

Bluebond as Guest Speaker at Fundraiser

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"Don't Be Cruel: Cramdown Issues Affecting Classes of Unsecured Creditors" Thursday, January 10, 2013

← During Trial/Litigation

While there is extensive case law, including Supreme Court case law, addressing the cramdown of classes of unsecured creditors, there is relatively sparse case law addressing issues that arise when a dissenting class of unsecured creditors opposes a plan. Where the plan provides that equity retains its interest, section 1129(b)(2)(B)(i) requires that each member of the dissenting class must receive or retain property of a value, as of the effective date of the plan, equal to the allowed amount of its claim, which appears to require payment in full with interest. But what does this mean in context? Is the debtor permitted to pay the class the Supreme Court decision in *Tiff* control regarding the determination of interest rates, or is that decision limited to secured claims? Should the interest rate be higher than for secured claims because of the lack of collateral, or lower because the creditor did not bargain for collateral or even interest? How is the cramdown requirement different than the best interest of creditors test if the debtor is solvent? If the debtor is solvent, is the class entitled to postpetition interest through the effective date? Are any of these questions relevant in individual chapter 11 cases if the broad view of the BAPCPA changes is applied? The panel will discuss recent decisions that address some of these issues and make sense of what cramdown really requires with respect to an unsecured class.

Speakers:
Hon. Sheri Bluebond, United States Bankruptcy Judge for the Central District of California
Scott F. Gautier, Peitzman Weg LLP
Justin E. Rawlins, Winston & Strawn

Location: The Omni Hotel
251 S. Olive Street
Los Angeles, California

Time: 6:00pm - 6:45pm - Registration and Cocktails
6:45pm - 7:30pm - Dinner
7:30pm - 8:30pm - Program

Cost: \$75.00 FLC Member \$90.00 Nonmembers \$40.00 Lawyers in Gov't Svc.

Registration Form

Name(s) _____
Firm _____
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City, St, Zip _____
Phone _____ Fax _____ Email _____
Bar # _____ Meal Choice: _____ Fish _____ Chicken _____ Vegetarian _____ Fruit _____

- Enclosed is my check for \$ _____ for _____ reservations.
- Charge \$ _____ for _____ reservations on VISA MC AMX
- I cannot attend, but would like program materials at the cost of \$50.00

Credit Card # _____ Exp. _____
Date _____
Signature _____

Pre-registration deadline is Tuesday, January 8. After Tuesday, January 8, the registration fee increases by \$5.00. Cancellations must be received by the pre-registration deadline of Tuesday, January 8. Mail completed registration form and payment to:
Financial Lawyers Conference, 214 Main Street, #336, El Segundo, CA 90245 (310) 322-1350
Federal Tax ID# 23-7448511
For information on FLC's events and membership, go to **MCLE Credit**

This activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of 1 hour. The Financial Lawyers Conference certifies that this activity conforms to the standards for approved educational activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education.

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