cockle Bay Room 1, Level 3
Main sponsors: Grant Thornton, Walkers
Breakfast sponsor: Maples and Calder
Coffee Break sponsor: K RyS Global

INSOL Fellows Forum
8.30am – 9.00am Delegate Registration, Registration Desk East
8.30am – 9.00am Continental Breakfast, C3.2, Level 3
9.00am – 12.00pm Meeting Session, C3.2, Level 3 (Closed meeting)
12.00pm – 1.00pm Lunch
Sponsored by
Archer Law
Commercial Bar Association of Victoria
Grant Thornton
Henry Davis York

Small Practice Issues Meeting
1.00pm – 2.00pm Lunch, C3.2, Level 3
2.00pm – 5.00pm Meeting Session, C3.2, Level 3
(Open meeting)
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INSOL 2017 Technical Programme

Main Sponsors:

Venue: International Convention Centre (ICC)
Darling Drive, Darling Harbour, Sydney NSW 2000

Sunday 19 March 2017

12.00pm – 8.00pm Delegate Registration
Registration Desk East, Ground Floor
Convention Centre

6.30pm – 9.30pm Welcome Cocktail Reception
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The Gallery, Level 2, Convention Centre
For delegates and registered accompanying persons

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- Civil Fraud
- Offshore
- Insurance
- Sport
Monday 20 March 2017

8.00am – 4.00pm Delegate Registration
Registration Desk East

8.00am – 8.45am Welcome Continental Breakfast
Parkside Ballroom, Level 2
Sponsored by South Square

Plenary Sessions: Pyrmont Theatre, Level 2
Exhibitors: Pyrmont Theatre Foyer, Level 2

8.45am – 8.55am Welcome to Country
Uncle Charles (Chicka) Madden
Gadigal Elder

8.55am – 9.20am Congress Welcome & Opening Remarks
President, INSOL International
Mark Robinson, PPB Advisory
Congress Co-Chairs
Paul Billingham, Grant Thornton
Rhonda McCann, Australia and
New Zealand Banking Group
Leon Zwier, Arnold Bloch Leibler

9.20am – 9.40am Taskforce 2021

9.40am – 10.50am Keynote Address: Issues on a Chairman’s mind
during the time of change
David Gonski, Chairman
Australia and New Zealand Banking Group Ltd
and Coca-Cola Amatil Limited
Ali Moore
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Introduction to case study
Oil in a day’s work
Scott Atkins, Fellow, INSOL International
Henry Davis York

Networking Coffee Break
Pyrmont Theatre Foyer
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Introduction to case study
Oil in a day’s work
Scott Atkins, Fellow, INSOL International
Henry Davis York

Networking Coffee Break
Pyrmont Theatre Foyer
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12.00pm – 1.00pm Breakout Sessions

Pyrmont Theatre
Level 2

A1 Oil on troubled waters – how to manage an unexpected blowout through the use of new restructuring options
Chair: Alastair Beveridge, AlixPartners LLP
Jane Dietrich, Fellow, INSOL International
Cassels Brock & Blackwell LLP
Paul Kuipers, Linklaters LLP
Rachel Strickland, Willkie Farr & Gallagher LLP

Cockle Bay 1
Level 3

A2 When disaster strikes – what are the duties, obligations and expectations of stakeholders?
Chair: Julie Hertzberg, Alvarez & Marsal
Sue Cato, Cato Counsel
Abuthahir Abdul Gafoor, RSM
Dr. Detlef Hass, Hogan Lovells
Paul Leake, Skadden, Arps, Slate, Meagher & Flom LLP

Cockle Bay 2
Level 3

A3 Rescue capital – the value of new money to a distressed situation
Chair: Genevieve Gregor, Goldman Sachs
Marcelo Lamego Carpenter, Sergio Bermudes Law Office
David Kelleher, Fortress Investment Group (Australia) Pty Ltd
Fidelis Oditah QC, South Square / Oditah & Co

1.00pm – 1.15pm Delegate discussion
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New York • Paris • Prague • Rome • Sao Paulo
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1.15pm – 2.30pm  **Networking Lunch**  
Parkside Ballroom, Level 2  
*Sponsored by hww hermann wienberg wilhelm*

2.30pm – 3.30pm  **Breakout Sessions**

**Pyrmont Theatre**  
Level 2  
**B1 Swelling the insolvent estate – how do practitioners replenish a fraudulently depleted estate?**
Chair: Ian Mann, *Fellow, INSOL International*, Harneys  
Martin Kenney, Martin Kenney & Co.  
Alex Moglia, Moglia Advisors  
Marie Rowbotham, PwC

**Cockle Bay 1**  
Level 3  
**B2 A Hitchhiker’s Guide to forum shopping**
Chair: The Honorable Judge James M. Peck (retired)  
Morrison & Foerster LLP  
Patrick Ang, Rajah & Tann Asia  
Neil Golding, Freshfields Bruckhaus Deringer LLP  
The Honourable Mr. Justice Ian Kawaley  
Supreme Court of Bermuda  
Michael Thierhoff, Thierhoff Müller & Partner

**Cockle Bay 2**  
Level 3  
**B3 Group next (or not): continuing challenges in the treatment of enterprise groups in insolvency**
Chair: David Molton, *Fellow, INSOL International*  
Brown Rudnick LLP  
Macaire Bromley, DLA Piper  
Neil Cooper, Past President, INSOL International  
Luiz Fernando V. de Paiva, Pinheiro Neto Advogados  
Professor Anneli Loubser, University of South Africa

3.30pm – 3.45pm  **Delegate discussion**

3.45pm – 4.15pm  **Networking Coffee Break**  
Pyrmont Theatre Foyer  
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4.15pm – 5.15pm  **Oil in a day’s work – at the end of the day**  Chair: D. Farrington Yates, *Fellow, INSOL International* Kobre & Kim LLP  Alastair Beveridge, AlixPartners LLP  Genevieve Gregor, Goldman Sachs  Julie Hertzberg, Alvarez & Marsal  Ian Mann, *Fellow, INSOL International*, Harneys  David Molton, *Fellow, INSOL International* Brown Rudnick LLP  The Honorable Judge James M. Peck (retired) Morrison & Foerster

5.15pm  **Congress Close**  Free Evening

5.15pm – 6.30pm  **Younger Members Reception**  *Sponsored by Goodmans LLP*

7.00pm – 10.00pm  **Small Practice Members Dinner**  *(Ticketed event)*

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Tuesday 21 March 2017

8.00am – 1.00pm Delegate Registration
Registration Desk East

Plenary Sessions: Pyrmont Theatre, Level 2
Exhibitors: Pyrmont Theatre Foyer, Level 2

7.50am – 8.50am Welcome Continental Breakfast
Pyrmont Theatre Foyer, Level 2
Sponsored by Harneys
Breakfast will be served in the Pyrmont Theatre Foyer and outside Cockle Bay Room 1 for those wishing to attend the ABI Breakfast Panel

7.50am – 8.50am ABI Breakfast Panel – Where will the action be?
Probabilities, opportunities and trends in a Trump era
Cockle Bay Room 1, Level 3
Chair: Ronald Silverman, Hogan Lovells
William H. Hardie III, Houlihan Lokey
Bob Rajan, Alvarez & Marsal
Carlyn Taylor, FTI Consulting, Inc.

8.55am – 9.00am Welcome back
Congress Co-Chair
Rhonda McCann, Australia and New Zealand Banking Group

9.00am – 9.45am Après nous le déluge: municipal debt, sovereign debt – what’s next?
Chair: Robert S. Hertzberg, Pepper Hamilton LLP
Past President, INSOL International
Kevyn Orr, Jones Day
Mark Walker, Millstein & Co

9.45am – 10.00am Delegate discussion

10.00am – 10.15am Delegates to move to breakout sessions
10.15am – 11.15am  Breakout Sessions

Pyrmont Theatre  C1 Financial sector restructuring: the problem with giants and zombies
Level 2

Chair: Richard Heis, KPMG
Jim Luby, McStay Luby
Jim Wigand, Millstein & Co
Tim Williams, National Australia Bank

Cockle Bay 1  C2 The influence of culture on cross-border insolvency and restructuring
Level 3

Chair: Mahesh Uttamchandani, World Bank Group
Renée Dailey, Morgan, Lewis & Bockius LLP
Helena Huang, King & Wood Mallesons
The Honorable Judge Maria Cristina O’Reilly
National Commercial Court, Argentina
Paul Winer, ENSafrica

Cockle Bay 2  C3 Litigation funding – key considerations
Level 3

Chair: Nick Rowles-Davies
Clive Bowman, IMF Bentham Limited
Michael Epstein, Deloitte CRG
Paul Smith, Conyers Dill & Pearman

11.15am – 11.30am  Delegate discussion

11.30am – 12.00pm  Networking Coffee Break
Pyrmont Theatre Foyer
Sponsored by RSM

12.00pm – 1.00pm  Breakout Sessions

Pyrmont Theatre  D1 Compromising Europe? The movement away from formal insolvency towards restructurings and reorganisations
Level 2

Chair: Philip Hertz, Clifford Chance LLP
Lucas Kortmann, Fellow, INSOL International
RESOR N.V.
Angel Martin, KPMG
Dr. Leo Plank, Kirkland & Ellis International LLP
### Cockle Bay 1  
**Level 3**

**D2 The good, the bad and the ugly: national and regional insolvency law reforms**  
Chair: Donald S. Bernstein, Davis Polk & Wardwell LLP  
Mark Craggs, *Fellow, INSOL International*  
Norton Rose Fulbright LLP  
Sushil Nair, Drew & Napier LLC  
Dr. Christoph Paulus, Hamboldt-Universität zu Berlin

### Cockle Bay 2  
**Level 3**

**D3 Retail disrupted. Welcome to the Hunger Games**  
Chair: James Stewart, Ferrier Hodgson  
Cory Lipoff, Hilco Merchant Resources, LLC  
Iain Nairn, Kikki.K  
Dr. Ian Tho, Azurium

**1.00pm – 1.15pm**  
Delegate discussion

**1.15pm**  
Congress close

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**Wednesday 22 March 2017**

**8.30am – 9.30am**  
**Welcome Continental Breakfast**  
Parkside Ballroom, Level 2

**Plenary Sessions:**  
Pyrmont Theatre, Level 2

**Exhibitors:**  
Pyrmont Theatre Foyer, Level 2

**9.30am – 9.35am**  
**Welcome back**  
Technical Co-Chairs  
Peter Gothard, *Fellow, INSOL International*  
Ferrier Hodgson  
John Martin, Henry Davis York
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9.35am – 11.00am  **Future of the insolvency and restructuring profession**
Facilitator: Tony Jones, ABC TV
Mark Byers, Grant Thornton
Sijmen de Ranitz, RESOR N.V.
Past President, INSOL International
Marcia Goldstein, Weil, Gotshal & Manges LLP
Adam S. Harris, Bowmans
Vice-President, INSOL International
Greg Medcraft, Australian Securities and Investments Commission (ASIC)
The Honourable Mr. Justice Kannan Ramesh
Supreme Court of Singapore
Carlyn Taylor, FTI Consulting, Inc.

11.00am – 11.30am  **Networking Coffee Break**
Pyrmont Theatre Foyer
*Sponsored by RSM*

11.30am – 12.30pm  **Indonesia, China and India – where are we and what’s next?**
Chair: David Kidd, Linklaters LLP
Sumant Batra, Kesar Dass B. & Associates
Past President, INSOL International
Warren Hogan, Australian Government Treasury
Andi Kadir, Hadiputra, Hadinoto & Partners
Richard Woodworth, Allen & Overy

12.30pm – 12.45pm  **Delegate discussion**

12.45pm – 2.00pm  **Networking Lunch**
Parkside Ballroom, Level 2
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sappell@alixpartners.com

Tokyo
Masahiko Fukasawa
mfukasawa@alixpartners.com

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when it really matters
2.00pm – 3.00pm  **Hot topics – avoid being burnt!**
Chair: Jay A. Carfagnini, Goodmans LLP
The Honourable Mr. Justice Paul Heath
High Court of New Zealand
Jason Karas, Lipman Karas
Gaurav Malhotra, EY
Gabriel Moss QC, South Square

3.00pm – 3.15pm  Delegate discussion

3.15pm – 3.45pm  **Networking Coffee Break**
Pyrmont Theatre Foyer
*Sponsored by RSM*

3.45pm – 4.45pm  **Keeping pace with modern restructurings – jurisdiction, co-operation, assistance and recognition: views from the bench**
Chair: Honourable Mr. Justice Fabian Gleeson
Supreme Court of New South Wales
The Honourable Mr. Justice Jonathan Harris
High Court of Hong Kong
Sir Alastair Norris
High Court of Justice of England & Wales
The Honourable Mr. Justice Nick Segal
Grand Court of the Cayman Islands
The Honorable Judge Elizabeth S. Stong
U.S. Bankruptcy Court for the Eastern District of New York

4.45pm – 5.00pm  Delegate discussion

5.00pm  **Close of Congress**

7.00pm – 10.30pm  **Gala Dinner**
Grand Ballroom, Level 5
*Sponsored by AlixPartners LLP*

The Gala Dinner floral centrepieces are being donated to OzHarvest and will be distributed to their charity network. OzHarvest is the first perishable food rescue organisation in Australia that collects quality excess food from more than 2,000 commercial outlets and delivers it, direct and free of charge to more than 900 charities. OzHarvest provides much needed assistance to vulnerable men, women and children across Australia and INSOL are proud to support this organisation.

The Technical Programme and speakers may be subject to change. Please complete your Technical Programme assessment form, to enter the prize draw for a Mont Blanc pen.
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is an official journal of INSOL International.

*Editor: Dr Paul Omar*

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Taskforce 2021

INSOL is pleased to launch the Taskforce 2021 Strategic Plan at INSOL 2017. Every delegate will receive a copy of the Strategic Plan. Copies have also been sent to our Member Associations and key stakeholders and emailed to all members on 20 March 2017.

We will present the key findings of the Taskforce during the opening of INSOL 2017.

Our future is vibrant and exciting. The INSOL Executive and Board of Directors are very proud of the quality of the Plan, the bold vision and purpose that it articulates and the bright future for INSOL that the Plan envisages. This plan is built from the insights and ideas drawn from across all INSOL stakeholders and it reflects the collective priorities of our members. The Taskforce’s deep engagement with INSOL’s stakeholders has also enabled a distillation – for the first time – of the values of INSOL and what it truly means to be a member of the global association for restructuring and insolvency professionals.

We would like to take this opportunity to thank the members of the Taskforce listed on the next page and also all the members and stakeholders who assisted us with creating the report. Thanks also to Roger Norton of Norton Crumlin who acted as facilitator of the Taskforce.

This is the start of an exciting journey to 2021 and we envisage the involvement of our members and Member Associations to further develop the plans in the Strategic Plan. If there is a particular aspect that you have an interest in then please let us know as we will be establishing working groups to implement our Strategic Plan.

Please contact Claire Broughton, Chief Executive Officer at claireb@insol.ision.co.uk if you would like to volunteer or have any questions.
Committee Members

Scott Atkins, *Fellow, INSOL International*, Henry Davis York, Australia

Scott Aspinall, *Fellow, INSOL International*, Wentworth Chambers, Australia

Cosimo Borrelli, Borrelli Walsh Limited, Hong Kong

Claire Broughton, Chief Executive Officer, INSOL International, UK

Hon. Arthur Gonzalez (Ret.) New York University, School of Law, USA

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**Requirements**

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**Disclaimer:** If you have kept an older version of the App running on an older device we cannot guarantee nor accept any responsibility for the user experience you receive.

**Getting Started**

1) Download the INSOL App to your device from the appropriate App store (iTunes Store or Google Play Store for example). You can search “INSOL International” to find our App.

Please note: If you have previously downloaded the App this will allow you to update to the latest version. If you have already updated to the latest version you can skip this step.

2) Access the App for the first time whilst connected to Wi-Fi \ 3G \ 4G.

3) You will be asked if you wish to receive notifications from us and also if you wish for the App to access your location.

Please note: INSOL uses these features to provide you with up-to-date information, to send news and announcements periodically and to help you navigate the local area surrounding the congress venue.

4) You must then select from the following 3 options:

**Already Registered:** If your name appears on the delegate list please select this option and provide us with your First Name, Last Name and Email Address so that we can locate your information.

**Register User:** If you have replaced a named delegate or do not appear on the delegate list please select this option and complete the registration form. Only your First Name, Last Name and Email Address are required but submitting any additional information can assist you with networking with other delegates. Please note: This option requires manual approval by INSOL staff. You will be notified on your device and by email once you have been approved.
**Additional Device:** Use this option if you wish to gain access to the INSOL App on any additional devices.

5) Please use the Cloud icon to synchronize all congress information to your device for offline viewing.

Please note: You should do this via Wi-Fi to avoid incurring additional charges from your service provider.

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You will now have access to the following sections of the INSOL App either from the Home Screen or by accessing the side-bar when “swiping” in from the left on your device or pressing the icon:

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**Our Sponsors** – View information on all the sponsors of INSOL 2017 including company brochures and other sponsorship material. You can also elect to contact and meet with a representative of the various firms that are sponsoring the congress.

**Final Folder** – View all supplementary documentation relevant to specific sessions throughout the congress. Papers, PowerPoint presentations and other media that have been submitted are available to view in-App. A full version of the printed Final Folder, G36 brochure and the latest edition of INSOL World are also available.

**Please Note:** Additional PDF Reader software, such as Adobe Reader, may be required for advanced features such as bookmarks and hyperlinking.

**Itinerary** – A full Itinerary of the 2017 Technical Programme. You can view information on each breakout session including speaker biographies and link directly to supplementary information such as papers and PowerPoints for each session.

- Use the **Star** button to bookmark or “favourite” a session for quick access in the Personal section.
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Continuing Professional/Legal Education
For those delegates who are required by their professional associations to achieve minimum levels of continuing education, certificates of attendance will be available on request.

The Law Society of England and Wales
For those delegates who are required by their professional associations to achieve minimum levels of continuing education, certificates of attendance will be available on request.

The Law Society of England and Wales – The Solicitors Regulation Authority (SRA), the independent regulatory body created by The Law Society of England and Wales, have implemented a new approach to solicitors continuing competence. If solicitors wish to claim non accredited continuing professional development in line with SRA requirements, they can record this in their own training records and calculate their continuing professional development points by the number of hours and minutes the congress is held for with the deduction of breaks.

