MEMORANDUM

June 9, 2016

TO: All Bankruptcy Contacts

FROM: Karen Cordry, NAAG Bankruptcy Counsel

RE: NAGTRI Training – NAAG/SABA

Bankruptcy From a Governmental Perspective
September 26-29, 2016, Hilton Historic Plaza; Hotel Santa Fe; Santa Fe, NM

Early Registration Deadline Is September 2, 2016

Since this program is being done in addition to the scheduled list of courses for the National Attorneys General Training & Research Institute (NAGTRI), there will be no generally available scholarship funds for this program. However, special group rates (set out below) are available for those states sending three or more attendees.

The National Association of Attorneys General (NAAG) will be joining the States’ Association of Bankruptcy Attorneys (SABA) to present the Bankruptcy From a Governmental Perspective Seminar under the auspices of the National Attorneys General Training and Research Institute (NAGTRI) at the Hilton Historic Plaza Hotel in Santa Fe, NM.

This year’s seminar will run for three and a half days from Monday afternoon from 2 to 5 p.m., through Thursday afternoon at 4 p.m. – please plan your travel accordingly. We will once again utilize a detailed hypothetical approach to frame the discussions at the seminar. The tentative agenda is attached to this announcement; we will be circulating the hypothetical discussions shortly. (Please note that, in light of the limited funding available for speaker costs, those listed from governmental offices are tentative until they have received confirmation from their offices that they will be able to attend. We will be updating the agenda periodically going forward.)

The fact pattern this year will be based on a consumer protection investigation of a real estate development-based Ponzi scheme that failed during the real estate crash in 2008. While the bankruptcy filing was triggered by the company’s failing finances and the fraud allegations, there will also be a large number of tax-
oriented issues arising from the corporate structure used by the affiliated debtors and the corporate insiders. The fact pattern is based on a real case that many states have been involved in for the last several years but presents recurring legal and practical issues that states frequently encounter when an investigation target files bankruptcy. In addition to standard lecture/discussion sessions, we will also have skills sessions dealing with topics such as organizing your office for collections and bankruptcies and presenting and defending claims.

This conference will be an invaluable opportunity for staff in Attorney General and client agencies (as well as those attending from local and federal governmental offices) to learn about not just the theory of the Bankruptcy Code but the practical realities of the issues that often arise in major Chapter 11 cases. While the program is primarily designed for staff attorneys, experienced paralegals and other agency staff may also find it useful. We will have sessions dealing with both tax and regulatory issues and will run much of the seminar on two tracks (basic and advanced) to accommodate those with every level of experience. We urge you to distribute this invitation widely to others in your office and related agencies since bankruptcy issues arise in every substantive area of the law.

We will have a highly distinguished panel of presenters for the seminar, including bankruptcy judges and representative of the U.S. Trustee Program, experienced bankruptcy counsel from state, local, and federal agencies, and private counsel who are deeply familiar with the issues the government faces from their work with (and occasionally against) governmental counsel. The Ponzi scheme discussions will be led by the Honorable Steven Rhodes (former bankruptcy judge, E.D. Mich. who oversaw the Detroit bankruptcy) and Kathy Bazoian Phelps, who literally “wrote the book” on Ponzi schemes (The Ponzi Book: A Legal Resource for Unraveling Ponzi Schemes). In addition, Keith Murphy from Baker, Hostetler, who is one of the lead counsel for Trustee Irving Picard in sorting out the astonishing securities scam carried out by Bernie Madoff, will be joining the panels to present his “hands-on” perspective. This is an extraordinarily talented group of presenters and we believe this program will be of great benefit to all attendees.

The fee for the seminar for governmental counsel (and private counsel whose practice is substantially limited to representing government agencies) is $550; a **reduced early bird fee of $495 will be available until September 2, 2016**. In addition, to encourage the greatest possible participation, we will be offering a discount of $100 per registration for groups of three or more attendees from the governmental office or firm. Registration for private counsel attending the seminar will be $695, with the same $100 per person discount for groups of three or more.

