



# Annual Debtor-Creditor Bankruptcy Update 2023

## Eastern & Western Districts

**Program dates start November 1. Register today!**

**7.5 CLE  
1 EPR**

# Annual Debtor-Creditor Bankruptcy Update 2023 Eastern & Western Districts

## From east to west, we've got you covered

At the **Annual Debtor-Creditor Bankruptcy Update 2023 – Eastern and Western Districts**,\* you'll hear about essential holdings directly from the source – the judges who issued the rulings. A stellar lineup of bankruptcy practitioners will bring you up to speed on the latest trends and developments in bankruptcy practice. You'll receive helpful guidance on topics such as pre-filing considerations, Subchapter V court interpretations, case conversion, and fiduciary duties under the new LLC law.

You'll also pick up strategies for keeping your practice ethically sound when you encounter conflicts of interest between owners, managers, and a business entity. Whether you represent businesses or individuals, debtors or creditors, or practice in the Eastern or Western District, the **Annual Debtor-Creditor Bankruptcy Update 2023** has invaluable insights for everyone.

### Register today!

### How you'll benefit:

- Hear straight from U.S. Bankruptcy Court judges from the Eastern or Western Districts
- Examine the impact of the new Wisconsin LLC law on insolvency and debtor-creditor lawyers
- Understand grounds and considerations for converting and reopening cases
- Receive your annual state and federal case law update
- Review lessons learned from the past few years of Subchapter V cases
- Explore ethical issues associated with representing owners of a financially distressed business

### Who should attend:

- Debtor-creditor attorneys
- Insolvency lawyers
- Bankruptcy lawyers
- Bankruptcy trustees
- General practitioners

\*Formerly known as the **Annual Bankruptcy Update – Eastern District and Western Districts**, this program has evolved to include content of interest to those representing both creditors and debtors.

## Dates

## Locations

### Eastern District

#### IN-PERSON SEMINAR – MILWAUKEE:

Wednesday, November 1, 2023

#### Sheraton Milwaukee Brookfield Hotel

375 S. Moorland Rd.  
Milwaukee, WI  
(262) 364-1100

#### LIVE WEBCAST:

Wednesday, November 1, 2023

#### WEBCAST REPLAYS:

Friday, November 10, 2023  
Thursday, November 16, 2023  
Wednesday, November 22, 2023  
Monday, November 27, 2023  
Tuesday, December 5, 2023  
Wednesday, December 13, 2023  
Thursday, December 21, 2023  
Friday, December 29, 2023

### Western District

#### IN-PERSON SEMINAR – MADISON:

Thursday, November 2, 2023

#### State Bar Center

5302 Eastpark Blvd.  
Madison, WI  
(608) 257-3838

#### LIVE WEBCAST:

Thursday, November 2, 2023

#### WEBCAST REPLAYS:

Friday, November 10, 2023  
Thursday, November 16, 2023  
Wednesday, November 22, 2023  
Monday, November 27, 2023  
Tuesday, December 5, 2023  
Wednesday, December 13, 2023  
Thursday, December 21, 2023  
Friday, December 29, 2023

**Additional webcast replay dates are available for this program.**

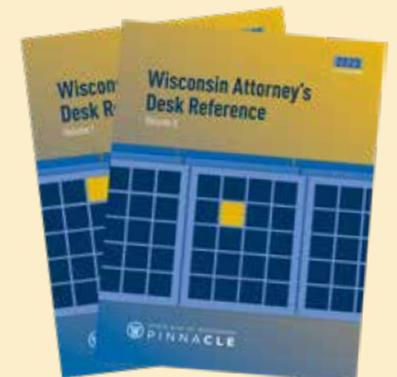
Visit [wisbar.org/seminars](http://wisbar.org/seminars) for more information and to register.

### Book Bonus!

#### Wisconsin Attorney's Desk Reference

Seminar attendees **SAVE 15%** on *Wisconsin Attorney's Desk Reference*.\* This uniquely useful collection of information on eleven practice areas is perfect as a primer, a refresher, or a starting point for your research

\* Attendees will receive information to access the discount via email after attending the program. Discount applies to both print and digital Books UnBound® editions of this title and cannot be applied to previous purchases. Offer valid as long as CLE credit is available for this program. For Books UnBound users, discount may be applied to purchase of individual Books UnBound title only and may not be used on purchase of full library.