Bar of England and Wales – The Bar Standards Board (BSB) have implemented a new Continuing Professional Development regime from 1 January 2017. As a result, barristers will have greater flexibility and individual responsibility for the training they require in line with BSB CPD requirements. For more information on the new CPD requirements, please go to www.barstandardsboard.org.uk

The Canadian Association of Insolvency and Restructuring Professionals (CAIRP) have approved the Congress for their Mandatory Professional Development Credits.

RITANZ – New Zealand CPD does not have an accreditation process, however New Zealand delegates are able to claim CPD for the congress. New Zealand delegates will need confirmation of the learning outcomes of the Congress and the learning hours. New Zealand delegates must sign in to all sessions they attend.

We are seeking accreditation from the Law Society of Hong Kong.
General Information

Congress Badges
IMPORTANT – Your name badge MUST be worn throughout the Congress. Entrance to all Congress functions both educational and social will be by name badge. Should you lose your badge, please enquire at the registration desk, where you will be issued with a replacement. Registered Accompanying Persons need to wear their badges to allow them access to the social functions.

Dress Code
Delegates are requested to wear smart casual clothes to the Congress technical sessions. Speakers are requested to wear business attire. Social functions, Welcome Cocktail Reception smart casual, no jacket required, Gala Dinner jacket & tie required.

Messages
It will not be possible to leave messages with the Congress Office.

Mobile Telephones
Please ensure all your personal mobile devices are switched to silent during all educational sessions.

Disclaimer
The Congress organisers have made every effort to ensure that the arrangements for the Congress are satisfactory, but can accept no liability for loss or damage to the person or property of Congress delegates however arising, including loss or damage resulting from the negligence of the Congress organisers, except to the extent that any such liability cannot lawfully be excluded. Furthermore, while every effort has been made to ensure that the speakers and the session chairs at the Congress are specialists in the areas upon which they will be lecturing, the organisers cannot accept any liability for any financial or other loss, whether direct or indirect or consequential caused to Congress delegates resulting from reliance of the delegates or any other party upon statements made or opinions expressed during the course of the Congress by speakers or session chairs.

(This contract is governed by the laws of England and the English courts shall have exclusive jurisdiction to resolve any disputes arising out of it.)
ICC Sydney Levels 2 and 3

Level 2
Welcome Reception
The Gallery
Congress Plenary and Breakouts
Pyrmont Theatre
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Parkside Ballroom
Sessions A1 B1 C1 D1
Pyrmont Theatre

Level 3
Breakout Rooms
Cockle Bay Rooms 1 & 2
Sessions A2 B2 C2 D2
Cockle Bay Room 1
Sessions A3 B3 C3 D3
Cockle Bay Room 2
Ian Fletcher International Insolvency Law Moot 2017

INSOL International, International Insolvency Institute and the QUT Faculty of Law are pleased to announce that their co-sponsorship of an International Insolvency Law Moot Competition to be held prior to the INSOL 2017 Tenth World Quadrennial Congress in Sydney on 15-17 March 2017.

Mooting competitions develop the art of appellate advocacy and encourage university students’ interest in, and knowledge of, a particular area of law. National and international moot competitions run in a range of practice areas – such as international human rights law, international criminal law and international commercial arbitration. The Ian Fletcher International Insolvency Law Moot 2017 provides a unique opportunity for universities to participate in a competition dealing with international insolvency litigation. The moot problem requires consideration of a range of laws relevant to international insolvencies, including the United Nations Commission on International Trade Law's Model Law on Cross-border Insolvency.

The moot is named in honour of Professor Ian Fletcher QC(hc), Emeritus Professor of International Commercial Law University College London and a world-renowned scholar and author on international insolvency law. Professor Fletcher led with distinction the INSOL International Academics group from its inception during the 1990s until 2015. Professor Fletcher is also an invited member of the International Insolvency Institute and a co-author of its ALI-III report on Transnational Insolvency: Global Principles for Cooperation in International Insolvency Cases.

For further information, contact Professor Rosalind Mason Queensland University of Technology, at rosalind.mason@qut.edu.au
Future Conferences

INSOL New York, 29 April – 1 May 2018
Americas Annual Regional Conference

INSOL Cape Town, 17 March – 19 March 2019
Europe, Africa, Middle East Annual Regional Conference

INSOL 2021, 14 March – 17 March 2021
Eleventh World Congress, San Diego, California

For further details regarding the above conferences please contact Tina McGorman at tina@insol.ision.co.uk

Future One Day Seminars

25 May 2017
INSOL International São Paulo One Day Seminar
For future information please contact Susannah Drummond Moray
susannah@insol.ision.co.uk

27 June 2017
INSOL International / INSOL Europe Tel Aviv One Day Joint Seminar
For future information please contact Penny Robertson
pennyr@insol.ision.co.uk

13 September 2017
INSOL International Channel Islands One Day Seminar
For future information please contact Penny Robertson
pennyr@insol.ision.co.uk

26 and 28 September 2017
INSOL International China Half Day Seminars
For future information please contact Susannah Drummond Moray
susannah@insol.ision.co.uk

13 October 2017
INSOL International / World Bank Group Africa Round Table Open Forum
For future information please contact Penny Robertson
pennyr@insol.ision.co.uk

November 2017
INSOL International Kuala Lumpur One Day Seminar
For future information please contact Susannah Drummond Moray
susannah@insol.ision.co.uk
INSOL International is a world-wide association of national associations of accountants and lawyers who specialise in turnaround and insolvency. There are currently over 40 Member Associations with over 10,000 professionals participating as members of INSOL International. Individuals who are not members of a member association join as individual members.

INSOL also has ancillary groups that represent the judiciary, regulators, lenders and academics. These groups play an invaluable role within INSOL and provide valuable forums for discussions of mutual problems.

INSOL was formed in 1982 and has grown in stature to become the leading insolvency association in the world. It is a valuable source of professional knowledge, which is being put to use around the world on diverse projects to the benefit of the business and financial communities.

**INSOL's Mission**

INSOL with its Member Associations will take the leadership role in international turnaround, insolvency and related credit issues; facilitate the exchange of information and ideas; encourage greater international co-operation and communication amongst the insolvency profession, credit community and related constituencies.

**Our Goals:**

- To work with and involve our Member Associations in our activities
- To implement research into international and comparative turnaround and insolvency issues
- To participate in Government, NGO and intergovernmental advisory groups and to liase with these institutions on relevant issues
- To assist in developing cross-border insolvency policies, international codes and best practice guidelines
- To provide a leadership role in international educational matters relating to turnaround and insolvency topics
- To facilitate the exchange of knowledge amongst our Member Associations through our conferences and publications

For further information on INSOL International please contact:

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The INSOL Global Insolvency Practice Course is now in its eighth academic year. Launched in October 2007 as a result of the large interest that the INSOL membership demonstrated for an advanced educational qualification focusing on international insolvency. The course is now firmly established within the industry.

With the fast growing number of cross-border insolvency cases and the adoption in many jurisdictions of international insolvency rules and provisions, the turnaround and insolvency profession faces increasing challenges in the current economic environment. The current outlook demonstrates that the practitioners of tomorrow need to have extensive knowledge of the transnational and international aspects of the legal and financial problems of businesses in distress.

G. Ray Warner, St John's University, USA, Course Leader and Chair of Core Committee, states that: “The on-going global financial crisis and the globalization of business have dramatically increased the complexity of insolvency practice. Few enterprises are purely domestic and almost all significant restructurings involve operations in multiple jurisdictions and present creative opportunities to use different restructuring regimes. This course gives the insolvency practitioner the tools necessary to be successful in the new world of global insolvency practice.

The Fellowship programme provides the perfect backdrop against which insolvency professionals can build a valuable theoretical framework and gain useful practical insights in order to deal with cross-border insolvency issues more confidently. At the same time, the course offers a unique opportunity to establish an international professional network that will prove invaluable to participants in years to come. A number of leading insolvency practitioners and academics present the course under the auspices of INSOL International.

On successful completion of the course the qualification of Fellow, INSOL International is conferred, thereby gaining membership of the Fellowship Group for each recipient. INSOL International is delighted to recognise our Fellows on the following pages.

The Fellows meet regularly and have a forum for discussion. The INSOL Fellows Committee work with INSOL to involve the Fellows in future projects and programmes. We now have 110 active members. The INSOL Fellows are holding a reception for all Fellows who are present at INSOL 2017 and also a half day forum. Both events are kindly sponsored by Archer Law, Commercial Bar Association of Victoria, Grant Thornton and Henry Davis York.

If you would be interested in participating in the course in the future, please contact Heather Callow at heather@insol.ision.co.uk.
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**UK**

Alastair Beveridge is a Managing Director and Head of AlixPartners’ UK Turnaround & Restructuring Services practice. He joined the firm’s London office in 2015, as part of AlixPartners’ acquisition of Zolfo Cooper Europe.

He specialises in cross-border advisory and formal insolvency appointments. Alastair has been assisting companies in financial difficulty for over 25 years. Alastair has an engineering degree, is a Certified Management Consultant, and has written articles on property, football clubs, the hotel industry, retailing, and corporate restructuring and turnaround. Alastair is a council member of INSOL Europe.

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**Paul Billingham**, Grant Thornton

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**Australia**

Paul Billingham is the National Managing Partner of the Financial Advisory team at Grant Thornton Australia, responsible for leading a team of some 200 people in the Corporate Finance, Restructuring Advisory and Forensic Consulting service lines in each State.

Professionally, Paul specialises in devising and delivering holistic, stakeholder driven restructuring and turnaround solutions for mid to large Australian companies across a wide variety of sectors, with a particular focus on long term performance and operational improvement.
He is a Fellow of the Institute of Chartered Accountants in Australia, Registered Liquidator, Member of the Australian Institute of Company Directors and Member of the Australian Restructuring, Insolvency and Turnaround Association.

Last but not least, a keen yachtsman, Paul is Vice Commodore of the Cruising Yacht Club of Australia, home of the iconic Rolex Sydney to Hobart Yacht race.

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**Cosimo Borrelli**, Borrelli Walsh Limited<br>`cb@borrelliwalsh.com`<br>Hong Kong

Cosimo Borrelli is a Managing Director of Borrelli Walsh, a specialist restructuring, insolvency and forensic accounting firm with offices in Beijing, British Virgin Islands, Cayman Islands, Hong Kong, Jakarta and Singapore.

Cosimo is a Chartered Accountant with over 25 years of experience in formal and informal corporate restructuring, insolvency, forensic accounting and financial investigations. This experience has included being appointed by courts, lenders and financiers, distressed companies, secured and unsecured creditors, investors and other interested parties. Cosimo has been involved in some of the region’s largest and most difficult corporate collapses and investigations in recent years.

Cosimo is also well regarded for his work as a director of listed companies and currently holds directorships with publicly listed entities in Hong Kong, Singapore, Indonesia and the US.

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**Clive Bowman**, IMF Bentham Limited<br>`cbowman@imf.com.au`<br>Australia

Clive is Chief Executive of IMF Bentham Limited for Australia and Asia, and is responsible for overseeing IMF’s case management activity in that region. He is also head of IMF’s case selection committee and the Australian Investment Manager’s committee.

Clive has extensive experience in litigation and litigation funding, with a particular focus on insolvency and large scale multi-party litigation. Clive began his career in 1990 in a large law firm in Sydney, and then moved to a city firm in London, where he continued as a litigation lawyer.
Clive became involved in litigation funding in 1997 and has been instrumental in the formation and development of IMF Bentham Limited as a leading litigation funder internationally.

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**Macaire Bromley, DLA Piper**  
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*Australia*

Macaire Bromley is a partner with DLA Piper's global restructuring team, focusing on complex cross-border restructurings, multi-bank work outs and special situations.

Macaire has experience advising clients in the debt and equity structure, the debtor company and its board, and providers of new money, both in the private and listed arenas. She has acted for senior bank coordinating committees in large multi-bank restructurings, including the restructure of in excess of US$5 billion debt owed by the Al Jaber Group across 36 banks. She has acted on bank bail-ins, mandated by statute in the case of the good bank / bad bank split of the Bank of Cyprus and Laiki Bank, and agreed to by consent mechanisms including implementation via scheme of arrangement in the case of the Co-operative Bank plc. Formerly, Macaire acted on the Australian aspects of a number of high profile corporate collapses including Enron and Lehman Brothers.

Macaire began her career as an accountant in 1995, moving to the law in 1997. She has worked in Australia, the UK and UAE, with clients across Europe, the Middle East, Asia and Australia.

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**Mark Byers, Grant Thornton**  
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Mark is highly experienced advisory partner who with a range of expertise focused around corporate finance advisory, restructuring and insolvency and a range of regulatory roles in the financial services sector. He has appeared before court on a number of occasions both in England and in a variety of overseas jurisdictions.

Mark has extensive experience as an advisor to listed and major private companies and their stakeholders in the management of change in challenging and uncertain circumstances. He regularly works with companies to resolve difficult financing situations and to deliver complex, cross-border restructuring solutions in Europe, North America and Asia. This work has often included
identifying and developing financial restructuring opportunities often supported by a combination of capital raising, disposal of non-core businesses and strategic change. In addition his experience has included flotations, management buy outs, acquisitions, disposals and capital raising. Mark also takes insolvency appointments which often involve international businesses and works closely with other insolvency practitioners in offshore financial centres.

In recent years Mark has worked with a number of banking institutions and their regulators in supporting and monitoring the implementation of restructuring strategies designed to promote financial stability following the global financial crisis and the challenges faced by the financial sector in the Eurozone. These include systemically important banks in the UK, Ireland, Netherlands, Greece, Spain, Portugal and Cyprus.

Mark is currently a Co-Chair of the G36 Committee of INSOL and is a regular speaker on restructuring and insolvency matters at conferences around the world.

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**Marcelo Lamego Carpenter**, Sergio Bermudes Law Office  
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Marcelo Carpenter is a partner at the Sergio Bermudes Advogados Law Firm in Rio de Janeiro and a leading member of the legal team that represented OGX in its successful application for judicial reorganization (the Brazilian equivalent of Chapter 11 proceedings). He currently represents Sete Brasil (another major Oil & Gas company) in its application for judicial reorganization, and represents international creditors in some of the most relevant reorganization cases in Brazil, such OAS (a local Engineering Group) and Oi S/A (Telecommunications Group). In all of these cases Marcelo has been at the forefront of negotiations between debtors, creditors and investors. Marcelo specializes in Corporate Restructure and Bankruptcy issues and represents national and international corporations (in particular financial institutions) in the recovery of credits within judicial recovery and bankruptcy proceedings. He also acts for national and multinational companies seeking to re-organize their corporate structure.

He lectures and writes on bankruptcy and corporate restructuring issues.
Jay A. Carfagnini, Goodmans LLP
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Jay A. Carfagnini is a partner and heads Goodmans’ Corporate Restructuring Group. For 15 consecutive years, Goodmans Corporate Restructuring Group has been ranked by Chambers Global as the sole Canadian law firm in Band 1 with the #1 restructuring practice in Canada. His practice focuses on banking and financing, corporate reorganizations, bankruptcy and insolvency law. Jay has participated in the restructurings of Nortel, Target Canada, MF Global Canada, LightSquared, Chemtura, Indalex, CanWest, Circuit City/InterTAN Canada, AbitibiBowater, Quebecor World, MuscleTech and JTI-Macdonald. He is ranked as a leading lawyer in insolvency/restructuring law by Lexpert, Chambers, IFLR, The Legal 500 Canada, Best Lawyers in Canada (2011 Toronto insolvency & financial restructuring lawyer of the year), and by Euromoney’s Best of the Best (one of top 30 restructuring lawyers worldwide). Since 2005, Jay has been recognized by Who’s Who International as one of the top 10-15 Most Highly Regarded restructuring lawyers worldwide and in 2016 was the most highly nominated restructuring lawyer in Canada.

He is a member of the III, IIC and INSOL International.

Sue Cato, Cato Counsel
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Sue Cato has worked on business-critical issues and corporate activity for Australian and international corporations and entities for over two decades.

Sue established Cato Counsel in 2003 as a corporate communications company providing high-level strategic transaction support and public and corporate affairs advice. She is recognised as one of Australia’s leading issues management experts having managed some of the largest issues confronting corporate Australia.

Sue is a non-executive director of the listed Future Generation Global Investment Company and the creative precinct of Carriageworks. She is also an advisory board member of Sydney Contemporary and is a member of Chief Executive Women. Sue is a regular panellist on ABC TV’s The Drum. She is also a commentator on business issues for the national media.
Neil Cooper has been a specialist in asset recovery and cross-border insolvency issues since early in his career, when he joined a major international accountancy firm and undertook cases in the UK, Africa, Asia, North America, Australasia and continental Europe. Neil retired from practice in 2015 but remains involved as a consultant with INSOL International and the World Bank Group.

He has been heavily involved with the United Nations Commission for International Trade Law, (UNCITRAL) Working Group V for 23 years, including the formulation of the Model Law on Cross-border Insolvency, the Legislative Guide to Insolvency Law and subsequent work. He assisted the World Bank developing insolvency principles and guidelines and is considered one of the world’s experts in cross-border insolvency.

Neil is Past President of INSOL International, Life President of INSOL Europe and a Visiting Professor at Nottingham Trent University.

Mark Craggs advises on a wide range of restructuring and insolvency matters. His work frequently involves EU insolvency law and the various national enactments of the UNCITRAL Model Law on Cross-Border Insolvency.

Mark has advised on: the UK and non-US aspects of the Lehman Brothers Inc. liquidation; the closure of the Maxwell schemes of arrangements and administrations; the repatriation to Australia of the English estate in the HIH Insurance liquidation; and the recognition of the Japanese civil rehabilitation proceedings of Daiichi Chuo KK in the UK, the US, Canada and Australia. He regularly advises on contingency-planning and security enforcement in relation to project and asset-financed transactions worldwide.

Mark is a Fellow of INSOL International and a member of a number of committees of INSOL International. In March 2016, he was selected as one of the “40 under 40” leading restructuring and insolvency specialists in the world by Global Restructuring Review.
Renée Dailey, Morgan, Lewis & Bockius LLP  
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Renée Dailey is co-head of the bankruptcy and restructuring group at Morgan, Lewis & Bockius LLP. The core of Renée’s practice focuses on the representation of public and private noteholder groups and bank groups in amendment and consent requests, complex out-of-court restructurings, and in-court proceedings in the United States and internationally. Renée has represented a number of US noteholder groups in connection with restructuring of Australian issuers. Notably, Renée represented the Centro Senior Lender Group in an out-of-court debt-for-equity transaction that has been described as a template for other Australian restructurings and more recently representing the US Noteholders in the Arrium administration.