NAAG no longer accepts paper registration forms; online registration will be available starting June 28 by going to the NAAG website and looking under the “Meetings & Trainings” tab for the Bankruptcy Seminar. Although we will continue to accept registrations as late as possible, we may not be able to accommodate participants after the early registration cut-off date of September 2, 2016, depending on the numbers registered. In order to assist our planning, please complete registration as soon as possible after July 1.
Hotel Information

We have reserved a block of guest rooms at the conference hotel, the Hilton Santa Fe Historic Plaza, 100 Sandoval Street, as well as additional rooms at the Hotel Santa Fe, 1501 Paseo De Peralta. The two hotels are about two blocks apart and you may register at either location until they fill up. The special group rate for both hotels is $99 per night (approximately $115 with tax) for single or double occupancy. Rooms are reserved under the conference block from Sunday, September 25, 2016 through Thursday, September 29, 2016. The room rate for the Hilton for days immediately before and after the conference dates is $220 per night; the rate for the Hotel Santa Fe is $169 (both are discounts from the rates otherwise available for those dates).

Hotel space will be extremely limited for this period in that there are festivals going on in Santa Fe and/or Albuquerque on dates surrounding the conference block. **We strongly urge attendees to reserve rooms early, particularly if you intend to reserve nights outside the basic room block.** Making reservations early will let us know if we need to try to expand the block before the cut-off date for the hotels. Reservations may be made by phone (505-988-2811 (Hilton) or 877-259-3409 (Hotel Santa Fe)); be sure to mention the National Association of Attorneys General when making reservation to get the special rates. **The cut-off for hotel reservations is September 2, 2016.** After that date, the rooms will be released to the general public and there is no guarantee we will be able to have space for you at the hotel. Accordingly, please make your reservations now even if your final clearance to attend is still pending. Reservations may be canceled up until 48 hours in advance without penalty. If you do need to cancel, please let us know first (especially as the cut-off date approaches) so we can ensure that the room is returned to our available room block.

What's Included in the Registration; Other Activities

In addition to the course and materials, the seminar registration will include per diem payments for breakfasts for Wednesday through Friday, breaks on Tuesday through Friday and an opening reception on Tuesday night. We will be scheduling an optional activity as well; details are still tentative on that, but we will provide information later and you can register for that activity as part of the conference registration.

A charge of $75 will be made for guests of the participants who wish to attend the opening reception and the breaks. If you will not be attending the conference, but are interested in purchasing a copy of the briefing materials, please contact Karen Cordry at kcordry@naag.org by September 9, 20165, so we know how many copies to make of the materials. The cost for materials only (including shipping) is $90.
Travel Information

Santa Fe has its own airport but for most attendees the most economical choice is to fly into Albuquerque and take one of the several means of transport to Santa Fe. Santa Fe is about 60 miles north of Albuquerque. There are three shuttles:

Sandia Shuttle www.sandiashuttle.com, (505) 474-5696, runs every hour starting at 8:45 am until 8 pm (reservations and pre-payment required); cost: $23.00/$43.00; stops at all hotels

Roadrunner Shuttle Services, www.roadrunnerinfo.com, (505) 424-4828; from 8:00am - 6:00pm.

Santa Fe Shuttle 1-888-833-2300; open 7 days a week 8:00 a.m. - 8:00 p.m; requires 24 hour advance reservation; cost: $21.00/38.00; stops at all hotels

There is also limited train service (basically for morning and evening rush hours) between the two cities and the train stops within a few blocks of the hotels. A shuttle runs from the airport to the train station in downtown Albuquerque. Fares are $9 each way and more information about the train is available at www.nmrailrunner.com.

For those driving, parking is free at the Hotel Santa Fe and $9 per day at the Hilton.

Cancellation Policy

Cancellation requests must be made in writing by email. A minimum 20% administrative fee will be deducted for all refunds. No refunds will be made for cancellation requests received 7 days or fewer prior to the meeting start date absent a demonstrated and unavoidable emergency. The state may substitute a new attendee for the prior registrant at any time without cost. We look forward to seeing participants in Santa Fe. If there are any questions about the seminar, please call NAAG Bankruptcy Counsel Karen Cordry at (202) 326-6025 or email to kcordry@naag.org.