# Schedule

**8:00 AM Registration**

**8:30 AM Lien Avoidance and Pre-Filing Considerations**

*Joshua D. Christianson, Michael J. Maloney*

**9:20 AM The New LLC Law and Its Effects on Insolvency and Debtor/Creditor Attorneys**

- Interplay between new LLC statute, *Beloit Liquidating*, and *Polsky v. Virnich* in connection with fiduciary duties of members and D&Os.
- Collection from member interest, including charging orders  
*Devon Eggert, Deanne M. Koll*

**10:10 AM Break**

**10:25 AM Things Fall Apart: Case Conversion and Reopening**

- Grounds for converting and reopening bankruptcy cases
- Considerations for and pitfalls of case conversions and reopening
- Recent case developments related to case conversions and reopening  
*Nicholas L. Hahn, Jessica Haskell*

**11:15 AM Case Law Update**

- Decisions from the Wisconsin Court of Appeals and Supreme Court
- National decisions of note from other jurisdictions relating to bankruptcy and debtor/creditor issues  
*Eliza M. Reyes, Jennifer Schank, William E. Wallo*

**12:05 PM Lunch (on your own)**

**1:05 PM Clerk's Office Update**

- Case statistics
- Rule and form amendments  
*John Kohler (West), Sean McDermott (East)*

**1:25 PM Judge's Update**

**Eastern District** – Hon. Rachel M. Blise,  
Hon. G. Michael Halfenger, Hon. Beth E. Hanan,  
Hon. Katherine Maloney Perhach  
**Western District** – Hon. Rachel M. Blise,  
Hon. Catherine J. Furay

**2:25 PM Break**

**2:40 PM Subchapter V**

- What we've learned in the last couple of years
- Practical role of a Subchapter V trustee

- Views of Subchapter V cases from the perspective of the judges, trustees, and debtors' counsel  
*Hon. Rachel M. Blise (East), Hon. Catherine J. Furay (West), Jerome R. Kerkman, J. David Krekeler*

**3:30 PM Ethical Issues When Representing Owners of a Financially Distressed Business**

- Management of conflicts of interest between entities and their corporate owners/members
- The importance of managing conflicts between the owners/managers and the entity, including identifying and handling potential claims
- Clearly identifying the client, the attorney's duty to the client, and related conflicts of interest
- Managing a conflict that is irreconcilable  
*Michael P. Richman, Jane F. "Ginger" Zimmerman*

**4:20 PM Program Concludes**

*Following program start time, schedule will vary slightly from the above listed times.*

# Credits

This program will be submitted to the Wisconsin Board of Bar Examiners for up to **7.5 CLE credits including 1 Ethics and Professional Responsibility credit.**

*This program is sponsored by:*



## Faculty

**Hon. Rachel M. Blise**

*(Eastern District only)*

U.S. Bankruptcy Court – Eastern District  
Milwaukee

**Joshua D. Christianson**

Christianson & Freund LLC  
Eau Claire

**Devon Eggert**

Beck, Chaet, Bamberger & Polsky, S.C.  
Milwaukee

**Hon. Catherine J. Furay**

*(Western District only)*

U.S. Bankruptcy Court – Western District  
Madison

**Nicholas L. Hahn**

Godfrey & Kahn, S.C.  
Appleton

**Hon. G. Michael Halfenger**

*(Eastern District only)*

U.S. Bankruptcy Court – Eastern District  
Milwaukee

**Hon. Beth E. Hanan**

*(Eastern District only)*

U.S. Bankruptcy Court – Eastern District  
Milwaukee

**Jessica Haskell**

O'Neil Cannon Hollman DeJong &  
Laing, S.C.  
Milwaukee

**Jerome R. Kerkman**

Michael Dunn & Associates, S.C.  
Milwaukee

**John Kohler**

*(Western District only)*

U.S. Bankruptcy Court – Western District  
Madison

**Deanne M. Koll**

Bakke Norman, S.C.  
New Richmond

**J. David Krekeler**

Krekeler Law Office  
Madison

**Michael J. Maloney**

Watton Law Group  
Milwaukee

**Sean McDermott**

*(Eastern District only)*

U.S. Bankruptcy Court – Eastern District  
Milwaukee

**Hon. Katherine Maloney Perhach**

*(Eastern District only)*

U.S. Bankruptcy Court – Eastern District  
Milwaukee

**Eliza M. Reyes**

Richman & Richman LLC  
Madison

**Michael P. Richman**

Richman & Richman LLC  
Madison

**Jennifer Schank**

Fuhrman & Dodge, S.C.  
Madison

**William E. Wallo**

Bakke Norman, S.C.  
Eau Claire

**Jane F. “Ginger” Zimmerman**

Murphy Desmond, S.C.  
Madison

## Registration

**ONLINE:** [wisbar.org/seminars](http://wisbar.org/seminars)

**PHONE:** (800) 728-7788

**FAX:** (608) 257-5502

**MAIL:** State Bar PINNACLE Registrations  
P.O. Box 7158  
Madison, WI 53707-7158

**State Bar CLE/PINNACLE Passbook registrations:**

Passbook certificates must be received by the State Bar at least one business day prior to the event. For in-person seminars, walk-in registrations using Passbook Certificates are also welcome.