Renée also advises institutional investors in connection with their front-end investment activities and proposed investment structures, with a focus on the mitigation of financial risk. Renée is described in The Legal 500 as a “first-class restructuring lawyer with a strong work ethic” (2015) who is “especially adept at pursuing matters that require persistence and focus” (2014).

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Luiz Fernando Valente de Paiva is the co-head of the corporate restructuring team of Pinheiro Neto Advogados. He was a member of the Joint Ministerial Committee that drafted the final wording of the new Brazilian Bankruptcy Law. He coordinated courses on the New Bankruptcy Law at the Getúlio Vargas Foundation for members of the Judiciary throughout Brazil and members of the Attorney’s General Offices in São Paulo and Rio de Janeiro. He is the Vice – President of TMA – Brasil, and a Board member of IBR - Brazilian Institute of Corporate Restructuring Studies and Insol (former), Member of the World Bank Task Force on Insolvency; Author of several chapters of books and articles about the Brazilian Bankruptcy Law published in Brazil and abroad.

He is recommended by the publications Chambers and Partners (Band 1), Latin Lawyer 250, Who’s Who Legal (Leading), Legal 500, Best Lawyers and among others in the Bankruptcy/Restructuring practices.
Sijmen de Ranitz, RESOR N.V.
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Sijmen de Ranitz is a leading specialist in insolvency and corporate recovery. Building upon his extensive accumulated international expertise Sijmen advises and assists banks in their clients’ reorganisation activities, as well as national and multinational companies in financial distress. He also advises court-appointed trustees in bankruptcy. Sijmen further advised the International Monetary Fund on insolvency and restructuring issues in relation to the continental European countries during the period 2009-2017, specifically on reform of banking systems and insolvency laws. Recent work includes advising and assisting: lenders, on the restructuring of a US – German – Dutch corporation; Goldman Sachs on the restructuring of a number of multi-jurisdictional investment portfolio’s; the IMF on banking systems and insolvency law reform in foreign jurisdictions in relation to the sovereign debt crisis; and a leading global corporation on a potential restructuring issue in various jurisdictions.

In the past Sijmen has been involved in many international matters such as Enron Corp, WorldCom, Ahold, Toshoku, Fokker, DAF, and GTS. During the Asian crisis Sijmen advised, often in Indonesia, the World Bank on restructuring issues and options.

After 34 years with De Brauw Blackstone Westbroek, one of the leading Dutch law firms, Sijmen joined RESOR, a law firm that focusses on matters related to companies in distress. Sijmen is the former president of INSOL International and past President of Insolad, the Dutch association of insolvency lawyers. Sijmen is representing INSOL International at the UNCITRAL Working Group V meetings on insolvency issues. Sijmen was awarded a Royal distinction for his achievements in furthering the Dutch national and international insolvency practice.

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Jane Dietrich is a partner in the Restructuring and Insolvency Group at Cassels Brock in Toronto. The focus of her practice is on international and domestic commercial restructurings, insolvency and related litigation. She has particular expertise in formal and informal corporate reorganizations, enforcement of security and unsecured creditor remedies. Prior to joining Cassels Brock, Jane practised for approximately 10 years at another leading Canadian law firm where she was a partner.
A frequent writer and presenter on insolvency-related matters, Jane has participated as a speaker at several conferences hosted by the Canadian Association of Insolvency and Restructuring Professionals, the Ontario Bar Association, the Law Society of Upper Canada and the Risk Management Association. Jane also teaches bankruptcy law at the University of Toronto, where she is an Adjunct Professor. She is a Fellow and lifetime member of INSOL International. She is also a member of the Insolvency Institute of Canada. Jane is recognized as a leading insolvency and restructuring lawyer by the Canadian Legal Lexpert Directory, Chambers Global and Best Lawyers.

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Michael is the Global Restructuring Services leader of Deloitte CRG, and spends his time primarily in the organization’s New York office. His practice is centered on crisis management, financial advisory services, and restructuring activities in both middle market and large transactions. Michael has been an integral part of the organization or its predecessors since 1989.

Michael works with management teams, creditors, creditors’ committees and boards of directors in many aspects of distressed businesses, operational reengineering, and financial restructuring.

Previously, Michael was chief executive officer (CEO) of the largest provider of software solutions for specialized asset-based finance and back-office support for lease administration. Michael helped found that company’s first business unit outside of the United Kingdom, and held a board seat for the parent company for nearly six years.

He is the author of "Furthering Insolvency," Institutional Investor Corporate Governance Guide (October 2003), "Beyond Investor Relations: Communicating with Stakeholders in a Crisis," Investor Relations (Spring 2003) and "In Maine Today Media, Communication Key" Buyouts Magazine (July 15, 2013.)

Mr. Epstein has a B.S. degree from Tufts University and a M.B.A. from Wharton School at the University of Pennsylvania.
Abuthahir Abdul Gafoor, RSM
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Abuthahir is an Executive Director in RSM Corporate Advisory Pte Ltd heading the Corporate Recovery, Litigation Consulting and Forensic Investigation Department. He has over 25 years of working experience in the insolvency area, and has been appointed to oversee corporate insolvencies, including restructuring and corporate workouts, judicial management, receivership and liquidation. As an approved liquidator, he has undertaken numerous insolvent administrations, both contentious and non-contentious in nature, spreading over various industries.

He also works very closely with lawyers on litigation consulting engagements. As part of forensic and special investigation services, Abuthahir specialises in asset recovery, fraud investigations, assessment of claims for damages or loss of profits, business valuations, and other forms of commercial or private disputes.

The Honourable Mr. Justice Fabian Gleeson
Supreme Court of New South Wales
Australia

Justice Gleeson was appointed a judge of the Supreme Court of New South Wales and the Court of Appeal in April 2013. Before his appointment he practised as a barrister specialising in corporate law and insolvency, equity, insurance and reinsurance and professional liability. He was appointed a Senior Counsel in 2005. He appeared and advised in relation to many insolvency-related matters, as well as schemes of arrangement and applications under the Model Law.

Prior to being called to the Bar in 1991, Justice Gleeson practised as a solicitor at Freehill Hollingdale & Page (now known as Herbert Smith Freehills) from 1980 and was later made a partner at the law firm. He has also served as a part-time lecturer in Insolvency Law, Business Finance and Breach of Contract courses at the University of Sydney.

Justice Gleeson holds degrees in Economics and Law (Hons) and a Master of Laws from the University of Sydney.
Neil Golding, Freshfields Bruckhaus Deringer LLP  
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Neil is a restructuring and insolvency partner in Freshfields’ London office. He is also a licensed insolvency practitioner. He specialises in the Financial Institutions Sector and frequently does cases with an international element and has worked on cases involving Bermuda, Cayman, Hong Kong, BVI, The Isle of Man, Trinidad, Barbados, Singapore and PRC.

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Marcia Goldstein is a partner in the Business Finance & Restructuring Department at Weil, Gotshal & Manges LLP and a member of the Firm’s Management Committee. She has practiced with the firm for over thirty-five years in all areas of domestic and international debt restructuring and crisis management, serving as lead restructuring lawyer in major U.S. and cross-border cases. She has been a lecturer at Yale, Harvard, Columbia, NYU and Cornell Law Schools and is a frequent speaker at restructuring seminars both domestically and internationally.

Ms. Goldstein is a member of the National Bankruptcy Conference and its executive committee, American College of Bankruptcy and International Insolvency Institute and has chaired the Business Reorganizations Committee of the Association of the Bar of the City of NY. She is consistently recognized as a top restructuring lawyer by Chambers, IFLR, Legal 500 and as one of the top ten New York Super Lawyers.

Peter Gothard, Fellow, INSOL International  
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Peter specialises in the completion of both formal and informal insolvency and restructuring assignments within Australia and internationally.

Peter has been involved in a number of formal and informal restructuring assignments involving complex
business structures and syndicated lending facilities in Australia, New Zealand, the United States, South East Asia and Japan.

In the course of completing his insolvency assignments, Peter has been involved in a number of cases involving international corporate structures, cross-border considerations, shareholder disputes and actions to recover monies for the benefit of creditors.

Peter has completed assignments in a wide range of industries including refining and petrochemicals, cement, mining, renewable energy, finance/securities, structured finance and leasing, transportation, steel, textiles, agriculture, hotels, telecommunications, manufacturing, and information technology.

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**Genevieve Gregor**, Goldman Sachs
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Genevieve is the co-head of the Asia Special Situations Group in Australia. She joined Goldman Sachs in 2009 and was named managing director in 2011.

Prior to joining the firm, Genevieve was head of the Australian loans capital markets business at Citigroup. Previously, she worked at MIM Holdings, now Xstrata Australia Limited.

Genevieve serves on the Board of Trustees for Western Sydney University.

Genevieve earned a BEcon from the University of Queensland and a Graduate Diploma in Applied Finance from the Securities Institute of Australia.

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**William H. Hardie III**, Houlihan Lokey
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Mr. Hardie is a member of Houlihan Lokey’s Financial Restructuring Group. Since joining the firm in 2000, he has lead numerous debtor and creditor-side restructuring assignments involving businesses in various industries, including energy, metals and mining, gaming, cable operators, and general industrial.

Mr. Hardie has specialized in recent years on providing innovative strategic advice to debtors and creditors of challenged metals and mining businesses.

Mr. Hardie’s other notable publicly disclosed assignments include: Allegheny; Adelphia Communications Corp. (Frontiervision); ANP Funding I, LLC; Anthony Crane Rental, LP; Bally Total Fitness Holding Corp.; Caesars; Calpine Corp.; Cooper-Standard Automotive Inc.; Danka Business Systems, PLC; Enron Corp.; GeoEye, Inc. (f/k/a ORBIMAGE); Grove Worldwide, LLC; Hayes Lemmerz International, Inc.; JCC Holding Co.(Harrah’s Jazz); Lionel, LLC; Maxim Cranes; Mirant Corp.; Mohegan Tribal Gaming Authority; Nellson Neutraceutical, Inc.; Southcross Holdings LP; Trident Resources Corp.; Trump Organization Inc. and Tokheim Corp.

Mr. Hardie holds a B.S. in Economics from the University of Alabama and a J.D. from Vanderbilt University, where he was the Managing Editor of the Vanderbilt Law Review.

Adam S. Harris, Bowmans
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Adam Harris is a Director of Bowmans and specialises in insolvency, business restructuring and related fields. He is the current Vice-President of INSOL International and a member of the Executive Committee.

Adam represents lenders and creditors and other institutions such as professional indemnity insurers, as well as business rescue and insolvency practitioners in various aspects relating to the winding-up and restructuring of companies and the administration of insolvent estates. Adam has attended to some of the leading cases on different aspects of winding-up, insolvency and business restructuring such as the constitutionality of interrogations, impeachable transactions, procedural aspects of liquidation applications, the interpretation of the Business Rescue legislation and insolvency practitioners’ remuneration.

He is one of the co-authors of Mars “Law of Insolvency” (9th Ed), a leading insolvency text in South Africa.
Jonathan Harris became a judge of the High Court of Hong Kong on 1 December 2009 and shortly thereafter was appointed the Judge in charge of the Companies and Insolvency Court. Judge Harris moved to Hong Kong in 1983 as a trainee solicitor. He remained in Hong Kong on qualification and practiced as a solicitor for 10 years advising clients on various types of commercial issues in Hong Kong, Mainland China and other jurisdictions in Asia. He was a partner in Mallesons Stephen Jaques prior to joining the Bar in 1983. He was appointed Senior Counsel in 2006. Prior to joining the Judiciary Judge Harris’s principal areas of practice involved insolvency, company regulation and securities.

He is an active member of the International Insolvency institute and INSOL International and is a member of INSOL's International College of Mediators. He has a particular interest in cross-border insolvency and restructuring issues. He is also a member of the Judicial Committee of the Academy of Experts in England.

Detlef Hass is a partner in the firm’s Munich office and co-heads Hogan Lovells’ Litigation area. He represents clients in all methods of international dispute resolution (litigation, arbitration and mediation) and is known for his hands on approach and his advocacy in court. He focusses especially on insolvency related disputes and post M&A disputes. Further, he has special experience in investigations and the defence and enforcement of claims with regard to white collar crime and advises creditors and investors in connection with business recovery, turnaround and formal insolvency scenarios. He is an expert for questions of International and European Insolvency law. His industry expertise comprises telecommunications, media, transportation (automotive, aircraft and trains) and retail.

Detlef was admitted as an attorney at law (Rechtsanwalt) in 1994 in Germany, qualified in England as solicitor in 1997 and became a partner at the firm in Munich in 2000. Detlef holds degrees from University of Munich, University of Bonn and University of Regensburg. He is the author of several publications in the field of dispute resolution and business restructuring and insolvency. He regularly gives presentations and trainings on these topics.
The Honourable Mr. Justice Paul Heath
High Court of New Zealand
New Zealand

Paul Heath was called to the New Zealand Bar in 1978. After time as a partner in a firm of barristers and solicitors, he moved to the separate Bar in 1998 and was appointed Queen's Counsel the same year. He was appointed a Judge of the High Court of New Zealand in April 2002, and has also sat occasionally in the Court of Appeal.

The Judge has also been a member of the New Zealand Law Commission. During the time he oversaw the preparation of a report recommending adoption of the UNCITRAL Model Law on Cross-Border Insolvency and attended meetings of UNCITRAL's Working Group on Insolvency, and chairing the meeting on one occasion. He was responsible for preparing the first draft of the UNCITRAL publication Judicial Perspective to the Model Law on Cross-Border Insolvency, now available on the UNCITRAL website.

Justice Heath was granted life membership of RITANZ, INSOL International’s New Zealand affiliate, in 2015.

Richard Heis, KPMG
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Richard joined KPMG in 1983 and became a partner in 1997. From 1983-1990 he worked in the FS audit function in KPMG, specialising in large retail banks. Hespecialises in financial sector insolvencies, complex cross-border assignments, and all forms of restructuring and insolvency. Richard has lectured on complex financial instruments and had a two year seconment at HSBC. His formal appointments have included Marconi, Japan Leasing, Winchester Commodities, Seligmann Harris, Barings Bank, The New Millennium Experience Company, Greycoat, Refco Capital Markets Limited, Schefenacker, Torex Retail, Teathers, Millennium Global Emerging Credit Fund, SPhinX and various SIV, CLO and CDO appointments. Richard was appointed building society special administrator of Dunfermline Building Society in the first use of the Special Resolution Regime introduced by the Banking Act 2009. He was appointed Special Administrator of MF Global (UK) Ltd in the first use of the UK Special Administration Regime for Investment Banks, and most recently Alpari (UK), the spread betting firm.

He is a member of The Banking Liaison Panel, a statutory body set up to advise Her Majesty’s Treasury following the financial crisis of 2008. He is immediate
past chairman of the Technical Committee of R3, the UK insolvency trade body. Richard is currently a member of the INSOL International Executive Committee.

Philip Hertz, Clifford Chance LLP  
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Philip is a Partner in, and is Global Head of Clifford Chance’s Restructuring and Insolvency Group. He specialises in general restructuring and insolvency. Recent assignments include advising the Ad Hoc Committee of Bondholders of Abengoa SA in relation to the restructuring of the group, Scholz Holding GmbH in relation to its restructuring and Second Lien Lenders to H.C. Starck in relation to that company’s restructuring, APCOA in relation to its restructuring (including an innovative “change of law” scheme of arrangement); an ad hoc committee of Finance Lenders in relation to the restructuring of PRISA; advising the senior co-ordinating committee of lenders in relation to the restructuring of HIME/SAUR; advising the senior co-ordinator in relation to the restructuring of BTC/Vivacom; and advising a co-ordinating committee in relation to the restructuring of SEAT Paginne Gialle SpA.

Philip is the co-author of the chapters entitled “Schemes of Arrangement” in Tolley’s Insolvency Law, “Compromising Shareholder Claims” in The Law and Practise of Restructuring in the UK and US and “Winding Up” in Private Equity Exits as well as numerous articles on general insolvency restructuring and related topics. He is a past President of the Insolvency Lawyers Association.

Julie Hertzberg, Alvarez & Marsal  
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Julie is a Managing Director with Alvarez & Marsal and the head of A&M’s Claims Management Services Group, where she specializes in complex bankruptcy case preparation and administration. She also sits on the Executive Committee for the North American Restructuring Practice.

She has over sixteen years of restructuring experience and has advised on numerous Chapter 11 proceedings in the context of pre-bankruptcy preparation, case administration, claims management and post-confirmation requirements. Under the direction of Ms. Hertzberg, her team has been involved in 100’s of Chapter 11 bankruptcy matters. Notable consulting assignments including:

Ms. Hertzberg earned a juris doctor from the University of New Mexico and a bachelor’s degree from the University of Virginia. She is also active in a number of industry organizations, including the Executive Committee for INSOL International and the American Bankruptcy Institute.

Robert S. Hertzberg, Pepper Hamilton LLP
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Robert S. Hertzberg is a partner with Pepper Hamilton LLP, resident in the Detroit and New York offices. He is past co-chair of the firm’s Corporate Restructuring and Bankruptcy Practice Group.

Mr. Hertzberg, an accomplished bankruptcy lawyer and fellow of the American College of Bankruptcy, has been practicing almost exclusively in the bankruptcy and restructuring field for more than 35 years, representing secured lenders, debtors, debtors-in-possession, trustees, creditors and creditors’ committees. He also has specialized in handling complex litigation matters in bankruptcy court and federal and district court.

Mr. Hertzberg is a past president of INSOL International (2003-2005), and a board member from 1997 to 2006. He was also appointed to the Panel of INSOL International College of Mediation and the American College of Bankruptcy (in which he sat on the Sixth Circuit Admissions Council from 2003-2006), he is active in many other professional organizations, including the Turnaround Management Association, the Commercial Law League of America (past chairman of the Bankruptcy Section), and the American Bankruptcy Institute (past chairman of the Central States Workshop program). Mr. Hertzberg also is a member of the International Insolvency Institute.

Mr. Hertzberg is listed in The Best Lawyers in America, the International Who’s Who of Insolvency and Restructuring Lawyers (USA and International editions) and was selected for inclusion on the 2014 Michigan Super Lawyers list. He received the Consumer Bankruptcy Association’s Award of Recognition in 2000 for his accomplishments in the bankruptcy field.
Mr. Hertzberg holds a B.A. from Eastern Michigan University (1976), and J.D., Thomas M. Cooley Law School (1979).

