



**2024 CLLA EVENTS AT THE NATIONAL CONFERENCE OF BANKRUPTCY JUDGES (NCBJ)**

# **THE ANNUAL CLLA LUNCHEON & HON. FRANK KOGER MEMORIAL EDUCATIONAL PROGRAM**

**THURSDAY, SEPTEMBER 19, 2024**

**HYATT REGENCY DOWNTOWN • SEATTLE, WA**

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# 2024 CLLA EVENTS AT THE NCBJ

## The Lawrence P. King Award



PROFESSOR LAWRENCE P. KING

### ABOUT THE AWARD

Each year, the Executive Council of the Commercial Law League's Bankruptcy Section presents the Lawrence P. King Award to recognize a lawyer, judge, teacher, or legislator who exemplifies the best in scholarship, advocacy, judicial administration, or legislative activities in the field of bankruptcy. The award is designed to recognize the lifetime achievements of Professor King, which includes contributing to the practice of bankruptcy law through teaching, by working to elevate the profession and through bankruptcy-related legislative activities.

### Lawrence P. King Award Winner Ralph Brubaker



Ralph Brubaker is the James H.M. Sprayregen Professor of Law at the University of Illinois, where he teaches courses in bankruptcy, bankruptcy procedure, corporate reorganizations, federal courts, conflict of laws (private international law), contracts, and restitution. Professor Brubaker has three degrees from the University of Illinois, including his J.D. *summa cum laude* and an M.B.A., and he received Bronze Tablet distinction (highest honors) and C.P.A. certification as an undergraduate. He clerked for Judge James K. Logan of the United States Court of Appeals for the Tenth Circuit, and he practiced in the bankruptcy and corporate

reorganization group with the law firm Squire, Sanders & Dempsey (now Squire Patton Boggs) in Cleveland, Ohio.

Professor Brubaker was a member of the faculty at the Emory University School of Law in Atlanta, Georgia from 1995 until 2004, when he returned to his *alma mater*. Professor Brubaker is the Editor-in-Chief and a contributing author for West's *Bankruptcy Law Letter*, he is co-author of a bankruptcy casebook, and he has written dozens of journal articles and essays. He is particularly an expert in the complex jurisdictional and procedural facets of federal bankruptcy proceedings. Professor Brubaker has been an editorial advisor for the *American Bankruptcy Law Journal*, the *American Bankruptcy Institute Law Review*, and the *Emory Bankruptcy Developments Journal*.

He is a member of the American Law Institute, a Conferee of the National Bankruptcy Conference, and a Fellow of the American College of Bankruptcy, for which he has been the Scholar-in-Residence. Professor Brubaker has served on the executive committee of the board of directors of the American Bankruptcy Institute (ABI), and he was a member of the advisory committee on business enterprise sales for the ABI's 2014 Commission to Study the Reform of Chapter 11.

**To register for this event visit [www.NCBJ.org](http://www.NCBJ.org).**

## Save-The-Dates



**KEYNOTE****From Strava and Beyond:  
Co-founder Michael Horvath  
on Technology's Disruption of  
Entrepreneurship, Capital Systems  
and Markets**

*With over 120 million (and growing) global users and billions of uploads, Strava is the world's largest dataset of human activity that's been used for logging workouts, urban planning, and even military operations. Michael Horvath, a globally renowned innovator and visionary will share his views on AI's increasing impact on the traditional roles of venture capital and entrepreneurs, its potential to break the status quo models, and broader impact on the U.S. and global economies. Starting as an economics and entrepreneurship professor before a tech industry career leading to Strava, Michael will draw upon his diverse and unique background to provide attendees his rarely shared in-depth insights and thought-provoking prospects of how technology and its acceleration may define or determine the human experience in the 21st century and beyond.*

**Distinguished Speaker**

**Michael Horvath**  
Co-founder, Strava

Michael Horvath is Co-founder of Strava, the software company and platform for active people, based in San Francisco, California. Founded in 2009, the Strava community has grown from a handful of friends to a brand that is loved by hundreds of millions around the world. Prior to Strava, Michael co-founded Kana Software, an enterprise software firm that IPO'd in 1999. And he was CFO and VP of Operations at GlycoFi, a biotech start-up acquired by Merck in 2006. He holds a Ph.D. in economics from Northwestern University and an A.B. in economics from Harvard University. While at Harvard, he was men's lightweight crew team captain and the seeds of what would become Strava were first planted during all the time spent at Newell Boathouse. In a former life, Michael was an economics professor at Stanford University and an entrepreneurship professor at the Tuck School of Business at Dartmouth College.

