



FEDERAL BAR ASSOCIATION
DELAWARE CHAPTER
BANKRUPTCY TRIAL PRACTICE
SEMINAR
THE HONORABLE KEVIN GROSS, CHAIR



Bankruptcy Trial Practice Seminar Introduction

The United States Bankruptcy Court for the District of Delaware (the “Bankruptcy Court”) and the Delaware Chapter of the Federal Bar Association (“FBA”) are pleased to announce the 2017 Bankruptcy Trial Practice Seminar (the “Seminar”). The Seminar is an instructional trial practice program designed for lawyers who have approximately three to six (3-6) years of experience as a practicing attorney and who have an interest in regularly appearing in the Bankruptcy Court.

The Seminar has three primary goals. First, it seeks to provide the participants with a venue in which they can practice courtroom skills and learn from experienced practitioners in order to hone those skills. Second, it offers an opportunity for the Bankruptcy Court to educate the participants as to what is expected of those who practice before it. Third, it will enable the judges of the Bankruptcy Court to become familiar with the future leaders of the bankruptcy bar. Applicants who are admitted to the Seminar will participate in instructional sessions on topics including Developing the Case and First Day Motions; Final Debtor-in-Possession Financing and Bidding Procedures; Sale Hearing; and Courtroom Presentation and Evidentiary Issues.

The Seminar sessions, to be held in October and November 2017, will involve both: (1) instruction from nationally-recognized speakers who have frequently litigated in the Bankruptcy Court and (2) hands-on training sessions, including a mock-hearing-style format, in which the participants will apply what they have learned from the speakers. These weekly sessions will also be attended by judges of the Bankruptcy Court and a group of program mentors, all of whom have extensive trial practice experience in the Bankruptcy Court. Seminar participants will also obtain Continuing Legal Education credit (including Ethics-related credit) and will have additional opportunities to interact with the Bankruptcy Court judges, the speakers and the program mentors outside of these sessions. There is no cost to participate in the Seminar, which is open to both members and non-members of the FBA.

Those interested in applying for the Seminar should submit a resume and a letter of interest by June 9, 2017 to The Honorable Kevin Gross, c/o Laura Haney at laura_haney@deb.uscourts.gov. Any questions can be directed to the Seminar co-chair, Curtis Miller (cmiller@mnat.com).

Application Process

This is the inaugural offering of the Seminar. We anticipate accepting eight attorneys to participate in the program. Each of these spots will be reserved for members of the Delaware Bar. Membership in the Federal Bar Association's District of Delaware Chapter will be a positive consideration in the application process, but will not be a requirement for admission.

Applicants will be required to submit a letter of interest and a resume to Judge Kevin Gross, by Friday, June 9, 2017. Applicants under consideration for admission will be expected to participate in an interview process prior to their acceptance into the Seminar. Applicants will be notified of their acceptance by Friday, June 30, 2017. Applicants admitted to the Seminar will be required and expected to attend each session as if it is an appearance before the Bankruptcy Court.

Content of the Seminar

Seminar participants will take part in instructional sessions once a week for six consecutive weeks, beginning in October 2017 and ending in November 2017. These sessions will be held on Monday evenings. Each session will be held in a courtroom (or courtrooms) at the Bankruptcy Court. Sessions will begin at 5:30 p.m. and will end no later than 8:00 p.m. The Seminar sessions will cover topics including Developing the Case and First Day Motions; Final Debtor-in-Possession Financing and Bidding Procedures; Sale Hearing; and Courtroom Presentation and Evidentiary Issues.

Three of the six Seminar sessions will be "speaker-driven" sessions. These will consist, first, of a presentation on the topic of the evening from outside, nationally-recognized speakers who have frequently appeared in the Bankruptcy Court. Each of these speaker-driven sessions will also include a discussion on the topic of the evening by a panel of the featured speakers, Bankruptcy Court judges and our program mentors. Each of these speaker-driven sessions will have at least two hours of legal instruction.

The other three Seminar sessions will be "practicum" sessions. In these sessions, the participants will engage in mock presentations to the Bankruptcy Court judges and program mentors relating to particular topics that have been the focus of a speaker-driven session. The practicum sessions will include argument and direct and cross examination of witnesses based on a to-be-provided case study. At the conclusion of each practicum session, the participants will receive constructive criticism and feedback from the Bankruptcy Court judges and program mentors in attendance.