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**Warren Hogan**, Australian Government Treasury  
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Australia

Warren Hogan is a renowned economist and forecaster of the global economy and markets. With over 20 years’ experience working for Australian and international banks, Warren has developed an extensive network that supports his analysis and views of the economy.

Warren was Chief Economist of ANZ Bank. He built out a global research team of economists, financial market strategists and commodity analysts with a particular focus on the Asian Region.

Warren is a regular commentator in the media and is an advisor to business, governments and investors across the world.

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**Helena Huang**, King & Wood Mallesons  
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Helena Huang is a senior partner of King & Wood Mallesons and she leads the private equity and the cross-border restructuring practices at the firm. Helena has practiced law for almost 20 years with leading U.S. and Chinese law firms, including previously as a partner of Kirkland & Ellis LLP New York and Hong Kong since 2006. Her current practice focuses on cross-border M&A transactions (including PE investments and out-bound acquisitions by large Chinese enterprises, and distressed M&A.), onshore and offshore private equity fund formation, and restructuring of global conglomerates and private equity portfolio companies.

Helena specializes in representing global conglomerates, private equity funds, and hedge funds in their global acquisitions and dispositions of distressed businesses and assets, and the restructuring of and enforcement actions against underperforming portfolio companies. Over the years, Helena has represented large corporations and financial investors and institutions in the United States, Hong Kong and mainland China in connection with all aspects of complex reorganizations, out of court workouts, and cross-border restructuring proceedings involving various industries, such as real estate, solar energy, power plants, airlines, finance, communications, forestry, outdoor equipment, manufacture, and education.
Helena has also represented many PE funds, state-owned enterprises and private enterprises in their worldwide M&A transactions. She has also advised many Chinese and foreign fund sponsors and investors (including sovereign wealth funds, such as China Investment Corporation) in their formation of onshore and offshore PE funds and the investments by the PE funds.

Helena has obtained legal training in both the U.S. and China, and is one of few U.S. PE and restructuring lawyers who also has a Chinese legal background and Hong Kong legal qualification. Helena has received the “Best in Insolvency & Restructuring” award at the Euromoney LMG Asia Women in Business Law Awards in 2015 and 2013 and is ranked as the top restructuring and PE lawyer by the Chambers.

Tony Jones, ABC TV
Australia

Tony Jones is one of Australia’s most respected journalists, with more than 30 years’ experience in radio and television news and current affairs. He has won six Walkley Awards, including three for ‘Broadcast Interviewing’ in 2004, 2007 and 2011.

Tony is the host of the ABC discussion program Q&A. Q&A is a television discussion program that provides a rare opportunity for Australian citizens to directly question and hold to account politicians and key opinion leaders in a national public forum and Q&A is broadcast live so that not only the studio audience but also the wider audience can get involved.

Tony has also been the host of Current Affairs program, Lateline since 1999. He currently anchors the program on Wednesday and Thursday nights, as well as his Q and A program duties.

Tony joined the ABC as a radio current affairs cadet working on AM, PM and The World Today. In 1985 he was seconded to Four Corners as a reporter and in 1986 joined the Dateline program at SBS. Tony returned a year later to the ABC, reporting for Four Corners where in the next three years he won a number of awards, including a Walkley award, and a Gold Medal in the New York Film and Television Festival for a story on the exploitation of Antarctica.

Tony has been the ABC’s Europe Correspondent and Washington Correspondent, as well as a reporter and the Executive Producer of Foreign Correspondent.

http://www.abc.net.au/tv/qanda/bio_jones.htm
Andi Kadir, Hadiputranto, Hadinoto & Partners
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Andi Yusuf Kadir is a Partner in the Commercial Dispute Resolution Practice Group at Hadiputranto, Hadinoto and Partners (a member firm of Baker & McKenzie International).

Andi has extensively represented multi-national corporations in arbitration (BANI, SIAC and ICC), complex litigation proceedings and cross-border disputes. He is also well versed in court-sanctioned debt restructuring (PKPU) and bankruptcy/insolvency litigation where he has represented lenders and debtors, and has been involved in administrative court disputes/litigation, employment disputes/litigation, and anti-corruption/bribery compliance and investigation. He is an arbitrator on the SIAC reserve panel. He also sits in SIAC Users Council and is a committee member of YSIAC (previously Young SIAC group).

Andi is ranked by Chambers Asia in the area of dispute resolution. He is also recognized as a leading disputes lawyer in the Who’s Who Legal Litigation Directory.

Jason Karas, Lipman Karas
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Australia

Jason practices principally in company law, corporate insolvency and professional negligence, throughout Asia Pacific and internationally.

He has particular expertise in the conduct and management of multi-jurisdictional investigations and litigation arising out of major corporate collapses, being retained in lead roles on behalf of insolvency professionals and regulators. These projects include Carlyle Capital, Akai Holdings, China Medical Technologies, the Kingate Funds, Moulin Global, Bond Corporation, HIH Insurance and Bell Group. Jason has an outstanding track record and is highly regarded for his commercial acumen, tenacity and innovative approach.

Together with Skip Lipman, he founded Lipman Karas in 2004. In 2013, Jason was granted Higher Rights of Audience in Hong Kong and appears frequently as Solicitor Advocate. Recently, Jason was appointed as a member of the Hong Kong Law Reform Commission Sub-committee on third party funding for arbitration, drawing on over 20 years’ experience in the conduct of externally funded actions.
The Honourable Mr. Justice Ian Kawaley  
Supreme Court of Bermuda  
Bermuda

Ian Kawaley has been Chief Justice of Bermuda and Head of the Commercial Court since April 2012. He was first appointed to the Bench in July 2003 and was a founding member of Bermuda’s Commercial Court when it was established in January 2006. He developed an interest in insolvency law while in private practice, and as a judge has regularly presided over cross-border insolvency cases and written and spoken about cross-border insolvency law issues.

David Kelleher, Fortress Investment Group (Australia) Pty Ltd  
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Australia

David is Chief Executive Officer of Fortress Investment Group (Australia) with primary responsibility for sourcing and managing investments in Australia, New Zealand and the Pacific Region for funds managed by Fortress Investment Group LLC, a New York Stock Exchange listed global investment manager with over US$70.2 billion assets under management across private equity, credit funds, liquid markets and fixed interest.

David has over 20 years of experience in finance and investment, throughout the spectrum of distressed to growth situations across various major industry sectors. David sits on the boards of several investee companies on behalf of Fortress. David has a Bachelor of Commerce from the University of New South Wales and is a qualified Chartered Accountant.

Martin Kenney, Martin Kenney & Co.  
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British Virgin Islands

Martin Kenney is the managing partner of Martin Kenney & Co Solicitors, BVI; specialising in international fraud and cross-border asset recovery. Wired Magazine described the firm as the "sharpest fraud-busters in the world." OffshoreAlert said: "Martin Kenney is perhaps the best-known fraud and asset recovery attorney in the world .... "

Leading a team of lawyers, investigators and forensic accountants, he is regarded as a ground-breaker in the use of pre-emptive remedies in response to global economic crime. He is a practising solicitor-advocate of the England & Wales, Eastern Caribbean; non-practising barrister/solicitor British Columbia; and a licensed foreign legal consultant, New York. He is the BVI member of ICC FraudNet, a network of 77 leading fraud and asset recovery lawyers from 66 countries.

In 2014 he was presented with the ACFE "Cressey Award", the organisation's highest honour for lifetime achievement in combating and detecting fraud.

David Kidd, Linklaters LLP

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Hong Kong

David is a partner in Linklaters' Hong Kong office responsible for the firm's AsiaPac restructuring and insolvency practice. He has advised on restructurings in Europe and the US (based in London) and for the last 19 years in Asia Pacific (based in Hong Kong). David acts for creditors, debtors and other stakeholders in relation to the restructuring of the debt and operations of underperforming companies. His experience includes acting for a substantial creditor of China Fishery, acting for key stakeholders of Jurong Aromatics, advising Japanese shipper Sanko Steamship in dealing with its international creditors, lenders to Vinashin, the financiers of Dubai World/Nakheel, the lenders to a substantial Korean white goods manufacturer, the lenders to a leading Taiwanese telecommunications company, lenders in the pre-IPO restructuring of one of China's largest real estate companies and the PIK Holders of Asia Aluminum.

David is a member of the International Insolvency Institute, the Standing Committee on Company Law Reform, the technical committee of the HKICPA Restructuring and Insolvency Faculty and the HKICPA Insolvency Specialist Designation Vetting Committee.
Lucas Kortmann, Fellow, INSOL International  
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Lucas Kortmann is partner at RESOR N.V., an Amsterdam based law firm specialised in high-end corporate restructuring, insolvency law and corporate litigation. His practice includes advising and litigating for banks, (multinational) companies, management and court-appointed administrators on all insolvency or restructuring related issues, in particular in cross-border situations. Lucas also acts as expert to the European Bank for Reconstruction and Development in discussions on insolvency law reform in Greece.

Recently Lucas represented the Dutch bankruptcy administrator of the Dutch vehicles of the insolvent Brazilian OSX Group; German car parts company A.T.U on the liquidation of its Dutch activities; DIP lenders in Chapter 11 proceedings of a leading global music events producer, including Dutch debtors; and a Dutch financing vehicle of Brazilian telecom giant Oi Telecom, on a multi billion euro financing dispute and restructuring.

Lucas is a Fellow of INSOL International. He is the author of the country report on the Netherlands for the German ‘Münchener Kommentar Insolvenzordnung’. Lucas holds degrees in English law and Dutch law.

Paul Kuipers, Linklaters LLP  
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The Netherlands

Paul Kuipers is a senior partner at Linklaters and heads the firm’s combined Banking and Financial Restructuring Group in the Netherlands. He has specialist experience in a wide range of restructuring and insolvency-related matters including related litigation, stressed and distressed reorganisations and debt restructurings. He regularly advises corporates, sponsors and financial institutions on debt and equity restructurings, workouts, reorganisations and insolvency issues.

“Sources praise the ‘very organised’ department head Paul Kuipers for his ‘very strong communication skills, and practical, solution-focused approach’ as well as his focus on ‘executing the deal and ensuring a smooth transaction.’ He is visible advising both financial institutions and Dutch corporates on restructuring matters.” (Chambers Europe 2016, Restructuring and Insolvency: Netherlands)
Paul Leake, Skadden, Arps, Slate, Meagher & Flom LLP
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USA

Paul Leake is global co-head of Skadden’s corporate restructuring practice. Mr. Leake represents debtors, commercial banks and bank groups, distressed investment funds, noteholder committees, official creditors’ committees, unsecured creditors and distressed investors in all forms of corporate restructurings. His areas of focus include advising U.S. and transnational businesses on Chapter 11 reorganizations and liquidations, out-of-court restructurings, secured financings, distressed acquisitions and investments in troubled companies in industries such as retail, shipping, mining, airlines, energy, health care, publishing, satellite communications and real estate.

Mr. Leake previously served as head of the corporate restructuring and reorganization practice at another large global law firm. His experience prior to joining Skadden includes out-of-court and Chapter 11 debtor matters. He has represented ad hoc noteholder and official unsecured creditor committees, senior secured lenders and lender groups in major restructurings, and major distressed M&A, creditors and other distressed funds in high-profile restructurings.

Mr. Leake received his law degree from Columbia University. He has published and lectured extensively on U.S. and transnational insolvency matters around the country.

Cory Lipoff, Hilco Merchant Resources, LLC
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USA

An expert in insolvency, corporate reorganization and restructuring, Mr. Lipoff is an internationally recognized specialist in structuring and implementing sophisticated asset redeployment strategies for retailers. During his tenure with Hilco Global, he has led initiatives involving tens of thousands of store locations and inventory valued in excess of $50 billion.

Today, Mr. Lipoff serves as a principal and key management leader at Hilco Merchant Resources, one of the world’s leading retail asset specialists with offices in the United States, United Kingdom and Australia. Additionally, Mr. Lipoff serves as the lead partner responsible for oversight and management of all operations in Australia and Brazil, after previously serving in that role for Hilco in the UK.

Over the years, Mr. Lipoff has been called upon by many high-profile retail organizations and their advisors to maximize the value of inventory, fixtures
and equipment. Included among the notable brands around the world are Disney, Warner Bros., Radio Shack, Dick Smith, Montgomery Ward, Circuit City, Borders Book Stores, Forever 21, Toys “R” Us, Saks Fifth Avenue, Walgreens and many more.

Prior to joining HMR, Mr. Lipoff was a partner in bankruptcy/commercial law at the Chicago office of Jones, Day, Reavis & Pogue.

Mr. Lipoff is a frequent speaker on legal, financial and bankruptcy cases. He is a graduate of the University of Wisconsin at Madison (1980) and earned his law degree from Northwestern University School of Law (1983).

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**Professor Anneli Loubser**  
University of South Africa  
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South Africa

Anneli obtained BA (Law) and LLB degrees at the University of Pretoria. She subsequently qualified as an attorney, notary and conveyancer and practised as an attorney for several years.

After joining the University of South Africa, she completed an LLM in Corporate Law and an LLD in Mercantile Law. She is a professor in the Department of Mercantile Law at UNISA and subject head of corporate law. She teaches mainly postgraduate students in corporate law and corporate insolvency law. She also presents a Certificate in Advanced Corporate Law and Securities Law, and the Advanced Course in Business Rescue Practice.

Prof. Loubser has published extensively on the topic of business rescue in particular and has been quoted in several judgments of the High Court of South Africa. She also contributed four chapters to *Mars The Law of Insolvency in South Africa* (9 ed), the standard textbook used by the courts.

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**Uncle Charles (Chicka) Madden**  
Gadigal Elder

Uncle Chicka is a respected Sydney Elder. He has lived in and around the Redfern and inner city area most of his life serving the Aboriginal community as Director of the Aboriginal Medical Service, member & representative of the Metropolitan Local Aboriginal Land Council, Director of the Aboriginal Hostels NSW and is a life member of the Redfern All Blacks. Along with being an active
community leader, Uncle Chicka is also an important artist creating a number of ceramic sculptures and paintings inspired by his Gadigal country. He has been commissioned to create a number of works including a painting for St Vincent’s Health Australia and an installation for the Redfern Community Centre’s Elders Lounge in collaboration with Nicole Monks.

Jim Luby, McStay Luby
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Ireland

Jim Luby is a partner in McStay Luby, a Dublin-based accounting firm specialising in corporate restructuring, forensic accounting and corporate finance.

He has over thirty years’ experience providing restructuring advice and solutions to a wide range of companies in financial distress, their lenders and advisors. He also acts as a Court-appointed Examiner, Administrator and Official Liquidator, and as a Receiver and Investigating Accountant for banks and others.

Assignments include KPNQwest IP networks, Equiticorp bank, ESG Reinsurance, Sunday Tribune newspaper, Anglo Irish Bank HQ, together with numerous businesses across a wide range of industries. He also leads the firm’s litigation support/forensic accounting practice, acting as expert witness to the Courts in financial disputes. He is a CEDR-accredited mediator, and has acted as President of INSOL Europe and Director of INSOL International.

As a Kilkenny man, he is an avid Hurling supporter, and plays bad golf. Having lived in Sydney for a number of years, he speaks fluent Australian.

Gaurav Malhotra, EY
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USA

Gaurav has over 16 years of experience assisting distressed companies, debtors, creditors, board of directors and other stakeholders with a wide array of restructuring and strategy issues. Throughout his career, he has developed vast experience and knowledge across several industries including, industrial products, healthcare, public sector, transportation, automotive, consumer products and energy amongst others. In addition to providing strategic restructuring solutions to a multitude of stakeholders across the capital structure, he also has distressed M&A, valuation and expert witness experience.
In addition to being the US Restructuring Advisory Services Leader, Gaurav Malhotra is the Americas Government, Public Services State and Local Sector Leader and a Senior Managing Director at Ernst & Young Capital Advisors LLC (EYCA).

Gaurav received his bachelor’s from the University of Delhi and his MBA from Case Western Reserve University. He is a licensed Series 7, 63 professional in addition to being a Chartered Financial Analyst (CFA).

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**Ian Mann, Fellow, INSOL International**

Harneys  
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Hong Kong

Ian Mann is head of Harneys’ Offshore Litigation and Restructuring Department in Hong Kong.

Ian is consistently ranked as a Tier 1 lawyer in Asia by Chambers & Partners where he is described as being a “very seasoned adviser” and is singled out for his extensive expertise in shareholder disputes and insolvencies and for his work on complex insolvency and contentious trust matters. He is recommended for his “established reputation in the region for handling a wide range of corporate disputes”. Chambers say that clients appreciate his “practical advice and insight of the commercial realities” in a transaction.

Ian is also recommended as a “leading lawyer” by Legal 500 where he is described as “a pleasure to work with” and as being “friendly and hardworking”. He is also recognised as being amongst the world’s leading asset recovery, restructuring & insolvency and private client lawyers by Who’s Who Legal 2016.

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**John Martin, Henry Davis York**  
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Australia

John is technical co-chair of this INSOL Quadrennial Congress 2017. He is a leading Australian lawyer in restructuring and insolvency, based in Sydney, with a particular specialty in cross-border insolvencies.

John is currently engaged as one of the ADB’s two insolvency law experts to draft Myanmar’s new Insolvency Law and engage in associated capacity development. He is a member of the International Insolvency Institute, and currently serves on its board of directors.
John has advised in connection with international insolvencies in England, US, Fiji, Bermuda, Cambodia, Cayman Islands, Brunei and Norfolk Island. He has acted for the liquidators of an insolvent bank, and various liquidators of insurance and reinsurance companies.

John’s cross-border expertise has included direct involvement with three of the major cross-border cases of the last ten years, including advising the James Hardie Asbestos Trust on its successful appeal to the House of Lords in Re HIH (in which Lord Hoffmann identified the “golden thread of universalism”), advising the liquidator of New Cap Re in the UK Supreme Court decision in New Cap Re v Grant / Rubin v Eurofinance (in which Lord Hoffmann’s expansive approach was somewhat curtailed), and he was part of the Australian legal team advising Perpetual Trustees in connection with the “flip clause” parallel litigation in the US and UK Courts.

Angel Martin, KPMG
amartin@kpmg.es
Spain

Angel Martin is the Global Head of Financial Restructuring. With a wide experience on financial advisory, corporate restructuring and insolvency procedures; Angel was appointed as insolvency practitioner by the Spanish Security and Exchange Commission in the biggest insolvency case in the history of Spain, Martinsa Fadesa.

In 2007, Angel was named Head of Restructuring for KPMG in Spain and has successfully led the department’s growth, positioning it as market leader. During these years Angel has led some of the biggest restructuring transactions in Spain involving multiple stakeholder groups such as Metrovacesa, Reyal Urbis, Prisa, Pescanova, FCC or Abengoa.