**EDUCATION PROGRAM****"TO APPEAL OR NOT TO APPEAL"  
The Jurisdiction of an Appellate  
Court to Hear a Case After Ritzen**

On January 14, 2020, the Supreme Court of the United States issued an opinion *Ritzen Group, Inc. v. Jackson Masonry, LLC*, 589 U.S. \_\_\_\_ (2020) clarifying what constitutes a final order for purposes of bankruptcy appeal. The Ritzen decision comes a few years after the Supreme Court in *Bullard v. Blue Hills Bank* unanimously held that an order denying confirmation of a plan was not final because the plan process could continue notwithstanding the denial. The Supreme Court unanimously held that a bankruptcy court's order denying relief from the automatic stay constitutes a final order, and thus, that order may—and must—be immediately appealed if so desired. The Court's theory was that, unlike the plan confirmation process at issue in *Bullard* (which allows parties to continually propose plans after denial until one is confirmed), the stay relief proceeding is its own complete procedural unit, separate and apart from any claims resolution issues. The holding is important because parties normally only have an absolute right to appeal when an order is final, not when an order is interlocutory that may be appealed only with leave of court. Accordingly, as a result of this decision, creditors and parties in interest must carefully assess whether their orders are final or interlocutory for which an appeal must be immediately taken.

The program will consist of an appellate argument on the topic of finality for purposes of appellate jurisdiction based on the application of the Supreme Court's decision in *Ritzen* before three sitting federal judges. The program will commence with the appellate argument, followed by questions and comments from the judges and then a presentation of appellate pointers - "Best Practices." Judith Greenstone Miller will be moderating the program. Patricia Redmond will be representing the debtor in connection with approval of a disclosure statement that is patently unconfirmable on its face. Eric Brunstad will be representing a creditor and arguing that notwithstanding that normally an order approving a disclosure statement is not final for appeal purposes, because of the patent defect, the order is final for appellate purposes.

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Contact Dawn Federico at 312-240-1400 or email Dawn at [dawn.federico@clla.org](mailto:dawn.federico@clla.org).

# CLLA HON. FRANK KOGER MEMORIAL EDUCATIONAL PROGRAM

## **“TO APPEAL OR NOT TO APPEAL”**

### ***The Jurisdiction of an Appellate Court to Hear a Case After Ritzen***

## **MODERATOR**



**Judith Greenstone Miller**  
Senior Counsel, Taft Stettinius & Hollister, LLP, Southfield, MI

Judith Greenstone

Miller's practice at Taft focuses on bankruptcy, insolvency, creditors' rights, and commercial litigation. Her practice involves representing debtors, secured and unsecured creditors, creditors' committees, and trustees in bankruptcy proceedings, primarily involving Chapter 11 reorganizations. Judy also represents parties in litigation in complex commercial disputes.

Judy has testified numerous times on pending bankruptcy legislation before the National Bankruptcy Review Commission, the Judiciary Committees of the United States House of Representatives, and the United States Senate. Judy is a frequent lecturer nationally and has authored and co-authored many articles on bankruptcy law and procedure, revised Article 9 of the Uniform Commercial Code, and state law creditor rights issues, including receiverships and domestic asset protection trusts.

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Contact Dawn Federico at 312-240-1400 or email Dawn at [dawn.federico@ccla.org](mailto:dawn.federico@ccla.org).

**To register for this event visit [www.NCBJ.org](http://www.NCBJ.org).**

## **DISTINGUISHED PANELISTS:**



**Honorable Eric D. Miller**  
US Court of Appeals for the 9th Circuit, Seattle, WA

Honorable Miller is a United States Circuit Judge for the Ninth Circuit. He was appointed on March 4, 2019. His chambers are in Seattle, Washington. Prior to his appointment, Judge Miller was in private practice in Seattle, where he also served as a part-time lecturer at the University of Washington School of Law. He previously served as an Assistant to the Solicitor General of the United States, as Deputy General Counsel of the Federal Communications Commission, as an attorney on the Appellate Staff of the Civil Division of the U.S. Department of Justice, and as an attorney-adviser in the Office of Legal Counsel of the U.S. Department of Justice.

