

June 2–3, 2016

# CHAPTER 12 BANKRUPTCY CONFERENCE

All You Need to Know to Have a Successful Chapter 12 Case

## 9 CLE Hours

1 Ethics Hour

1 Professionalism Hour

2 Trial Practice Hours

## PROGRAM SPONSORED BY:

Association of Chapter 12 Trustees and the  
State Bar of Georgia Bankruptcy Law Section

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**Presiding:**

**José R. Carrión**, Program Co-Chair, President, Association of Chapter 12 Trustees; Standing Chapter 12 and 13 Trustee, San Juan, PR & U.S.V.  
**Nancy J. Whaley**, Program Co-Chair, Standing Chapter 12 and 13 Trustee, Atlanta, GA

## THURSDAY JUNE 2, 2016

7:30 **REGISTRATION AND BUFFET BREAKFAST** (All attendees must check in upon arrival. A jacket or sweater is recommended.)

8:00 **WELCOME AND PROGRAM OVERVIEW**  
**José R. Carrión**  
**Nancy J. Whaley**

8:05 **INTRODUCTORY REMARKS ON CHAPTER 12**  
**Hon. C. Ray Mullins**, Chief Judge, U.S. Bankruptcy Court, Northern District of Georgia, Atlanta, GA

8:15 **WHO MAY BE A CHAPTER 12 DEBTOR?-CHAPTER 12 BANKRUPTCY BASICS**  
**Jon M. Waage**, Standing Chapter 12 & 13 Trustee, Brandenton, FL  
**Mark W. Swimelar**, Standing Chapter 12 & 13 Trustee, Syracuse, NY  
**Leon S. Jones**, Jones & Walden, LLC, Atlanta, GA

9:15 **FIRST DAY MOTIONS: CASH COLLATERAL, UTILITIES/ADEQUATE PROTECTION/PRE-CONFIRMATION MONTHLY OPERATING REPORTS**  
**Mark Harring**, Standing Chapter 12 & 13 Trustee, Madison, WI  
**Walter W. Kelley**, Standing Chapter 7 & 12 Trustee; Kelley, Lovett, & Blakey, Albany, GA  
**David Johnson**, Hurtt & Johnson, LLC, Dalton, GA

10:15 **BREAK**

10:25 **UNDERSTANDING GENERAL PRINCIPLES OF FARM ECONOMICS OPERATION: BUSINESS PLAN AND PROJECTIONS FOR A CONFIRMABLE CHAPTER 12 PLAN**  
**Jan M. Sensenich**, Standing Chapter 12 & 13 Trustee, Norwich, VT  
**Ronda J. Winnecour**, Standing Chapter 12 & 13 Trustee, Pittsburgh, PA

11:25 **LUNCH**  
(Included in registration fee)

**Association of Chapter 12 Trustees Business Meeting**  
(Trustees Only)

12:45 **THE CHAPTER 12 PLAN: TERMS AND PROVISIONS, GETTING IT APPROVED**  
**Wigberto Lugo-Mender, JD, CPA**, Lugo Mender & Co., Guaynabo, PR  
**José R. Carrión**

1:45 **MODIFICATION OF SECURED CLAIMS COLLATERAL VALUE, OBLIGATION INTEREST RATE AND/OR REPAYMENT PERIOD. 11 U.S.C. §§ 506(a)(1), 1202(a), 1222(a)(1), (b)(2) & (9), 1225(a)(5) (B)(ii), 1226(c)**  
**Renee S. Williams**, Standing Chapter 12 Trustee, Hot Springs, AR  
**Charles N. Kelley, Jr.**, Cummings & Kelley P.C., Gainesville, GA

2:45 **“DIRECT” PAYMENTS TO SECURED CREDITORS UNDER A PLAN, INSTEAD OF THROUGH THE TRUSTEE, AND STANDING TRUSTEE FEE AS FIXED BY 28 U.S.C. § 586(e)**  
**Virginia A. Burdette**, President-Elect, Association of Chapter 12 Trustees; Standing Chapter 12 & 7 Trustee, Seattle, WA  
**José R. Carrión**  
**Nancy J. Whaley**

3:45 **BREAK**

4:00 **A VIEW FROM THE BENCH ON PROFESSIONALISM IN CHAPTER 12 PRACTICE**  
**Moderator: Hon. Brian K. Tester**, Judge, U.S. Bankruptcy Court, District of Puerto Rico, San Juan, PR  
**Panelists:**  
**Hon. Frank R. Alley**, Judge, U.S. Bankruptcy Court, District of Oregon, Eugene, OR  
**Hon. Catherine J. Furay**, Chief Judge, U.S. Bankruptcy Court, Western District of Wisconsin, Madison, WI  
**Hon. James P. Smith**, Chief Judge, U.S. Bankruptcy Court, Middle District of Georgia, Macon

5:00 **RECESS**  
5:00-6:00 **RECEPTION**  
Conference Center  
(Included in registration fee)

7:00-11:00 **CHAPTER 12 TRUSTEE’S DINNER**  
Sponsored by ACT12  
(For Chapter 12 Trustees, speakers & judges only)

## FRIDAY JUNE 3, 2016

8:30 **BUFFET BREAKFAST**

9:10 **OPENING REMARKS**  
**Virginia A. Burdette**

9:15 **DEALING WITH TAX CLAIMS: PREPETITION SALES, SECTION 1222(a)(2)(a) – HALL V. U.S., 132 S. CT. 1882 (2012)**  
**Joseph A. Peiffer**, Day Rettig Peiffer, P.C., Cedar Rapids, IA

10:15 **BREAK**

10:30 **PROFESSIONAL AND ETHICAL DILEMMAS IN BANKRUPTCY**  
**B. Summer Chandler**, Chandler Law Firm, LLC, Panama City Beach, FL  
**Kara L. West, CPA**, Standing Chapter 12 & 13 Trustee, Chattanooga, TN

11:30 **ADJOURN**

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