In 2012, Angel was named the Head of Restructuring for the EMA region and in 2016 became Global Head of Financial Restructuring.

Rhonda McCann
Australia and New Zealand Banking Group Limited
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Australia

Rhonda leads the institutional restructuring and turnaround team of ANZ, one of Australia’s major financial institutions. She joined ANZ Markets in the late 1990s and has lead syndications and origination teams in Australia, Europe and the US including 2 years in London. Prior to ANZ she was a senior executive at
Greg Medcraf
Australian Securities and Investments Commission (ASIC)
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Australia

Greg Medcraf was appointed ASIC Chairman on 13 May 2011 for a five-year term. His term was extended for a further 18 months from 13 May 2016.

Greg joined as ASIC Commissioner in February 2009. Prior to ASIC, Greg was Chief Executive Officer and Executive Director at the Australian Securitisation Forum (ASF). Greg spent nearly 30 years in investment banking at Société Générale in Australia, Asia, Europe and the Americas. More recently, he was the Managing Director and Global Head of Securitisation, based in New York.

In 2002, Greg co-founded the American Securitization Forum and was its Chairman from 2005 until 2007 when he returned to Australia. Before joining Société Générale, Greg worked as a Chartered Accountant with KPMG.

Greg was Chair of the IOSCO Board from March 2013 to May 2016. Greg is also a member of the Standing Committee on Supervisory and Regulatory Cooperation (SRC) of the Financial Stability Board, which reports to the G20.

Alex Moglia, Moglia Advisors
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USA

Mr. Moglia is an experienced financial and operational advisor and fiduciary, whose background includes special situations mergers and acquisitions, finance, asset tracing, insolvency advisory, restructuring work, bankruptcy trusteeships, federal and state receiverships, examinerships and assignments for the benefit of creditors. His team of forensic and financial professionals at Moglia Advisors, as augmented by asset recovery lawyers and other professionals in the U.S. and other jurisdictions, handles high profile cases and investigations. He is also a licensed managing real estate broker, which is critical for developing and implementing real estate disposition strategies.
Prior to starting Moglia Advisors, Mr. Moglia served as an international corporate lawyer for the international law firm of Winston & Strawn (prior to his leaving the practice of law in 1983), and in executive positions with Continental Bank and CNW Corporation, a former Fortune 500 company.

Mr. Moglia is a member of INSOL International, served on the Governing Board of the National Association of Federal Equity Receivers, and now serves as Chair of its International Committee, and is a member of the Board of Directors of the American Bankruptcy Institute’s (ABI) Central States Workshop. He is a former member of the ABI’s Board of Directors, and founded and chaired the ABI’s Finance & Banking Committee. He is a member of the Turnaround Management Association, holds a real estate managing broker’s license, has a Juris Doctor degree from the University of Chicago Law School and attended the University of Chicago Graduate School of Business. He has a Bachelor of Science of Foreign Service degree from Georgetown University, Washington, D.C. Mr. Moglia was born in Argentina, lived in Brazil, worked in Latin America and Europe and is fluent in Spanish, Portuguese, French and Italian.

David Molton, Fellow, INSOL International
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USA

David Molton is a partner at Brown Rudnick LLP and a Fellow of INSOL International. David specializes in complex financial and commercial litigation matters in federal, state and bankruptcy courts in the United States, and he represents foreign liquidators, official committees of creditors, unofficial ad hoc committees of creditors and interested parties in some of the most significant financial fraud and mass tort related litigations and bankruptcies in the United States and foreign jurisdictions.

After graduating from law school, David clerked for the Honorable J. Edward Lumbard of the United States Court of Appeals for the Second Circuit. Earlier in his career, David served as an Assistant District Attorney for the District Attorney for New York County, where he worked with the NYC Special Narcotics Prosecutor and the DOJ Organized Crime Drug Enforcement Task Force in prosecuting organized crime related narcotics conspiracies and locating, seizing and effectuating the forfeiture of assets connected to those criminal activities.
Gabriel Moss QC, South Square
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UK

Gabriel Moss QC is a Barrister with the rank of Queen’s Counsel and is rated as one of the leading advisers, advocates and expert witnesses in English, International, EU and EEA restructuring and insolvency law. As well as various cases in the English and EU/EEA courts at all levels, he has appeared both at first instance and at appellate level in Bermuda, Cayman, BVI, Gibraltar, Hong Kong, Northern Ireland and the Isle of Man. He has been involved as advisor and advocate in most of the major restructuring and insolvency cases affecting the UK and English law based jurisdictions in the last 25 years, including Lehman and Madoff related cases and legal issues arising from UK, Icelandic, Irish and Portuguese bank restructurings and failures.

He teaches part-time as Visiting Professor in Corporate Insolvency Law at Oxford University. He sits part-time as a deputy High Court Judge and various of his decisions have been reported in law reports. He is also the editor, author and/or contributor to various texts on UK, International, EU and EEA insolvency law.

Sushil Nair, Drew & Napier LLC
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Singapore

Joint Head of Drew & Napier’s Corporate Restructuring & Workout practice group and a member of its Management Committee, Sushil has been in practice for over 25 years, with 15 of them focused on restructuring. In 2011, he was named Singapore’s Restructuring Lawyer of the Year. Sushil’s practice is focused on the Asia Pacific region, with much of it revolving around Indonesia and China, where he has been involved in some of the largest restructuring exercises in Asia.

Sushil chairs the Insolvency Sub Committee of the Law Society of Singapore and is a member of the Insolvency Law Review Committee set up by Singapore’s Minister for Law, which recommended substantial changes to Singapore’s insolvency laws. He is also a member of the Committee to Strengthen Singapore as an International Centre for Debt Restructuring, also set up by the Ministry of Law. Sushil sits on the INSOL World Editorial Board.
Iain Nairn, Kikki.K
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Australia

Iain has 30 years’ experience in brand management and omni-channel retailing encompassing almost all operational roles, from floor to senior management.

In the UK, Iain commenced his career with Next, and held senior management roles with the Burton Group (who acquired Debenhams and Harvey Nichols), River Island and directorships at QS. He was then Joint Chief Operating Officer for Laura Ashley. Since emigrating to Australia, in 2006 Iain worked with the private equity firm Gresham, to spearhead the Witchery and Mimco acquisitions.

In October 2012 the Witchery Group was acquired by Country Road and Iain was appointed CEO across the Country Road Group incorporating Country Road, Trenery, Witchery and Mimco. In 2014, Iain worked with Woolworths of South Africa to develop the acquisition business case for David Jones and was appointed CEO. Under his leadership David Jones’s brand and performance was transformed with industry leading market share, sales and profit growth.

In February 2016, Iain Nairn was appointed CEO of global Swedish design brand, kikki.K, which offers a unique range of stationery, homewares and gifts.

Sir Alastair Norris
High Court of Justice of England & Wales
UK

After reading law at St John’s College, Cambridge Mr Justice Norris was called to the Bar by Lincoln’s Inn and practised in London as a Barrister and as Queen’s Counsel until 2001. He was then appointed as the Chancery Judge at Birmingham, where he sat for 6 years, presiding over many insolvency cases (including the insolvency of the MG-Rover Group). On appointment to the High Court (Chancery Division) he returned to London where his insolvency work has continued. He is the current Chair of the Insolvency Rules Committee.

He also chairs the Advisory Board of the Centre for Business and Insolvency Law at the Nottingham Law School and has been an active participant in many INSOL International events.
Fidelis Oditah QC, South Square / Oditah & Co 
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UK / Nigeria

Fidelis Oditah QC, SAN was educated at the Universities of Lagos and Oxford. He practices at the English and Nigerian Bars in a broad range of areas. In England, he practices as a barrister specialising in chancery and commercial work, with emphasis on insolvency and restructuring work. He has acted and/or advised on virtually all major corporate insolvencies in the UK in the last two decades.

In Nigeria, his practice encompasses energy, projects, companies and general commercial law. He has advised and acted for the Federal Government of Nigeria on some of the most important energy and infrastructure projects and disputes, some state governments, many international oil companies, major international brands and smaller corporates. He has extensive commercial arbitration practice and also sits frequently as an arbitrator in a broad range of commercial disputes.

He is a Queen’s Counsel in England, a Senior Advocate of Nigeria, a Bencher of Lincoln’s Inn, and a Visiting Professor at the University of Oxford.

The Honorable Judge Maria Cristina O’Reilly  
National Commercial Court of Argentina  
Argentina

Judge Maria Cristina O’Reilly graduated from the Argentine Catholic University in 1985, and earned at the same university a Postgraduate Degree in Corporate Law in 2006.

She was an associate at a prestigious law firm in Buenos Aires, until 1987 when she then decided to pursue her judicial career. In 2005, she was appointed as an interim National Commercial Judge and was confirmed in her appointment in 2008. Since taking the Bench, she has dealt and deals with several high profile cases.

Judge O’Reilly has written several articles in specialized media, as well as some chapters of books related to corporate banking and bankruptcy topics. She was a panellist and chair of different international conferences, and local ones as well. She is a member of INSOL International and the International Insolvency Institute.
Kevyn Orr, Jones Day
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USA

Kevyn Orr has practiced law for three decades. Since May 2001, he has worked for Jones Day, with the exception of March 2013 through December 2014, when he held an appointment as Emergency Manager for the City of Detroit, and January through April 2015, when he was appointed Special Counsel for the Emergency Manager for the City of Atlantic City.


He has also been Assistant General Counsel (1991-1995) at the Resolution Trust Corporation, as well as Counsel in the Litigation Section of the FDIC during March – August 1991.

Kevyn obtained a B.A. in Political Science from the University of Michigan in 1979, and a J.D. from the same institution in 1983.

Dr. Christoph Paulus, Humboldt-Universität zu Berlin
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Germany

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 holds an LL.M. from the University of California. He was also a Feodor Lynen Fellow of the Alexander v. Humboldt-Stiftung 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”. In 2006, he was appointed as a Consultant of the World Bank in Washington, D.C., with regard to matters relating to 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.

He is a member of the International Insolvency Institute (presently one of the Vice-Presidents), International Association of Procedural Law, American College of Bankruptcy, International Academy of Commercial and Consumers 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 an external member of the faculty of the St. Gallen-Hochschule for its MBL programme; and he has held guest professorships in Paris (Panthéon-Assas), France, Cape Town in South Africa, Fukuoka in Japan, Brooklyn School of Law in the USA, University of Sydney, Tongji University in Shanghai in China, and at the Lomonosov University in Moscow in Russia.

The Honorable Judge James M. Peck (retired)
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USA

Hon. James M. Peck, former United States Bankruptcy Judge, retired from the bench in 2014 and is now global co-chair of Morrison & Foerster’s Business Restructuring & Insolvency Group.

During his judicial career, Judge Peck presided over the chapter 11 and SIPA cases of Lehman Brothers and a number of other major chapter 11 and chapter 15 cases, including the chapter 11 cases of Iridium, Quebecor, Charter Communications, Extended Stay Hotels, and ION Media and the chapter 15 case of Japan Airlines. As a sitting judge, he also successfully mediated some of the most complex chapter 11 cases in the Southern District of New York including American Airlines, MF Global, Residential Capital, General Motors and Excel Maritime.

Judge Peck is a frequent speaker at insolvency conferences domestically and worldwide including those organized by the American Bankruptcy Institute, the National Conference of Bankruptcy Judges, the American Bar Association, the Association of Insolvency & Restructuring Advisors, the Commercial Law League of America, the Turnaround Management Association, The World Bank, INSOL International, INSOL Europe, the International Bar Association and the International Insolvency Institute.

He is a Fellow of the American College of Bankruptcy, serves as President and member of the Executive Committee of the International Insolvency Institute, formerly co-chaired the American Bankruptcy Institute’s advisory committee on the Bankruptcy Safe Harbors and prior to his retirement from the bench was on the Judicial Steering Committee of INSOL International and a member of the Board of Governors of the National Conference of Bankruptcy Judges. Judge Peck is an adjunct professor of finance at NYU’s Stern School of Business where he teaches courses in corporate reorganization. He is a graduate of Dartmouth College and NYU School of Law.
Dr. Leo Plank, Kirkland & Ellis International LLP
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Germany

Dr. Leo Plank is a restructuring partner in the Munich office of Kirkland & Ellis International LLP. He focuses on financial restructuring and bankruptcy matters, particularly on the representation of institutional high-yield and distressed debt investors as well as companies in cross-border and multinational restructurings. He has particular experience in the restructuring of LBO financings and in complex cross-border matters.

JUVE, IFLR1000 as well as Legal 500 recommend Leo Plank as a leading lawyer in Germany for restructuring and insolvency. Chambers Global and Chambers Europe have ranked him in Band 1 for restructuring and insolvency in Germany.

Who’s Who Legal: Germany recognises him as a leading practitioner in the field of insolvency & restructuring. He is also recommended by The World’s Leading Lawyers for Business as a leading insolvency lawyer for Germany and is listed in the Expert Guides to the World’s Leading Insolvency and Restructuring Lawyers and won the ILO Client Choice Award 2011.

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Bob, Rajan, Alvarez & Marsal
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Germany

Bob Rajan is a Managing Director with Alvarez & Marsal in Munich, Germany and co-heads the restructuring group for the DACH region and also co-ordinates restructuring services for Eastern Europe and the Nordics. He brings more than eighteen years of cross-border interim management, Board, advisory and transactional experience in a number of high profile global restructurings throughout Europe, North America, Latin America, the Middle East and Australia. He has extensive experience in the retail, automotive, manufacturing and EPC industries. Mr. Rajan received a bachelor’s degree, with distinction, in biophysics from the University of Western Ontario. He holds a MBA with concentrations in accounting and finance, from the University of Toronto, is a CFA, CPA, CIRA and CFF. Mr. Rajan is also a guest lecturer for the INSOL Fellowship programme, a member of the INSOL Academic Steering Committee and on the Editorial Board of INSOL World Magazine.
The Honourable Mr. Justice Kannan Ramesh
Supreme Court of Singapore
Singapore

Judicial Commissioner Kannan Ramesh joined the Supreme Court in 2015.

He received his Bachelor of Laws (Honours) from the National University of Singapore in 1990. He was then admitted as an Advocate and Solicitor in Singapore in 1991, and was appointed as Senior Counsel in 2012.

Justice Ramesh was Managing Partner of Messrs Tan Kok Quan Partnership, where he specialised in dispute resolution, insolvency and restructuring, and international arbitration.

He was also appointed as a Board Member of the Singapore Aerospace Manufacturing Pte Ltd and M1 Limited. In the former, he had an added role as Executive Committee Member, while in the latter, he was Chairman of M1’s Risk Committee, as well as Member of their Nominating and Audit Committees. He is currently a Member of the Singapore Academy of Law’s Law Reform Committee, and New York’s International Insolvency Institute (III). He is also part of the Arbitration and Conciliation working group in the latter.


Mark Robinson, PPB Advisory
President, INSOL International
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Australia

Mark provides innovative restructuring, turnaround and insolvency advice to directors, financiers and owners of Middle Market enterprises. Mark is engaged by Australian trading banks, international financiers, funds, company directors, shareholders and their advisers.

Mark’s main aims during his tenure as President of INSOL have been to:

• Undertake a ‘root and branch’ strategic review of INSOL, with the strategic plan to be launched at INSOL 2017.

• Update and refresh INSOL's seminal work ‘Statement of Principles for a Global Approach to Multi Creditor Workouts’, to be launched at INSOL 2017.
• Invest in INSOL’s work helping developing nations build effective insolvency and restructuring capacity, with a focus on Asia.
• Grow INSOL's financial capacity so that it can do more and better work.
• Deliver successful and truly international conferences in Dubai (2016) and Sydney (2017).
• Increase the engagement of financiers and fund managers in INSOL.

Mark is an Official and Registered Liquidator, and a Registered Trustee in Bankruptcy. He holds a Masters of Management Economics Degree in Project Management, University of NSW and a Bachelor of Commerce Degree in Accounting, Finance and Information Systems (with Merit), University of NSW. He is a Past President of the Australian Restructuring Insolvency and Turnaround Association (ARITA) and a Fellow of Chartered Accountants Australia and New Zealand (FCA).

Marie Rowbotham, PwC
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Hong Kong

Marie is a director in the PwC Business Recovery Practice in China and Hong Kong. She has over 25 years’ experience in China, Hong Kong and the United Kingdom. Marie provides advice to corporates and stakeholders in diverse industries on all forms of insolvency procedures and restructuring. Her assignments tend to be cross-border involving many jurisdictions, including India and Indonesia.

Marie is an elected member of the Restructuring and Insolvency Faculty Committee of the HKICPA in Hong Kong and sits on the technical committee looking at legislative change in the restructuring and insolvency environment. She is also a committee member of the British Chamber of Commerce in Hong Kong looking at entrepreneurs wishing to raise seed finance.

She read law at University College London and is a Fellow of the Association of Chartered Certified Accountants.
Nick Rowles-Davies
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UK

Nick Rowles-Davies is the author of Third Party Litigation Funding, published by Oxford University Press in 2014. A pioneer in the development of the litigation funding industry in the UK and the common law world globally, he has led its transformation into a broad-based corporate finance offering, and has been responsible for the largest and most innovative transactions in the field, including a $45 million portfolio financing deal for a FTSE 20 company and a £9m insolvency portfolio transaction with Grant Thornton.

Until 2016 he was Managing Director of Burford Capital UK, led its business in the UK and globally outside the Americas. He was a founder of Vannin Capital, a global litigation funder and is a former Director of the Association of Litigation Funders of England & Wales.

He is admitted as a Solicitor in England and Wales and in the British Virgin Islands.

The Honourable Mr. Justice Nick Segal
Grand Court of the Cayman Islands
Cayman Islands

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 dealing 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 Lehman’s collapse and other failing institutions; the administrators of Heritable Bank, Kaupthing Bank and the Dunfermline Building Society; on the litigation relating to the proposed Lehman’s 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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**Ronald J. Silverman**, Hogan Lovells  
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USA

Ronald J. Silverman is a recognized practitioner in cross-border restructurings, including through Chapter 15, and represents clients in restructuring transactions in court and out of court, with particular experience in energy related matters. Ron has been practicing for over 25 years and has lead cross-border restructurings touching dozens of countries. He currently co-leads the representation of the Official Committees of Unsecured Creditors in the Abengoa Chapter 11 and Chapter 15 cases. He is the Vice President for International Affairs of the American Bankruptcy Institute and a member of the Board of Directors of INSOL International. Ron's recent matters have included the US$5.3 billion multi-national restructuring of Pacific Exploration and Production Company in the U.S., Canada and Colombia and PDVSA's $7 billion bond exchange, as well as Abengoa matters.

