

# 25th Annual New England Bankruptcy Law Conference 2024

*Cutting-edge judicial panel and bankruptcy practice updates*

## Agenda

- **Business Liquidation—ABC’s v. Chapter 7 v. Creditor Composition:** Your client wants to close the business but there are assets to liquidate and creditors to pay; your client is also worried about personal guaranties. This panel identifies the ethical and legal challenges and imparts best practices for success.
- **Chapter 13 or Subchapter V? Advising Individuals Operating as a Small Business:** With the enactment of the Small Business Reorganization Act in 2019, individuals who operate as sole proprietors suddenly have an alternative to Chapter 13 to restructure their debts. But is Subchapter V the right choice? Learn the differences between Chapter 13 and Subchapter V, including case timelines, disclosure requirements, plan confirmation, and discharge. The speaker also reviews the different roles played by the Chapter 13 and Subchapter V trustees and their role post-confirmation. Both chapters of the Bankruptcy Code offer unique tools: the key is finding the right fit for the debtor.
- **Corporate Reorganization—Obtaining an Impaired Accepting Class with Multiple Related Debtors:** With the increase in related party filings, multiple debtors will typically be seeking confirmation of a joint plan of reorganization. Must each debtor obtain the consent of an impaired class or will one impaired class be sufficient to meet applicable confirmation standards?
- **New England Judicial Panel:** Hon. Peter G. Cary, Chief Judge, *U.S. Bankruptcy Court, Portland, ME*; Hon. Heather Zubke Cooper, *U.S. Bankruptcy Court, Burlington, VT*; Hon. Michael A. Fagone, *U.S. Bankruptcy Court, Bangor, ME*; Hon. Bruce A. Harwood, *Chief Judge, U.S. Bankruptcy Court, Concord, NH*; Hon. Elizabeth D. Katz, Chief Judge, *U.S. Bankruptcy Court, Springfield, MA*; Hon. Julie A. Manning, *U.S. Bankruptcy Court, Bridgeport, CT*; Hon. Ann M. Nevins, Chief Judge, *U.S. Bankruptcy Court, New Haven, CT*
- **Commercial Lender Liability Post-COVID:** With the increasing risk of default in the new interest rate climate, borrowers and lenders alike need to be aware of lender liability issues. When does a lender’s conduct veer into the realm of lender liability, and what should a borrower consider when a lender’s actions result in damages to the business? The panel reviews key cases in the development of commercial lender liability and provides practical tips for lenders and borrowers alike.
- **Keeping Your Parents’ Home & Other Homestead Issues:** Explore recent changes and issues concerning the Massachusetts homestead exemption, including the November 2022 amendments to the statute, the required formalities for a valid homestead exemption, and strategies to maximize the exemption and protect equity in a hot real estate market. In addition, consider whether a non-mortgagor can use Chapter 13 to cure a mortgage and preserve the family home.
- **Everything Intercreditor & Subordination:** This panel examines common provisions in intercreditor and subordination agreements. They discuss ways to protect senior and junior lenders and share insights regarding the enforceability of agreeing to waive certain rights under the Bankruptcy Code.

## Faculty

Jennifer V. Doran, Esq., *Hinckley Allen LLP, Boston, Cochair*; Donald R. Lassman, Esq., *Law Office of Donald R. Lassman, Needham, Cochair*; David A. Mawhinney, Esq., *Standing Chapter 13 Trustee (Central and Western Divisions), Cochair*; Andrea M. O’Connor, Esq., *Fitzgerald Law, PC, East Longmeadow, Cochair*; Matthew K. Beatman, Esq., *Zeisler & Zeisler, PC, Bridgeport, CT*; Ryan M. Borden, Esq., *Ford & McPartlin PA, Portsmouth, NH*; Steven J. Boyajian, Esq., *Robinson+Cole LLP, Providence, RI*; Kellie W. Fisher, Esq., *Drummond Woodsum, Portland, ME*; Matthew M. Hamel, Esq., *Ravosa Law Offices, PC, Boston*; Jonathan Hixon, Esq., *Hackett Feinberg PC, Boston*; Carlos E. Loreda, Esq., *Associate Counsel, Executive Office for Administration & Finance, Commonwealth of Massachusetts*; Leah A. O’Farrell, Esq., *Murphy & King, PC, Boston*; Adam R. Prescott, Esq., *Bernstein, Shur, Sawyer & Nelson PA, Portland, ME*; Tanya Sambatakos, Esq., *Molleur Law Office, Biddeford, ME*

## Dates & Locations

Register at [www.mcle.org](http://www.mcle.org)

### BOSTON

Thursday, February 8, 2024  
12:00 pm–5:00 pm  
MCLE Conference Center  
10 Winter Place, via Winter Street  
Program # 2240011P01

### LIVE WEBCAST

Thursday, February 8, 2024  
12:00 pm–5:00 pm  
Program # 2240011WBC

### REBROADCAST

Friday, February 23, 2024  
9:00 am–2:00 pm  
Program # 2240011RB1

### REBROADCAST

Monday, March 4, 2024  
12:00 pm–5:00 pm  
Program # 2240011RB2

### ON DEMAND WEBCAST

View after Monday, March 4, 2024  
Program Number: 2240011WBA

## Tuition *(includes written materials)*

- \$295
- \$265.50 MCLE Sponsor Members
- \$147.50 New Lawyers admitted to law practice within 5 years, Pending Admittees, Law Students, and Paralegals
- **FREE** for MCLE OnlinePass Subscribers

To apply for a need-based scholarship, email [scholarships@mcle.org](mailto:scholarships@mcle.org).

## Materials

*Bankruptcy Practice in Massachusetts*, ebook, plus speaker materials

- E-materials link emailed upon registration
- Complimentary print book for in-person registrants
- Transcript & videorecording emailed 2 weeks post-program

## CLE Credits

Earn up to 4.5 CLE credits