Judge Miller received his A.B. from Harvard University and his J.D. from the University of Chicago Law School. Following law school, he served as a law clerk to the Honorable Laurence H. Silberman of the U.S. Court of Appeals for the D.C. Circuit and the Honorable Clarence Thomas of the Supreme Court of the United States.

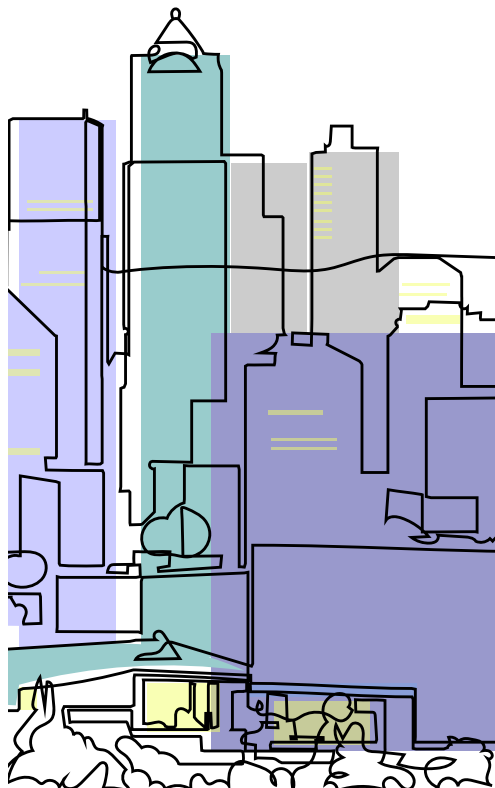


**Honorable Morgan Christen**  
US Court of Appeals for the 9th Circuit, Anchorage, AK

Judge Morgan Christen was appointed to serve on the United States Court of Appeals for the Ninth Circuit in January of 2012. She currently serves on the Ninth Circuit's Judicial Council, the Ninth Circuit's Executive Committee, and the Pacific Island Committee. She chairs the Court-Council Committee on Bankruptcy Appointments, as well as the Cameras in the Courtroom Committee. In October 2019, Judge Christen began a three-year term on the Judicial Conference Committee on Federal-State Jurisdiction. Judge Christen currently serves on the Ninth Judicial Circuit Historical Society Advisory Board. She chaired the Rhodes Scholarship Selection Committee for District 14 from 2017 to 2020.

Prior to her appointment to the Ninth Circuit, Judge Christen served as a justice on the Alaska Supreme Court. Judge Christen was born and raised in Washington, and attended college in England, Switzerland, and the People's Republic of China. She earned a B.A. degree from the University of Washington in International Studies and a J.D. degree from Golden Gate University School of Law. After law school, Judge Christen clerked for Judge Brian Shortell, and then joined Preston Gates & Ellis where she practiced civil litigation. Judge Christen was appointed to the Alaska Superior Court in 2001 and served as Presiding Judge of Alaska's Third Judicial District from 2005-2009.

Judge Christen was awarded the Light of Hope Award for work on behalf of Alaska's children and she and her husband, Jim Torgerson, were named Philanthropists of the Year in 2004. Judge Christen is a past recipient of the Alaska Supreme Court's Community Outreach Award, the Chamber of Commerce Athena Award, and she is a YWCA Woman of Achievement. Judge Christen and her husband live in Anchorage. They have one daughter.



# CLLA HON. FRANK KOGER MEMORIAL EDUCATIONAL PROGRAM

## ***“TO APPEAL OR NOT TO APPEAL”***

### ***The Jurisdiction of an Appellate Court to Hear a Case After Ritzen***

## ***DISTINGUISHED PANELISTS:***



**Honorable Robert J. Faris**  
US Bankruptcy Court, District  
of Hawaii, Honolulu, HI

Judge Faris is the U.S.  
Bankruptcy Judge for the  
District of Hawaii. He received

a B.A. from Reed College in 1980 and his J.D.  
from the Boalt Hall School of Law, University  
of California, Berkeley, in 1983. From 1983 until  
2002, he practiced with a Honolulu law firm. His  
practice emphasized business restructuring,  
insolvency, and commercial litigation. He became  
a bankruptcy judge in February 2002 and was  
appointed to the Bankruptcy Appellate Panel of  
the Ninth Circuit in August 2015. He is a member  
of the American Bankruptcy Institute, the National  
Conference of Bankruptcy Judges, and the  
American College of Bankruptcy.