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**Paul Smith**, Conyers Dill & Pearman  
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Cayman Islands

Paul Smith is a Partner and Head of the Litigation practice in the Cayman Islands office of Conyers Dill & Pearman. Paul practised at the commercial bar in London for 20 years, before joining Conyers in Bermuda in 2000. He moved to Cayman in 2013. Paul’s practice covers all aspects of dispute resolution with specialist expertise in commercial litigation, arbitration, insolvency and trust litigation.

For the last 35 years, Paul has practised all aspects of commercial litigation and
arbitration in London, Bermuda and Cayman. He has been involved in significant commercial cases, many of which are reported. During the last 10 years, his practice has included, in particular, trust disputes, company law and shareholder disputes, insolvencies and restructurings. Paul has extensive experience appearing as counsel before the commercial court in Bermuda and the Cayman Islands, the Courts of Appeal for Bermuda and the Cayman Islands and the Privy Council.

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**James Stewart**, Ferrier Hodgson  
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**Australia**

James Stewart has been a corporate restructuring and strategic consulting specialist for over 30 years. He is Ferrier Hodgson’s retail practice leader and Managing Partner of the Melbourne office.

James has developed a reputation as one of Australia’s leading retail corporate doctors. He is highly regarded as a key advisor on retail by lenders and financiers to the industry and is a frequent commentator on changes in consumer behaviour and the impact on retail models, having travelled extensively overseas with Westfield studying international retail business models and global trends.

James is also the executive leader of Ferrier Hodgson’s management consulting and real estate advisory business, Azurium.

James has dealt with some of Australia’s biggest retail restructures representing almost $6bn of retail sales in Australia and New Zealand, including Dick Smith Electronics, Colorado Group, Australian Discount Retail, Harris Scarfe and Borders.

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**The Honorable Judge Elizabeth S. Stong**  
U.S. Bankruptcy Court for the Eastern District of New York  
**USA**

Judge Elizabeth S. Stong has served as a U.S. Bankruptcy Judge for the Eastern District of New York since 2003. Previously, she was a partner at Willkie Farr & Gallagher, associate at Cravath, Swaine & Moore, and law clerk to U.S. District Judge David Mazzone. She is a member of the Council on Foreign Relations and the ABA Standing Committee on Pro Bono and Public Service and holds leadership roles in the American Law Institute, Practising Law Institute, IIL UNCITRAL Relations Committee, P.R.I.M.E. Finance, American Bar Foundation, and the ABA National
Conference of Federal Trial Judges and Business Law Section. Her past positions include ten years as chair of the NCBJ International Judicial Relations Committee and President of the Harvard Law School Association. She also served on the ABA's Standing Committees on the American Judicial System and Continuing Legal Education, as well as the Commission on Women in the Profession, and Commission on Homelessness and Poverty.

Judge Stong has trained judges in Central Europe, North Africa, the Middle East, and the Arabian Peninsula with the U.S. Department of Commerce and the World Bank. She has consulted with the Supreme Court of China and led judicial workshops in Cambodia, Brazil and Argentina. She has been honored with the ABA Business Law Section's Glass Cutter Award, the New York Institute of Credit's Hon. Cecelia Goetz Award, the Brooklyn Bar Association's Frieda Nisnowitz Award for Pro Bono Service, and the MFY Legal Services Scales of Justice Award. Judge Stong is an adjunct professor at Brooklyn Law School and St. John's University School of Law. She received her A.B. magna cum laude and her J.D. from Harvard University.

Rachel Strickland, Willkie Farr & Gallagher LLP
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USA

Rachel C. Strickland is a partner in the Business Reorganization & Restructuring Department of Willkie Farr & Gallagher LLP. Rachel's practice focuses on financially distressed companies, debtors, investors, hedge funds, shareholders, ad hoc groups of bondholders, lenders, §524(g) trusts, and other creditors in out-of-court and in-court restructurings. Rachel also regularly advises on the acquisition of and lending to distressed companies, advising on fiduciary duties, fraudulent transfers, legacy liabilities and secured and commercial transactions. In addition, she also has extensive experience litigating valuation and other plan confirmation disputes. Rachel is ranked as a leading Bankruptcy and Restructuring Law practitioner by Chambers USA (2009 – 2016). In 2015, Turnarounds & Workouts magazine recognized Rachel for her lead role in representing the debtors in the precedent-setting restructuring of Momentive Performance Materials.
Carlyn Taylor, FTI Consulting, Inc.
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USA

Carlyn Taylor is a Senior Managing Director in FTI and was recently made the co-leader of the firm’s global Corporate Finance & Restructuring segment, one of the largest divisions in FTI. Ms. Taylor has served on FTI’s global Executive Committee, which manages the entire firm, for almost five years as FTI’s Industry Initiative leader, and in that role has been part of strategy formation and also many M&A transactions. Prior to assuming the leadership position for all of Corporate Finance & Restructuring, Ms. Taylor was the global leader of the Telecom, Media & Technology (TMT) practice of FTI, a practice which she founded and built to over 120 people both organically and through acquisitions. She also is CEO of FTI Capital Advisors, an investment banking subsidiary of FTI and a member of the FINRA.

Ms. Taylor is an expert in financial and business consulting, having led hundreds of engagements in the telecom, media, and technology industries involving operational and financial performance improvement, restructuring/bankruptcy, strategic planning, advising on M&A or merger integration, financing raising, due diligence, litigation expert witness, and valuation.

Michael Thierhoff, Thierhoff Müller & Partner
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Germany

Michael Thierhoff is head of the restructuring team of Thierhoff Mueller. Qualified as a chartered accountant he looks back on more than 20 years of extensive experience in restructuring and insolvency matters. Prior to setting-up Thierhoff Mueller in 2004 he was a partner with Haarmann Hemmelrath and Arthur Andersen. Key areas in Michael Thierhoff’s practice are the comprehensive advice for stakeholders in distressed situations as well as German expert opinions on “Sanierungsfähigkeit” (potential for restructuring), insolvency triggers and the acquisition of distressed businesses and non-performing loans. He has been involved in numerous cross-border and cross-jurisdiction insolvencies and restructurings.

Michael Thierhoff is a Past President and Honorary Member of INSOL Europe and has served four years on the Board of INSOL International. He is a Fellow of the American College of Bankruptcy and the International Insolvency Institute.
**Dr. Ian Tho, Azurium**  
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Australia

Dr. Ian Tho has over 28 years of experience working with a range of organisations in Australia, Asia and the United States. He is an Executive Director with Azurium Analytics, the consulting arm of Ferrier Hodgson.

Immediately prior, Ian was the Head of Analytics for Coles (Wesfarmers Group) where he was intimately involved with developing insights using data for over 24 million Australians where he worked with brands including Kmart, Target, Bunnings, Shell, and Liquorland. He has extensive experience in retail & risk analytics with enterprises in banking and finance, mining, healthcare, education and hospitality/travel developing mathematical models that describe historical and predict future customer behaviour. Ian’s doctorate or PhD is in Actuarial Risk (Analytics).

Ian also has an MBA and a Bachelor of Engineering from the University of Melbourne. He is a Fellow of the Australian Institute of Management and a member of the Australian Institute of Company Directors.

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**Mahesh Uttamchandani, World Bank Group**  
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Mahesh Uttamchandani is the World Bank Group’s Global Practice Manager for SME Access to Finance and Credit Infrastructure. He manages a global team of 25 professionals that advise governments around the world on the development of insolvency, collateral, credit information and debt recovery systems as well as credit guarantee programs and SME finance initiatives – including the World Bank’s engagement with the UN, G20, APEC and other multi-lateral bodies on these topics. Prior to joining the World Bank, Mahesh was Insolvency Counsel to the European Bank for Reconstruction and Development (EBRD), where he led the reform of insolvency systems throughout Eastern Europe and central Asia.

Mahesh is a Canadian lawyer who practiced for several years exclusively in the area of insolvency and creditors’ rights at a leading Canadian law firm and has published and lectured extensively in North America, Europe and Asia. He is a board member of the insolvency related legal journal, International Corporate Rescue, as well as an Adjunct Professor of Law in the St. John’s University Law School LL.M in Insolvency; an Honorary Professor of Law at Nottingham Law School and a Board Director of INSOL International.
Mark Walker, Millstein & Co
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USA

Mark Walker is a Managing Director and head of sovereign advisory at Millstein & Co.

Mr. Walker was a Managing Director and head of sovereign advisory at Rothschild London from August 2012 to October 2014 and a senior advisor at Lazard Paris from June 2011 to July 2012. Mr. Walker led the Rothschild team that advised Cyprus during its financial crisis in 2013 and co-led the Lazard team that advised Greece in 2011 and 2012 on the first sovereign debt restructuring of a Eurozone country and the largest sovereign debt restructuring ever. Mr. Walker was a partner at Cleary Gottlieb Steen and Hamilton LLP from 1975 to 2011 and the firm’s Global Managing Partner from 2005 to 2011.

Mr. Walker has advised the European Stability Mechanism (ESM), Mexico, Peru, Colombia, Yugoslavia, South Korea, Indonesia, the Philippines, the Ivory Coast and numerous other countries in Latin American, Asia, Europe and Africa on liability management (including sovereign debt restructurings), infrastructure finance and a wide variety of financial matters. During the 2008 financial crisis, Mr. Walker advised the Federal Reserve and the US Government with respect to the bankruptcy of Lehman Brothers and a number of programs developed to mediate the crisis. Mr. Walker has worked with the IMF and other official bodies in seeking to improve the practices followed by debtors and creditors in dealing with liquidity and solvency problems of heavily indebted states.

Mr. Walker has also advised private sector debtors and creditors in Asia and Latin America on large cross-border restructurings, including Hyundai Merchant Marine and the Daewoo and SK Global groups.

Mr. Walker is Chairman of the Board of Trustees of the Population Council, an international, nonprofit, non-governmental organization that conducts biomedical, social science, and public health research and helps build research capacities in developing countries.

Mr. Walker received a J.D. degree from Yale Law School and a B.A. in English literature from Stanford University.
Jim Wigand, Millstein & Co
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USA

Jim Wigand is Managing Director of Millstein & Co’s financial services advisory practice and advises public and private sector clients on solving complex problems.

From January 2011 to November 2013, Mr. Wigand served as the first Director of the Federal Deposit Insurance Corporation’s Office of Complex Financial Institutions (OCFI) and as a Senior Advisor to the Chairman, FDIC. Prior to assuming this position, Mr. Wigand served as the Deputy Director, Division of Resolutions and Receiverships, FDIC, and oversaw the resolution of failing insured financial institutions and the sale of their assets from 1997 to 2010. Mr. Wigand served in various executive positions at the Resolution Trust Corporation from December 1989 until its closing in December 1995, supervising the asset management, seller financing, equity partnership and loan workout programs.

During his career, Mr. Wigand has been involved with the management, sale or resolution of $1 trillion of failed financial institution assets.

Tim Williams, National Australia Bank
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Australia

Tim is General Manager Group Strategic Business Services for National Australia Bank’s insolvency, work out & recovery team. Tim is responsible for a wide range of National Australia Bank’s corporate & institutional problem and distressed loans across various asset classes, corporate groups and industry classifications.

Tim has over 30 years’ experience in corporate finance being active in Insolvency, Corporate Restructuring, Capital Markets, Securitisation, Structured Finance, Project Finance, Property Finance and Corporate Lending. He has worked with National Australia Bank in Sydney, New York, London and now resides in Melbourne.

Tim has a Bachelor of Laws and a Masters of Business Administration from the University of Technology, Sydney, and a Masters of Laws from the University of Sydney as well as Masters of Science Risk Management from New York University.
Paul Winer, ENSafrica
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South Africa

Paul Winer is a director at ENSafrica in the insolvency, business rescue and debt restructuring department and also has experience in commercial litigation.

His expertise extends to banking litigation, debt restructuring, fraud and cross-border litigation and disputes over trade finance and banking transactions. He also provides advice to business rescue practitioners in the preparation of business rescue plans and schemes of arrangement.

Paul was a member of INSOL International Electronic Newsletter Editorial Board, responsible for the distribution of the electronic newsletter. He has participated as a guest speaker at international and local insolvency conferences since 1993 and has lectured at two of the South African Universities on legal topics.


Richard Woodworth, Allen & Overy
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Hong Kong

Richard is based in Hong Kong and leads Allen & Overy’s Asia-Pacific restructuring and insolvency practice. He advises creditors, borrowers, insolvency practitioners and other stakeholders on all aspects of financial restructurings and formal insolvency proceedings. He has advised on transactions throughout the region including Vietnam, Indonesia, PRC, Hong Kong, Japan, Korea, Singapore and many more. Recent highlights include advising the steering committee of lenders to Vinashin, Japanese shipper Sanko Steamship in dealing with its international creditors, the steering committee of creditors on the restructuring of Dubai World and PRC banks on a number of major solar restructurings.

Richard has received external recognition from all the independent legal guides and has advised on many landmark transactions, including many firsts for Asia. He is a regular contributor to Insol guides and other specialist insolvency and litigation textbooks.
INSOL Fellow, D. Farrington Yates, bankruptcy lawyer at the global disputes and investigations firm Kobre & Kim, focuses his practice on guiding non-U.S. clients through high-value Chapter 11 proceedings and non-U.S. insolvencies in pursuing recoveries through Chapter 15 proceedings. He often works on international insolvency matters involving fraud, misconduct and asset concealment. Mr. Yates is recognized by The Legal 500 US as “very responsive, always available and highly dedicated.”

Mr. Yates is located in Kobre & Kim’s New York office.

Leon Zwier, Arnold Bloch Leibler
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Australia

Leon Zwier is a corporate recovery services lawyer and partner of Arnold Bloch Leibler. He is head of the firm’s restructuring & insolvency practice.

Leon has acted as lead counsel in many of Australia’s largest and most complex restructurings and workouts. He has advised and negotiated on behalf of major US and European enterprises with Australian interests across numerous industries in the resolution of complex cross-border reconstructions. He has also acted for insolvency practitioners, lenders and companies in the ‘twilight zone’ of solvency.
Keynote Address

Issues on a Chairman’s mind during the time of change

Pyrmont Theatre, Level 2

David Gonski, Chairman
Australia and New Zealand Banking Group Ltd
and Coca-Cola Amatil Limited

Ali Moore
International Broadcast Journalist
Our keynote speaker David Gonski has declined his fee in favour of INSOL making a contribution to a new scholarship, established by the University of New South Wales in the name of Steve Parbery. The annual scholarship will support a commerce student with an interest in corporate restructuring or insolvency who requires financial assistance to complete their studies. It has been established in Steve’s name to honour his unparalleled contribution to the restructuring profession in Australia.
Oil on troubled waters – how to manage an unexpected blowout through the use of new restructuring options

Pyrmont Theatre, Level 2

Chair: Alastair Beveridge, AlixPartners LLP
Jane Dietrich, Fellow, INSOL International
Cassels Brock & Blackwell LLP
Paul Kuipers, Linklaters LLP
Rachel Strickland, Willkie Farr & Gallagher LLP
A1 - Oil on troubled waters – how to manage an unexpected blowout through the use of new restructuring options

The world of the listed global exploration and production company is tough enough with the current and recent oil price levels, but this is compounded by some significant operational challenges relating to terrorist activities and an environmental issue with a rig. The company has had an interesting history and the management team is stocked with characters, with differing agendas – can it get through the current difficulties?

The panel will start by asking the audience three questions concerning the likely centre for a restructuring, the priorities in terms of immediate issues and views on the likely most challenging issue which will have to be dealt with – all based on what has been communicated in the initial case study film.

The panel will then give its view on the key issues and potential options – not just theoretical comments but hands on practical advice based on extensive experience dealing with these sorts of situations. The issues include:

- Finance – cash burn is at an all-time high, default likely if not already happened – the lifeblood of the business – how is it provided?
- Moratorium / stay – breathing space is needed to come up with a plan – how broad does it need to be?
- Confidence – not much of this around – how can it be improved?
- Timing – even less of this but what is realistic?

So what options does the board have? Is Chapter 11 the obvious route or will some of the local joint venture partners ignore any attempt at a global stay causing significant loss of value?

Could an English Scheme of Arrangement deal with the issue, or a Canadian CCAA – or is there lurking out there something new and more suitable – could a combination work best?

Is the listed status of the business helpful in troubled times or more of a hindrance?

We aim to ask the audience for one final bit of participation at the end of the session having given our views and the audience something to think about.
When disaster strikes – what are the duties, obligations and expectations of stakeholders?

Cockle Bay 1, Level 3

Chair: Julie Hertzberg, Alvarez & Marsal
Sue Cato, Cato Counsel
Abuthahir Abdul Gafoor, RSM
Dr. Detlef Hass, Hogan Lovells
Paul Leake, Skadden, Arps, Slate, Meagher & Flom LLP
A2 - When disaster strikes – what are the duties, obligations and expectations of stakeholders?

Advisors are accustomed to confronting simultaneous crises within distressed companies but when an environmental disaster occurs it throws things into an immediate tailspin. There is no time to prepare, parties in interest can be reactionary and priorities often blur.

With the assistance of international restructuring experts, we will explore key issues that arise when a company is confronted with an environmental disaster leading to financial collapse. We will utilize key facts from the case study and integrate audience participation.

Board of Directors / Management

- How does the Board of Directors balance competing interests of key stakeholders?
  - Employees
  - Secured lenders
  - Noteholders
  - Vendors / Unsecured trade creditors
  - Environmental parties
  - Governmental agencies
  - Shareholders
- What happens when the interests at the parent corporation differ from the interests in the various subsidiaries?
- What is the implication of timing of action and potential criminal or civil liability by Board members and management?
- What happens when the Board of Directors and management disagree on best course of action?
- How should the company handle communications? What is the impact of informal news outlets and social media?
- What are the immediate and long-term environmental responsibilities?
- How does management deal with potential fraud issues to preserve value on behalf of stakeholders?
Secured lenders

- How do you advise a bank group with competing interests?

Noteholders

- What happens if you have an aggressive noteholder group?
- Are there particular jurisdictions in which you can strategically elevate creditor rights?