**Registration cancellations:**

Please visit [wisbar.org/cancellations](http://wisbar.org/cancellations) for information on PINNACLE registration cancellation policies.

**Course materials for those attending the seminar:**

Course materials are provided in PDF format and are downloadable from [myStateBar](http://myStateBar) on [wisbar.org](http://wisbar.org) up to two days prior to and 90 days after your seminar.

**COVID-19 safety information:**

Complete and current safety guidelines can be found at [wisbar.org/covidsafety](http://wisbar.org/covidsafety).

**What's your Ultimate?**

An **Ultimate Pass™** lets you earn CLE the way you want to – all for one annual fee. Find the option that fits your needs.

Learn more at: [wisbar.org/ultimatepass](http://wisbar.org/ultimatepass)

SEMINAR TUITION	IN-PERSON SEMINAR	WEBCAST SEMINAR
<input type="checkbox"/> State Bar Member	<input type="checkbox"/> \$239	<input type="checkbox"/> \$269
<input type="checkbox"/> Nonmember	<input type="checkbox"/> \$319	<input type="checkbox"/> \$349
<input type="checkbox"/> Ultimate Pass Gold/Silver	<input type="checkbox"/> \$0	<input type="checkbox"/> \$0
<input type="checkbox"/> Ultimate Pass Bronze	<input type="checkbox"/> \$239	<input type="checkbox"/> \$0
<input type="checkbox"/> Passbook Certificate	<input type="checkbox"/> 1 Certificate	<input type="checkbox"/> 1 Certificate

**Eastern District Presentation:**

**In-Person Seminar – Milwaukee:**

Nov. 1, 2023

**Live Webcast:**

Nov. 1, 2023

**Webcast Replays:**

- Nov. 10, 2023     Dec. 5, 2023
- Nov. 16, 2023     Dec. 13, 2023
- Nov. 22, 2023     Dec. 21, 2023
- Nov. 27, 2023     Dec. 29, 2023

Lawyer      State Bar Member No. \_\_\_\_\_

Nonlawyer      Profession \_\_\_\_\_

Name \_\_\_\_\_

Firm Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip \_\_\_\_\_

Phone Number \_\_\_\_\_

Email \_\_\_\_\_

**PAYMENT:** Tuition Amount Enclosed \$ \_\_\_\_\_

State Bar Passbook Certificate (enter certificate number) # \_\_\_\_\_

Check enclosed (payable to State Bar PINNACLE) \_\_\_\_\_

Ultimate Pass Gold     Ultimate Pass Silver     Ultimate Pass Bronze

VISA     MasterCard     American Express     Discover      Exp. Date \_\_\_\_\_

Card No. \_\_\_\_\_

Signature \_\_\_\_\_

**Western District Presentation:**

**In-Person Seminar – Madison:**

Nov. 2, 2023

**Live Webcast:**

Nov. 2, 2023

**Webcast Replays:**

- Nov. 10, 2023     Dec. 5, 2023
- Nov. 16, 2023     Dec. 13, 2023
- Nov. 22, 2023     Dec. 21, 2023
- Nov. 27, 2023     Dec. 29, 2023

**MAIL TO:** State Bar PINNACLE Registrations

P.O. Box 7158  
Madison, WI 53707-7158

East – CA3519 L WR R2 R3 R4 R5 R6 R7 R8  
West – CA3520 MWR R2 R3 R4 R5 R6 R7 R8



**Available wherever you are**

Books UnBound® is with you when and wherever you need it, giving you 24/7 access to accurate, credible content written, reviewed, and updated by respected Wisconsin lawyers and judges and edited by professional attorney editors.

Subscribe and get online access to any State Bar of Wisconsin brown binder, Wisconsin Judicial Benchbook, and other PINNACLE® publications.

With a Books UnBound subscription, you'll experience:

- A sleek user-friendly interface
- A super-charged search function
- One-click access to Fastcase and other sources
- First chapter access to any PINNACLE book title

Plus, subscriptions are available for individuals and firms!

Get unlimited access to current, comprehensive, credible information no matter where you are with Books UnBound. **Subscribe today!**

**To subscribe, visit the PINNACLE Marketplace.  
Or, to try it for yourself, log in at  
[booksunbound.wisbar.org](http://booksunbound.wisbar.org)**