**Patricia Ann Redmond**  
Stearns Weaver Miller  
Miami, FL

Patricia “Trish” Redmond,  
Bankruptcy & Creditors’ Rights  
Shareholder was elected Chair

of the American College of Bankruptcy Board of  
Regents. Trish is the first woman in the College’s  
history to hold this position. The Board of Regents  
is responsible for the nomination and selection of  
qualified candidates to fellowships in the College.

Trish was inducted as a XV Class Fellow in 2003  
and has served as a Regent for the 11th Circuit for  
the past (3) years. She has also served as Chair  
of the College’s Distinguished Law Student  
Committee and as a member of the College’s  
Foundation Board of Directors from 2005-2011,  
including as Secretary for a 3-year term.

Trish has served on the Board of Directors and  
held various leadership roles for the American  
Bankruptcy Institute (“ABI”), the American Bar  
Association (“ABA”), the Bankruptcy Bar  
Association for the Southern District of Florida  
(“BBASDFL”) and the Dade County Bar Association  
(“DCBA”).

Trish has devoted countless hours to providing  
pro bono legal services to thousands of  
underprivileged and low-income individuals,  
children, and families. She founded  
the Bankruptcy Assistance Clinic both at St.  
Thomas University School of Law as well as  
the University of Miami. Trish is also an adjunct  
professor of law and a frequent presenter,  
both locally and nationally, on topics related to  
bankruptcy law. She has been the recipient of  
several prestigious accolades including the ABA  
Business Law Section’s Jean Allard Glass Cutter  
Award and The Florida Bar’s Tobias Simon Bro  
Bono Service Award.

Trish focuses her practice on bankruptcy and  
creditors’ rights. She has extensive experience  
representing creditors’ committees, secured  
creditors, and debtors in Chapter 11 cases. Trish  
is routinely recognized by leading peer and  
client legal ranking publications including being  
recognized with the highest ranking (Band 1) in  
Chambers USA, as a “Top 100,” “Top 50 Women”  
and “Top 100 Miami” Florida Super Lawyers, and  
as a “Lawyer of the Year” multiple times in The  
Best Lawyers in America.



**G. Eric Brunstad, Jr.**  
Dechert, LLP, Hartford, CT

Eric is a partner at Dechert, LLP.  
He has argued 11 cases in the  
U.S. Supreme Court, including  
matters involving bankruptcy,

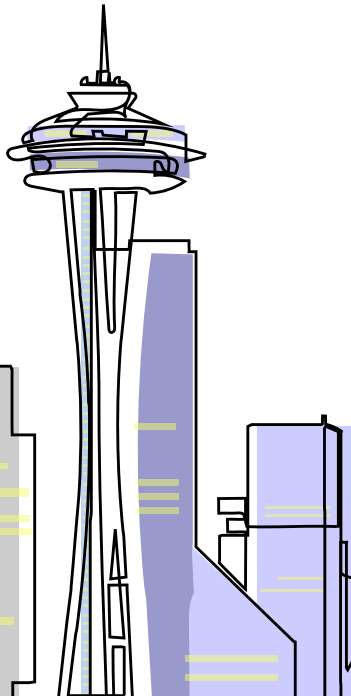
the First Amendment, fee-shifting, taxation,  
the Commerce Clause, statutory interpretation,  
jurisdiction, and arbitration. His most recent  
argument was on behalf of the respondent in  
*MOAC Mall Holdings LLC v. Transform Holdco LLC*,  
no. 21-1270 (2023). In addition to the cases he has  
argued, Eric has worked on over 70 other matters  
in the Supreme Court. He has also argued and  
briefed numerous cases in most of the federal  
courts of appeals and has argued two en banc  
matters in the Third and Eighth Circuits. In  
addition to his practice, he is a Visiting Lecturer in  
Law at the Yale Law School, a Professor (Adjunct)  
of Law at New York University School of Law,  
and an Adjunct Professor at Boston College Law  
School, teaching courses on secured transactions,  
bankruptcy, advanced business reorganizations,  
argument and reason, federal jurisdiction, poetic  
and legal interpretation, commercial transactions,  
and international insolvency law. He began  
teaching at Yale in 1990 and has also taught  
at the Harvard Law School and Georgetown  
University Law Center. He is a 2021 recipient of  
a Yale Law School Teacher of the Year award. He  
is also the 2019 recipient of the American Bar  
Association Business Law Section National Public  
Service Award for his pro bono work, and the  
2019 recipient of the Commercial Law League’s  
Lawrence P. King award for excellence.