All of these topics will be debated within a backdrop of jurisdictional similarities and variances to determine where the Board may ultimately steer any legal activity.
Rescue capital – the value of new money to a distressed situation

Cockle Bay 2, Level 3
Chair: Genevieve Gregor, Goldman Sachs
Marcelo Lamego Carpenter, Sergio Bermudes Law Office
David Kelleher, Fortress Investment Group (Australia) Pty Ltd
Fidelis Oditah QC, South Square / Oditah & Co
A3 - Rescue capital – the value of new money to a distressed situation

Companies get into trouble for all sorts of reasons and some are worth rescuing, some are not. How a company is restructured and why is always unique, and how new capital is attracted to a situation that many would run away from, creates an interesting and entertaining study. Roll in a bunch of personalities and different motivating factors, particularly from the existing lenders, who are likely to take a haircut and then you have a company story that has many twists and turns. If the company is worth saving and past lenders and new investors have a common desire to get the company going again then the scenario for rescue capital makes sense.

Join a panel of experts who rescue companies for a living and learn how they approach providing new capital to a very unique and relevant situation.

Key areas of focus for a rescue capital raising will be:

- information – assessing the quality of the information to make decisions;
- containing liabilities – understand the scope of the risks;
- specific industry / sector risks – commodity price, development risk, capex. Oil & gas industry has specific risks and challenges this poses;
- what should be the priority of the funding – are there any immediate cash flow needs?
- establishing the size of the new capital required;
- which jurisdiction to raise the capital in? Single or multiple?
- structuring - dissecting which assets are kept and those which are jettisoned?
- selecting the right cornerstone investors, with the right expertise;
- how do you deal with existing creditors / inter creditor issues?
- governance – will the new money have control of the situation?
- pricing the new deal; and
- comprehensive recap plan - new money need to be the architects of the plan.
Swelling the insolvent estate – how do practitioners replenish a fraudulently depleted estate?

Pyrmont Theatre, Level 2
Chair: Ian Mann, Fellow, INSOL International, Harneys
Martin Kenney, Martin Kenney & Co.
Alex Moglia, Moglia Advisors
Marie Rowbotham, PwC
B1 - Swelling the insolvent estate – how do practitioners replenish a fraudulently depleted estate?

Insolvency practitioners frequently find that upon their appointment, the company’s cupboards are inexplicably bare. “Swelling the insolvent estate” and replenishing it of assets that have been stripped prior to an appointment becomes the key priority on behalf of all stakeholders. There are vastly varying degrees of success in this complicated area of law and practice. The panel will be examining a complex cross-border situation since fraudsters tend not to be so co-operative as to keep the trail simple.

In emerging markets, the temptation for directors to treat companies as their personal “cash cow” seems too great for many to resist, and is often the cause of any court process.

When the basic asset tracing has commenced, is there also a viable restructuring plan? How does a restructuring work in emerging markets? Factors include: local government influence, absence of - or selective application of - the rule of law, corruption, massive labour / tax claims, proclivity to liquidations rather than rehabilitations, and allowing companies to move into “zombie” status.

Key topics that will be examined include the following:

- fraud as a driver for court appointments;
- initial forensics;
- preserving the scene of the crime;
- human intelligence: whistle-blowers;
- “confidentiality barriers” from the offshore jurisdictions, especially BVI, the Cayman Islands and Bermuda;
- asset tracing; and
- emerging market factors.
A Hitchhiker’s Guide to forum shopping

Cockle Bay 1, Level 3

Chair: The Honorable Judge James M. Peck (retired), Morrison & Foerster LLP
Patrick Ang, Rajah & Tann Asia
Neil Golding, Freshfields Bruckhaus Deringer LLP
The Honourable Mr. Justice Ian Kawaley, Supreme Court of Bermuda
Michael Thierhoff, Thierhoff Müller & Partner

Sponsored by:
B2 - A Hitchhiker’s Guide to forum shopping

This panel of judges and practitioners, with varying global perspectives and experiences, will examine why parties decide to choose particular jurisdictions for corporate restructuring, liquidation and resolution of the debtor-creditor relationship and will consider those attributes that make one forum appear more desirable than another.

That choice to open insolvency proceedings in a location removed from the centre of corporate control and asset concentration often is calculated to achieve perceived procedural or substantive advantages. It also comes with the pejorative label of “forum shopping”.

But is there anything wrong with such a globe-trotting, result oriented approach to corporate restructuring? Are there policy reasons that should limit the filing of cases in jurisdictions that are far from home, viewed as user friendly or otherwise beneficial to some but not all parties in interest?

Our “Hitch Hiker’s” Guide will dig into this often maligned - even controversial practice of what some might say is a gaming of the system on a global scale. Our mission is to uncover the incentives and strategies that tend to promote filings in jurisdictions deemed favourable to certain stakeholders or to the goals of an effective restructuring. In a globalized world, should we be concerned that a number of hub jurisdictions are competing in the global marketplace to attract restructuring cases?

The panel will discuss the factors that lead parties to choose one forum over another. Certain of those factors may be beneficial to insiders or impair the rights of certain stakeholders. When such a choice of forum impacts rights and recoveries, do affected parties have a remedy?

Some jurisdictions, such as Singapore, are reforming their insolvency statutes to encourage outsiders to opt into their restructuring regimes. What are the jurisdictional attributes that parties in control of case commencement decisions consider in deciding where to file? What resources or characteristics are most compelling? Does it matter, for example, if a jurisdiction has adopted the Model Law? Will insolvency related judgments of the chosen jurisdiction be respected and recognised in other relevant jurisdictions?

A multinational business may be able to restructure its businesses or sell significant assets in a number of different jurisdictions. Why would a company with equal access to a UK scheme of arrangement or a chapter 11 filing in the U.S. choose one over the other? What is the proper relationship between offshore jurisdictions of incorporation and other jurisdictions where assets are located and business is transacted? In some instances, entities engage in COMI shifting to gain access to more favourable jurisdictions. How is that accomplished, and what are the permissible limits, if any, to that practice?
Forum shopping takes place at a national level as well, and so the subject has both international and domestic implications. Given the significant impact of the practice on recoveries and restructuring results, should forum shopping be encouraged, limited or outlawed?
Group next (or not): continuing challenges in the treatment of enterprise groups in insolvency

Cockle Bay 2, Level 3

Chair: David Molton, Fellow, INSOL International, Brown Rudnick LLP
Macaire Bromley, DLA Piper
Neil Cooper, Past President, INSOL International
Luiz Fernando V. de Paiva, Pinheiro Neto Advogados
Professor Anneli Loubser, University of South Africa
B3 - Group next (or not): continuing challenges in the treatment of enterprise groups in insolvency

Perhaps one of the most perplexing issues and significant challenges still facing international insolvency law remains the unresolved question of the treatment of enterprise groups in insolvency.

The panel addresses the tensions in international insolvency law that arise when resolving the issue of the treatment of enterprise groups and, in doing so, the panel will survey existing and proposed mechanisms for resolution. The discussion will also focus on whether groups will be “next” in the agenda or whether the international insolvency community will continue uncomfortably to wrestle with this issue for the foreseeable future.

Among the areas to be covered during this session are follows:

1. The challenge of groups
   - Stakeholders’ (and especially creditors’) expectations of separate legal entities and the bedrock legal principles embodying separateness.
   - Jurisdiction and choice of law: stakeholders’ (and especially creditors’) expectations and the tyranny of COMI.
   - Insolvent holding companies versus solvent operating companies and affiliates (or visa versa).
   - Separateness or integration of assets and liabilities.
   - The (scary) view from developing countries.

2. The view from the tower: UNCITRAL’s contribution to the debate
   - Ongoing efforts to find Einstein’s “unified theory” for group enterprises: 2010 to 2016.
   - The difficulties in finding and agreeing to a definition of the COMI.

3. The case for practical solutions
   - The four “C’s”: Communication (between courts and insolvency representatives), Co-operation, Co-ordination and Consolidation.
   - Substantive consolidation: A remedy or a Pandora’s Box of horribles (or both)?
   - Escaping the tyranny of COMI: Chapter 11 and its eligibility requirements (or as some might say, “what eligibility requirements?”) and jurisdiction and venue over affiliates in one court.
4. **Practical solutions applied**
   - Some successes.
   - Some failures.
   - Lessons and challenges.
   - The case study.
ABI Breakfast Panel – Where will the action be? Probabilities, opportunities and trends in a Trump era

Cockle Bay 1, Level 3

Chair: Ronald Silverman, Hogan Lovells
William H. Hardie III, Houlihan Lokey
Bob Rajan, Alvarez & Marsal
Carlyn Taylor, FTI Consulting, Inc.

Sponsored by:
Session Outline: “Where will the action be? Probabilities, Opportunities and Trends in a Trump Era”

President Trump has articulated priorities and policies regarding business, regulatory and financial spheres that are markedly different than those of his predecessor.

What effects will those policies have on various industries and geographies? Which industries may be susceptible to weakness and which geographies could face new challenges? This session will explore those issues on a global basis, bringing insight into what the coming years may portend for the restructuring world.

This panel will explore current and potential Trump era policies regarding the following areas, among others:

- Energy policy, including oil & gas, coal and renewables
- International trade, tariffs, and tax policy
- Business and financial industry regulation

The panel will explore how such policies could affect cross-border commerce as well as the economies of the following regions, among others:

- United States
- Latin America
- Europe
- China
- Southeast Asia

The panel is intended to be an interactive session, with the panels both presenting views and prognostications and responding to audience inquiries.
Après nous le déluge: municipal debt, sovereign debt – what next?

Pyrmont Theatre, Level 2

Chair: Robert S. Hertzberg, Pepper Hamilton LLP
Past President, INSOL International,
Kevyn Orr, Jones Day
Mark Walker, Millstein & Co
Après nous le déluge: municipal debt, sovereign debt – what next?

Robert Hertzberg interviews experts Kevyn Orr, former Emergency Manager of the City of Detroit, and Mark Walker of Millstein & Co. They will explore cutting edge legal and financial strategies related to municipal and sovereign debt restructuring through specific case examples such as the City of Detroit, Atlantic City, Puerto Rico, Venezuela, Ukraine and other sovereigns.

Topics germane to restructuring this type of debt include:
- What are the eligibility requirements unique to municipalities and sovereigns?
- What is the future of municipal pensions?
- What is the impact on bond markets and bond insurers?
- What type of restructuring frameworks are available?
- How do approaches to debt restructuring of municipalities and non-municipal territories and sovereigns compare and contrast? and
- How do you deal with non-consenting creditors?
C1

Financial sector restructuring: the problem with giants and zombies

Pyrmont Theatre, Level 2

Chair: Richard Heis, KPMG
Jim Luby, McStay Luby
Jim Wigand, Millstein & Co
Tim Williams, National Australia Bank
C1 - Financial sector restructuring: the problem with giants and zombies

The events of 2008 are still with us, with reverberations still being felt in monetary policy and politics and even in the democratic process itself all around the world. The issue of how to resolve failing banks is as relevant today as it has ever been.

This will be an informal discussion with audience interaction, exploring the following issues and more:

- political issues such as too big to fail, taxpayer funded bailouts and banking culture and behaviour;
- policy matters such as depositor preference, access to financial services, loss-sharing amongst creditors; and
- practical issues such as choice of resolution mechanism, valuation, speed vs fairness, the role of the IP or bail-in administrator, good bank / bad bank etc.

The session will draw on real life examples drawn from Ireland, Cyprus, the Americas and Asia.
C2

The influence of culture on cross-border insolvency and restructuring

Cockle Bay 1, Level 3

Chair: Mahesh Uttamchandani, World Bank Group
Renée Dailey, Morgan, Lewis & Bockius LLP
Helena Huang, King & Wood Mallesons
The Honorable Judge Maria Cristina O’Reilly
National Commercial Court, Argentina
Paul Winer, ENSafrica

Sponsored by:
C2 - The influence of culture on cross-border insolvency and restructuring

The globalization of finance has significant implications for the insolvency or restructuring practitioner looking to assist clients in navigating foreign waters. The proliferation of legal tools such as the UNCITRAL Model Law on Cross-Border Insolvency and the EU Regulation on Cross-Border Insolvency brings practitioners from multiple jurisdictions into ever-closer contact.

But is the insolvency world truly ‘flat’? Or, do cultural practices, both business and legal, play a role in determining how insolvency cases or issues concerning distressed companies are resolved? In particular, how does culture impact the law, negotiations, tactics and even judicial approaches to insolvency and restructuring?

Featuring a panel of experts from around the world, this session will take you on a tour of the cultural opportunities and pitfalls of trying to ‘get the deal done’ in different parts of the world:

Panel members from Asia, Latin America, Southern Africa and North America will explore the effect of differing cultural treatments of such diverse issues as:

- Employee rights and priorities – are there just legal differences or are they more fundamentally cultural in nature?
- Government claims – do different cultural norms result in differing ways of dealing with the government’s priority?
- The role and appointment of judges – is this the same around the world or does it mean different things to be a judge in different countries? and
- The role and appointment of Insolvency or Restructuring Practitioners can differ materially in different parts of the globe.

The panel will bring a mix of hard data and real-life experience to explore the above issues and will introduce perspectives from around the world.
Litigation funding – key considerations

Cockle Bay 2, Level 3
Chair: Nick Rowles-Davies
Clive Bowman, IMF Bentham Limited
Michael Epstein, Deloitte CRG
Paul Smith, Conyers Dill & Pearman
C3 - Litigation funding – key considerations

What is litigation funding?

1. The development and evolution of litigation finance and how the industry has developed from obscurity to mainstream in the UK, Europe, Australia, Asia and the USA

2. What funding products and solutions are available, including preliminary funding for investigations?

The legal landscape

3. Maintenance and champerty in 2017
   - What is it?
   - Control issues and differences by case and jurisdiction
   - How it has been address by different common law jurisdictions?

4. Lessons to be learned from *Excalibur v Texas Keystone* and other significant judgments

Funding agreements

5. Due diligence
   - What to look for?
   - What do funders look for?
   - What documentation funders want to see?
   - Types of cases
   - Merits, quantum, collection

6. Negotiation, major terms and managing conflicts
   - Preserving confidentiality and ensuring legal professional privilege is not waived
   - Pricing structures – percentage, multiple of investment, multiple and percentage, changing fee over time
   - Portfolios
   - Terms, settlements and disputes

7. Obtaining court approval of litigation funding arrangements
   - Court approval or approval by creditors or committee of inspection
   - Applications to the court
Compromising Europe?
The movement away from formal insolvency towards restructurings and reorganisations

Pyrmont Theatre, Level 2
Chair: Philip Hertz, Clifford Chance LLP
Lucas Kortmann, Fellow, INSOL International, RESOR N.V.
Angel Martin, KPMG
Dr. Leo Plank, Kirkland & Ellis International LLP
D1 - Compromising Europe? The movement away from formal insolvency towards restructurings and reorganisations

In this interactive session, the panel will examine the recent perceived trend across Europe towards consensual or quasi-consensual restructurings as opposed to formal insolvency proceedings.

To this end, the panel will look at the following:

- factors driving this phenomena;
- types of procedures now available; and
- some of the solutions and innovations that have been utilised across various European jurisdictions.

These restructurings are taking place amidst the backdrop of continuing legal reform on a national and supranational level and prolonged economic uncertainty created by several factors including, most notably, the “Brexit” referendum vote in the UK on 23 June 2016. It is not yet clear what impact Brexit will have but the panel will look at whether this has or will create a “financial 9/11” type event or will simply be a “white elephant”.

The good, the bad and the ugly: national and regional insolvency law reforms

Chair: Donald S. Bernstein, Davis Polk & Wardwell LLP
Mark Craggs, Fellow, INSOL International
Norton Rose Fullbright LLP
Sushil Nair, Drew & Napier LLC
Dr. Christoph Paulus, Hamboldt-Universität zu Berlin
D2 - The good, the bad and the ugly: national and regional insolvency law reforms

1. Adoption of “Chapter 11 like approaches” to restructuring.
   - UK - A review of the corporate insolvency framework.
   - Singapore - “Committee to strengthen Singapore as an international debt restructuring centre.
   - EU - Pre-insolvency procedures.
   - USA - Recommendations of the ABI Commission.

2. Dealing with cross-border corporate groups


4. Brexit: What does the future hold?
Retail disrupted.
Welcome to the Hunger Games

Cockle Bay 2, Level 3

Chair: James Stewart, Ferrier Hodgson
Cory Lipoff, Hilco Merchant Resources, LLC
Iain Nairn, Kikki.K
Dr. Ian Tho, Azurium

Sponsored by:
D3 - Retail disrupted.
Welcome to the Hunger Games

Retail is at the forefront of global digital disruption. Enabled with mobile technology, in less than a decade the power paradigm has shifted from retailers to consumers.

Globally, ‘old world’ retailers are being forced to invest and change their business models faster than many could have imagined. Digital engagement and data analytics is now what drives best practice and for many retailers this is not only a quantum shift in thinking, but it also means reorganising their business models to survive and prosper in the face of rapid disruptive change.

The panel discussion will focus on:

- key success criteria for retail brands today;
- importance of integrating people, systems and big data in modern retail operations;
- rapid rise of data analytics in measuring performance and predicting retail success;
- common denominators of retail failure;
- rise and rise of online retail and what this means for bricks and mortar stores;
- a high level case study on the global growth strategy of Kikki K; and

The session will be content rich via audio visual material as well as the panel discussion and will leave you with a greater understanding of why, in the case of retail these days, it’s all about who can win “the Hunger Games”!
Future of the insolvency and restructuring profession

Pyrmont Theatre, Level 2

Facilitator: Tony Jones, ABC TV
Mark Byers, Grant Thornton
Sijmen de Ranitz, RESOR N.V., Past President, INSOL International
Marcia Goldstein, Weil, Gotshal & Manges LLP
Adam S. Harris, Bowmans, Vice-President, INSOL International
Greg Medcraft, Australian Securities and Investments Commission (ASIC)
The Honourable Mr. Justice Kannan Ramesh, Supreme Court of Singapore
Carlyn Taylor, FTI Consulting, Inc.
Future of the insolvency and restructuring profession

This session will follow a dynamic question and answer format of some of the leading professionals around the world to get their views on a range of issues facing the profession.
Indonesia, China and India – where are we and what’s next?

Pyrmont Theatre, Level 2

Chair: David Kidd, Linklaters LLP
Sumant Batra, Kesar Dass B. & Associates
Past President, INSOL International
Warren Hogan, Australian Government Treasury
Andi Kadir, Hadiputranto, Hadinoto & Partners
Richard Woodworth, Allen & Overy

Sponsored by:
Indonesia, China and India – where are we and what’s next?