Other Benefits of the Seminar

As noted above, a group of "program mentors" will be an important part of the Seminar. These Delaware-based practitioners are lawyers with significant experience practicing in the Bankruptcy Court. Program mentors will attend the Seminar sessions, and provide feedback and advice to the participants during each session.

The Seminar also provides the participants with other opportunities to interact with the Bankruptcy Court judges and program mentors. These interactions will include an opening ceremony, held before the start of the Seminar, in which the judges and program mentors will discuss what they hope the participants will gain from the Seminar. In addition, there will be a closing ceremony, held after the completion of the Seminar, in which participants will receive a diploma commemorating their completion of the Seminar. Participants will be asked to invite a senior lawyer to this event who has served as a mentor in their career.

Participants in the Seminar will also receive CLE credit for each of the seminar sessions. We expect that participants will receive up to 12.0 hours of CLE credit from the Delaware Bar due to their participation in the Seminar. There is no cost to participate in the Seminar. It will be expected that participants will commit to attend each session as if the sessions are Bankruptcy Court appearances.

Inaugural Seminar Schedule

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| May 15, 2017 | Program Announcement and Call for Applications |
| June 9, 2017 | Applications Due |
| June 30, 2017 | Participants Notified of Acceptance to Seminar |
| October 2, 2017 | Opening Ceremony Location: Hotel DuPont Christina Room Time: 5:30 p.m. to 7:30 p.m. |
| October 16, 2017 | Developing the Case and First Day Motions Location: Bankruptcy Court Time: 5:30 to 7:30 <u>Featured Speakers:</u> James H.M. Sprayregen, P.C. (New York) <i>Kirkland & Ellis LLP</i> Randall L. Klein (Chicago) <i>Goldberg Kohn</i> Thomas Patrick Tinker (Wilmington) <i>Office of the United States Trustee (Region 3)</i> |
| October 23, 2017 | Practicum: First Day Motions Location: Bankruptcy Court Time: 5:30 to 7:30 |

October 30, 2017

Final Debtor-in-Possession Financing and Bidding Procedures

Location: Bankruptcy Court

Time: 5:30 to 7:30

Featured Speakers:

Laura Davis Jones (Wilmington)
Pachulski Stang Ziehl & Jones

Cathy Herschopf (New York)
Cooley LLP

J. Scott Victor (Philadelphia)
SSG Capital Advisors

November 6, 2017

Practicum: Final Debtor-in-Possession Financing and Bidding Procedures Hearing

Location: Bankruptcy Court

Time: 5:30 to 7:30

November 13, 2017

Courtroom Presentation and Evidentiary Issues

Location: Bankruptcy Court

Time: 5:30 to 7:30

Featured Speakers:

David M. Hillman (New York)
Schulte Roth & Zabel LLP

Christopher Shore (New York)
White & Case LLP

Susheel Kirpalani (New York)
Quinn Emanuel Urquhart & Sullivan, LLP

November 20, 2017

Practicum: Sale Hearing

Location: Bankruptcy Court

Time: 5:30 to 7:30

December 4, 2017

Closing Ceremony

Location: Hotel DuPont Christina Room

Time: 5:30 p.m. to 7:30 p.m.

The United States Bankruptcy Court for the District of Delaware



2017 Federal Trial Practice Seminar Program Mentors

Justin R. Alberto
Bayard, P.A.

Howard A. Cohen
Gibbons, P.C.

John T. Dorsey
Young Conaway Stargatt & Taylor, LLP

J. Corey Falgowski
Reed Smith LLP

Laura Davis Jones
Pachulski Stang Ziehl & Jones LLP

Curtis S. Miller
Morris, Nichols, Arsht & Tunnell, LLP

Jeremy W. Ryan
Potter Anderson & Corroon LLP

Christopher M. Samis
Whiteford Taylor & Preston LLC

Robert J. Stearn, Jr.
Richards, Layton & Finger, P.A.

Robert A. Weber
Skadden, Arps, Slate, Meagher & Flom LLP