#### **Judicial Clerkship**

Hon. T. Emmet Clarie, U.S. District Court, D. Conn.,  
1986-87

#### **Publications and Lectures**

Eric is a contributing author for the Collier treatise  
on bankruptcy law, has published a number of  
scholarly articles, and has lectured widely on a  
broad range of subjects. He has also published  
two textbooks: “Secured Transactions, Teaching  
Materials,” with his co-authors, Professors Jim  
White, and Heather Hughes; and “Bankruptcy,  
Cases and Materials,” with his co-author, Professor  
Margaret Howard.



#### ***WHY ATTEND?***

***This event allows industry  
members to interact  
with bankruptcy judges,  
attorneys and other  
industry professionals  
from across the U.S.***

## Foster a Positive Reputation...Sponsorship!

### Identify as a Proud Sponsor of the Commercial Law League of America

As in years past, we have several sponsorship levels to choose from to provide flexibility to ensure that the right sponsorship opportunity is conducive to your budget. **THANK YOU** for your support of the League and CLLA events at the National Conference of Bankruptcy Judges (NCBJ). *Whichever level of sponsorship you choose, CLLA is appreciative of your support of the League and the CLLA events at NCBJ!*

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#### EXCLUSIVE SPONSORSHIP OPPORTUNITY

- Projection of your logo on the large AV screen during the CLLA luncheon event and before and after the CLLA education program
- A prominent link on the CLLA website, featuring your logo, announcing your support of the program
- The opportunity to place your company branded item (pen, USB stick, notepad, etc.) on the CLLA luncheon tables or on the luncheon registration table

#### Platinum Sponsor \$2,000

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#### Gold Sponsor \$1,000

- Your company logo prominently displayed within the The Annual CLLA Luncheon and Education Program Guide at the NCBJ
- Projection of your logo on the large AV screen during the CLLA luncheon event and before and after the CLLA education program
- A prominent link on the CLLA website, featuring your logo, announcing your support of the program
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#### Silver Sponsor \$500

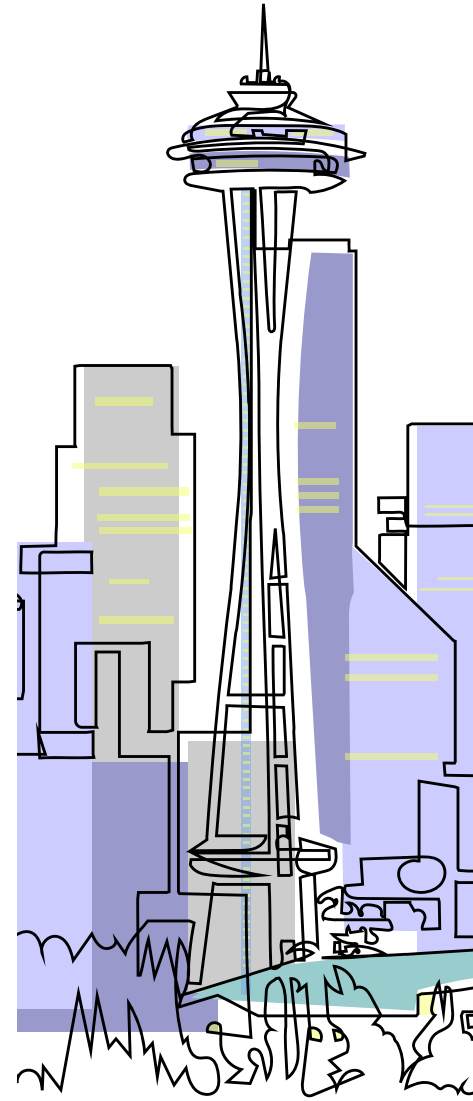
- Your company logo prominently displayed within the The Annual CLLA Luncheon and Education Program Guide at the NCBJ
- A prominent link on the CLLA website, featuring your logo, announcing your support of the program

#### Bronze Sponsor \$250

- Your company logo prominently displayed within the Annual CLLA Luncheon and Education Program Guide at the NCBJ

#### Individual Sponsor Other Amount

- Projection of your name only on the large AV screen during the CLLA luncheon and education program



*More than 1,000 judges and credit industry practitioners attend the annual NCBJ conference, which allows industry members to interact with bankruptcy judges, attorneys and other industry professionals from across the U.S.*

## Become a Sponsor

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