Over the last year or so, the Indonesian economy has taken a battering as a result of (at least) a slump in global commodity prices and a weakening Rupiah. The resultant freeze on foreign direct investment has also played a role. These developments have led to a flood of restructuring and insolvency work in and around Indonesia with repercussions for the insolvency and restructuring industry throughout the world – including an increasing reliance on Chapter 15 in the US and heavy interaction with US and European bond markets.

China has also seen its economy impacted by the troubled commodity sector and we have seen a slowdown in the Chinese economy, due to the government crackdown on corruption and a slowdown in local and global demand. This has impacted a broader range of industries than in Indonesia, but has had similar ramifications.

India is seeing increased investment rates and private consumption but domestic financial risks abound – particularly large non-performing loans and the high corporate debt levels. India has recently passed the new Insolvency and Bankruptcy Regime – a step in the right direction but, as is the case with Indonesia and China, cross-border interactions remain a challenge.

The panel consists of an interactive mix of economic, restructuring and insolvency specialists, who will explain the current status of the Indonesian, Chinese and Indian economies and recent developments in the restructuring and insolvency industry, and cases including:

- a review of PKPU plans recently implemented in Indonesia and the options available to debtors and creditors from such plans;
- the recent government led changes to China’s restructuring regime including the liberalisation of non-performing loans, debt for equity swaps and the recent focus on zombie companies; and
- a review of India’s new Insolvency and Bankruptcy Code – its aims, the benefits and the areas of concern.
Hot topics – avoid being burnt!

Pyrmont Theatre, Level 2

Chair: Jay A. Carfagnini, Goodmans LLP
The Honourable Mr. Justice Paul Heath, High Court of New Zealand
Jason Karas, Lipman Karas
Gaurav Malhotra, EY
Gabriel Moss QC, South Square
Hot topics – avoid being burnt!

A collection of surprises awaits you.

The speakers have identified six hot topics and the delegates attending the session will be asked to vote for their preferred choices at the beginning of the session.

The most popular three topics will be discussed. The speakers agree to accept the results of the vote!
Keeping pace with modern restructurings – jurisdiction, co-operation, assistance and recognition: views from the bench

Pyrmont Theatre, Level 2

Chair: The Honourable Mr. Justice Fabian Gleeson
Supreme Court of New South Wales

The Honourable Mr. Justice Jonathan Harris
High Court of Hong Kong

Sir Alastair Norris
High Court of Justice of England & Wales

The Honourable Mr. Justice Nick Segal
Grand Court of the Cayman Islands

The Honorable Judge Elizabeth S. Stong
U.S. Bankruptcy Court for the Eastern District of New York
Keeping pace with modern restructurings – jurisdiction, co-operation, assistance and recognition: views from the bench

A panel of experienced and eminent judges will participate in an interview style discussion of a range of topical issues confronting courts in various jurisdictions when dealing with cross-border restructuring and insolvency matters relating to:

- forum selection and forum shopping, including what filters courts place upon the party’s choice of jurisdiction, and the use of the anti-suit injunction in insolvency cases;
- what persuades a court that there is a sufficient connection between the debtor company and the jurisdiction so as to attract jurisdiction for either winding-up or insolvency restructuring. And how do courts respond to temporary COMI shifts, or changes to the choice of law provisions in debt instruments, prior to commencement of insolvency proceedings?
- the role of judicial case management in insolvency proceedings, and the different approaches and judicial techniques used by courts in various jurisdictions;
- assistance between courts in cross-border insolvencies, including how do courts respond to the choices of the parties as to how and where claims should be quantified; and
- the significance of public policy in cross-border matters, including differing views between jurisdictions as to the effect of recognition of a foreign office holder in the local jurisdiction.
INTRODUCTION TO BORRELLI WALSH

BORRELLI WALSH

Borrelli Walsh is a specialist insolvency and restructuring firm. From its offices in Beijing, British Virgin Islands, Cayman Islands, Hong Kong, Jakarta and Singapore, the firm is regularly instructed on assignments throughout the Asia Pacific region and internationally.

The principals of Borrelli Walsh are leading providers of insolvency and restructuring services and are supported by a specialist team with a strong reputation for hard work and delivering solutions to complex problems.

The firm works with clients and other stakeholders to avoid or resolve financial and operational problems and enhance and realise value in a low risk environment. It also has an enviable reputation for the stewardship of assets and companies that are the subject of dispute and/or litigation.

Clients include local and international banks, bondholders, investment funds and private equity firms, lawyers, listed and private companies, regulators, industry bodies and government departments.

The firm’s Directors take a hands on role on all assignments including as directors internationally and legal representatives in PRC to facilitate low key and effective outcomes.

www.borrelliwalsh.com
RECENT ASSIGNMENTS

UNITED STATES
Expert witness before the United States District Court, Northern District of Texas, Dallas Division, in relation to due diligence, valuation, recovery and associated litigations of a US$1.1 billion non-performing loan portfolio.

BERMUDA
Expert witness in a winding-up proceeding in relation to a Bermuda company listed in Hong Kong. The appointment followed concerns in respect of the disposal of assets.

CAYMAN ISLANDS
Liquidators of a segregated portfolio company incorporated under Part XIV of the Cayman Islands Companies Law comprising two segregated portfolios. Our work included evaluating the possible conversion and sale of investments within the portfolios and investigations in order to enhance the recoveries available to all creditors.

BRITISH VIRGIN ISLANDS
Liquidators of a BVI holding company of one of the largest shipping companies. Supervised development of a credit programme and restructuring the Group. Investigations also led to legal proceedings against former directors to recover substantial investment funds.

INDONESIA
Vice President, Restructuring, of PT Barlian Laut Tanker Tbk, a duallisted Indonesian shipping company with debt in excess of US$2 billion comprising a senior secured syndicate of international banks, high yield US$ bonds, convertible bonds, IDR bonds, lease, derivative and trade claims. Stabilizing a crisis through implementation of vessel protection measures, cash flow management, restructuring an underperforming fleet by removing unprofitable vessels and contracts. Negotiated and implemented restructuring within the framework of a PKPU process in Indonesia, s210(10) in Singapore and Chapter 15 in the US.
PRC
Joint and Official Liquidator and Provisional Liquidators of China Medical Technologies Inc. in Cayman and Hong Kong. Extensive investigation of the affairs of the company and establishing the whereabouts and use of US$670 million raised in the United States and the conduct of recovery legal proceedings and asset attachment procedures in the United States, Hong Kong and PRC.

SINGAPORE
Post reorganisation, Independent Director of Jaya Holdings, a company listed on the Singapore Exchange Limited, including membership of the Remuneration and Risk Committees.

PRC
Replacement asset manager of a portfolio of 7 investments located in PRC, Singapore and Malaysia valued at US$100 million. Industries include pharmaceuticals, aquaculture, manufacturing, shipping and technology.

SINGAPORE
Chief Restructuring Officer of Global Henry, a company providing non-medical cosmetic treatment services with over 200 centres with 3,000 staff across Asia. Involved a review of operations to identify businesses to retain, dispose or fix. This led to a sale of certain businesses in various countries, working capital improvements through creditor management and development and implementation of centre restructuring initiatives to enhance profitability.

HONG KONG
Provisional Liquidators of Hong Kong-listed China Metal Recycling, one of the largest scrap metal recycling companies in PRC, following an application by the Securities and Futures Commission. The work included steps to secure control over subsidiaries of the company in BVI, Hong Kong, Macau, PRC and Singapore and investigation of the affairs of the Group.

HONG KONG
Court appointed Administrators in a probate dispute where the plaintiff sought to propound the Will of the deceased. The dispute involved the ownership of various assets with a total value of HK$440 million, including the beneficial ownership of shares in various companies. Established the assets and liabilities of the Estate and control of the assets, protecting and preserving them pending the resolution of legal claims.

MALAYSIA
Chief Restructuring Officer of an aluminium foamwork construction business. Appointment (including as Director) to manage cash flow and improve supply chain. Restructuring included provision of new money facility and management buyout, led development of business plan initiatives including expansion of manufacturing facilities and entry into new markets.

HONG KONG AND SYDNEY
Appointed Bankruptcy Trustees of two individuals involved in the transfer of properties to related parties. Investigations and extensive tracing exercise established the end recipient of funds and real estate. Applied to the Hong Kong Court to obtain a worldwide freezing injunction and legal proceedings were issued seeking declarations that transactions constituted a transaction at an undervalue with the intent to defraud creditors. A substantial settlement with the Bankrupts was secured and recoveries to the sole creditor within nine months of our appointment.

HONG KONG
Appointed to value a pool of matrimonial assets and investigate associated transactions following a substantial contested divorce proceeding in Hong Kong. Investigation of the ownership of substantial international assets, verifying their value and investigating associated transactions. Assets included real estate, shareholdings, international listed securities in Hong Kong, Vietnam, BVI, UK and USA with a total value of around US$300 million.
SERVICES

CORPORATE RECOVERY AND INSOVENCY
- Provisional, Compulsory, Creditors and Members’ Voluntary Liquidations
- Court and Private Receiverships
- Singapore Judicial Management
- PRC Bankruptcy & Reorganisation
- Indonesian Suspension of Debt Payment Obligation (Perusahaan Kerugian Pembayaran Utang or “PKPU”)

FINANCIAL AND OPERATIONAL RESTRUCTURING
- Crisis and interim management
- Formal and informal restructurings and workouts
- Schemes of arrangement
- Cash and working capital management

FINANCIAL INVESTIGATIONS, FORENSIC ACCOUNTING AND EXPERT WITNESS
- Expert testimony
- Independent reviews and valuations of companies, businesses and assets
- Asset tracing, retrieval and realisation
- Business and accounting reconstruction and analysis
- Investigating director and auditor negligence
- Money laundering investigations

CORPORATE AND STRATEGIC ADVICE
- Executive and non-executive directorships
- PRC Legal Representative appointments
- Acquisition and due diligence of distressed entities and assets
- Valuations

MATRIMONIAL, TRUST AND PROBATE
- Court appointed trustees and administrators
- Valuation and investigation of matrimonial assets and deceased estates
- Litigation support and dispute resolution

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Welcome

FTI Consulting is delighted to be a main sponsor of INSOL 2017, the Tenth Quadrennial Congress in Sydney, Australia.

We are an independent global business advisory firm offering the Australian market place a comprehensive suite of services designed to assist clients across the entire business lifecycle – from proactive risk management to the ability to respond rapidly to unexpected events and dynamic environments.

As a trusted partner to companies, boards of directors, investors, lenders and creditors around the world we are recognised for the depth of our knowledge and a track record of making an impact.

With offices in every major financial centre and every corner of the globe, we successfully serve our clients wherever challenges and opportunities arise. In Australia, we have built a team of more than 250 professionals located in offices in Brisbane, Sydney, Melbourne and Perth.

As leaders of FTI Consulting in Australia, we look forward to connecting with you at INSOL 2017.

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John Park
Head of Corporate Finance & Restructuring, Australia

John Park

Rod Sutton
Chairman of Asia Pacific Region

Rod Sutton

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EXPERTS WITH IMPACT
About FTI Consulting

FTI Consulting combines deep financial, forensic, economic, technology and communications experience with extensive industry expertise throughout the world.

FTI Consulting Global Fast Facts

82 Offices in 29 countries

Global Turnaround Firm of the Year
Two consecutive years

$1.7B NYSE listed market capitalisation*

150+ Interim/permanent positions, 100+ C-Suite roles.

700+ Industry Specialists

92 Advisor to 92 of the world’s top 100 law firms

#1 Crisis Management Firm in The Deal Pipeline league tables of crisis management firms for eight consecutive years (2007-2015)

FCN Publicly traded – NYSE

4600+ Employees worldwide

*Total shares outstanding times the closing US share price as at June 30, 2016
The Corporate Finance & Restructuring segment of FTI Consulting provides complete support in restructuring, corporate advisory, transactions and lender advisory services. The practice has a reputation for taking on challenging and complex assignments that require exceptional strategic and technical capabilities.

Our local, regional and international coverage combined with our experts’ depth of experience and results focused approach, means we are uniquely placed to meet our clients’ needs.

### Corporate Finance & Restructuring

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### Industries in Focus

No two industries are the same. FTI Consulting offers deep, practical industry expertise to ensure that we deliver solutions that work.

**In Australia, we have experts in:**

- Agriculture
- Mining & Mining Services
- Telecom, Media & Technology (TMT)
- Real Estate & Infrastructure
- Retail & Consumer Products
Clients in Focus

Queensland Nickel
FTI Consulting was appointed administrators of one of Australia’s largest corporate collapses, Queensland Nickel. FTI Consulting was able to manage the intense public interest through strategic communications with the more than 1000 stakeholders to determine how to best address their interests, whilst continuing to trade the business and undertake an urgent assessment of the Company’s financial position.

Investigations were undertaken to deliver a detailed report to creditors, with the recommendation to liquidate the Company unanimously approved. This resulted in FTI being able to commence action to recoup $AU300 million owed to remaining creditors.

Laura Ashley
FTI Consulting’s experienced restructuring professionals teamed with our expert retail executives and analysts in initially stabilising, then rationalising, and ultimately selling the Laura Ashley Australian licensee as a going concern.

FTI Consulting were able to leverage critical data and patterns to achieve immediate key business improvements for Laura Ashley’s Australian operations as part of the restructuring and turnaround exercise.

Utilising the available data and embracing the customer was critical to Laura Ashley’s short term survival and ultimate turnaround. The spend on customer engagement was actually significantly increased during the interim management of the business by FTI Consulting.

In addition to critically supporting initial rationalisation and ongoing trading, the data also helped us demonstrate that there was a significant and loyal customer group that underpinned the business and had the potential to be further embraced. This was a key factor in identifying and securing a purchaser for the business.
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Proactive teams, led by approachable partners, use insights, experience and instinct to understand complex issues for privately owned, publicly listed and public sector clients and help them to find solutions.

More than 47,000 Grant Thornton people across over 130 countries, are focused on making a difference to clients, colleagues and the communities in which we live and work.

Grant Thornton's global restructuring team delivers growth solutions to distressed and underperforming companies and their stakeholders. We help diagnose and address underperformance, devising workable solutions that maximise value and deliver a sustainable recovery.

Our clients choose Grant Thornton because:

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OUR SERVICES
Wherever in the world support and advice is required, we can build a team to meet the sector and geographic requirements for any of the following services:

- accelerated M&A
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- crisis stabilisation and turnaround
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- asset tracing and recovery
- operational and financial restructuring
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MORE THAN 100
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The Australian practice is supported by our global network of 130 member firms that make up Grant Thornton International, enabling us to mobilise highly skilled, multi-jurisdictional teams. Our dedicated regional leaders below connect our clients with the right member firm relevant to each unique issue faced:

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Henry Davis York, one of Australia’s leading law firms, is at the cutting edge of cross-border insolvency, having played a principal role in landmark cross-border disputes that have set the law in this area at the highest appellate level.

Our firm has one of the top restructuring and insolvency practices in the country, with partners recognised internationally as pre-eminent in the field. HDY lawyers practice law both domestically and across international borders, assisting clients in complex restructuring and insolvency matters around the globe.

www.hdy.com.au
HDY’s market-leading expertise

Our recent cross-border work includes acting for:

- the Cayman liquidators of Caledonian Bank Ltd in obtaining recognition and relief in Australia

- the English and Cayman Islands liquidators of Saad in obtaining recognition in Australia and contesting the application by the domestic revenue authority to be exempted from the moratorium

- the Cayman liquidators of Centaur Litigation, a complex cross-border litigation funding business

- the Asian Development Bank and the Republic of the Union of Myanmar, in providing assistance in the drafting of corporate insolvency laws, along with the essential accompanying regulations and explanatory notes. The engagement will also see HDY’s team participate in associated capacity development

- the consortium of funds which acquired the debt in the ASX listed transport and logistics business, McAleese Limited

- a leading global investment bank and certain foreign government entities in petitioning the Grand Court of the Cayman Islands to wind-up Torchlight, a Cayman domiciled limited partnership. This complex action involves entities and assets located in Australia, New Zealand, the Cayman Islands and Europe
Experts in cross-border insolvency

Scott Atkins, INSOL Fellow, INSOL Board member and chair of its Strategic Taskforce 2021; Vice-President of the Australian Restructuring Insolvency and Turnaround Association; co-author of the Australian chapter of the leading international text on UNCITRAL Model Law on Cross-Border Insolvency.

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Cameron Cheetham is a qualified restructuring and bankruptcy lawyer in Australia, England and New York. Practising in those jurisdictions for more than 20 years undertaking complex stressed and distressed formal and out-of-court cross border business reorganisations.

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John Martin, technical co-chair of INSOL Sydney 2017 and a Board member of the International Insolvency Institute. John advised the appellant creditors in the House of Lords in Re HIH, and the Australian liquidator in the UK Supreme Court in Rubin v Eurofinance; New Cap Re.

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Alex Mufford acted for Perpetual, the Australian plaintiff in the cross-Atlantic “flip clause” dispute with Lehman Bros, settling Perpetual’s position shortly before the UK Supreme Court appeal.

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Claudine is a banking and insolvency litigation and regulatory expert and represents the major Australian financial institutions in matters involving complex security enforcement and restructuring. She also acts for insolvency practitioners in formal receiverships, voluntary administrations and liquidations.

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Our method is to investigate and formulate a case for effective presentation at trial from the outset. If that approach does not lead to an early resolution, the prospect of success at trial is maximised and the risks of preliminary challenges and other delays minimised. We focus on delivering rigorous advice and pursuing meritorious claims only.

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Key projects include:

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- **Bell Group** – Representing liquidator in asset recovery litigation and appeals arising from the collapse of the Bell Group of companies against 20 global banks leading to the settlement of AU$1.7 billion in favour of liquidators, creditors and bond holders.
- **Al Gosaibi** – Leading asset recovery investigations and litigation against Maan Al Sanea and his Saad Group concerning US$9.2 billion fraud.
- **Madoff Feeder Funds** – Lead global counsel for Kingate Global and Euro Funds on investigations and litigation in Bermuda, BVI and the US arising from the Madoff Ponzi Scheme.
- **Akai Holdings** – Representing the liquidators in investigations and successful litigation in Hong Kong, England, Bermuda and the US arising from Hong Kong's largest corporate collapse.
- **Other Major Projects** include director liability and auditor negligence investigations and litigation arising for the collapses of listed companies, including China Medical Technologies, Moulin Global, Orient Power, 3D-Gold, Ocean Grand, Sino Forest Corporation, China Forestry, Galleria Group, Great Southern, Duke Group, One.Tel, HIH Royal Commission and Bond Corporation.

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24 February 2017