

# Warsaw Technical Programme

*Subject to alteration*



## THURSDAY 5 OCTOBER

		ROOM
09.00	INSOL Europe Academic Forum Conference continues	Belweder
09.00	INSOL Europe Council Meeting ( <b>invitation only</b> )	Krolewski
09.00	INSOL Europe Judicial Wing Meeting ( <b>invitation only</b> )	Ujazdow
14.00	Main Congress registration desk opens	Ballroom lobby
16.00-17.30	Eurofenix Editorial Committee Meeting ( <b>invitation only</b> )	Senatorski
16.00-18.00	Insolvency Office Holders Forum <i>Kindly sponsored by Edwin Coe - <a href="http://www.edwincoe.com">www.edwincoe.com</a></i> (Invitation only, however if you are interested in joining this meeting, please contact <a href="mailto:carolinetaylor@insol-europe.org">carolinetaylor@insol-europe.org</a> )	Opera
17.00-19.00	INSOL Europe Anti-Fraud Forum Meeting <i>Kindly sponsored by Grant Thornton - <a href="http://www.grant-thornton.co.uk">www.grant-thornton.co.uk</a></i> (Invitation only, however if you are interested in joining this meeting, please contact <a href="mailto:carolinetaylor@insol-europe.org">carolinetaylor@insol-europe.org</a> )	Saski
17.30-19.00	INSOL Europe Financial Institutions Group Meeting (Invitation only, however if you are interested in joining this meeting, please contact <a href="mailto:carolinetaylor@insol-europe.org">carolinetaylor@insol-europe.org</a> )	Room 609
18.00	INSOL Europe Ordinary General Meeting ( <b>INSOL Europe members only</b> )	Belweder
18.45	Sponsors & new Congress attendees drinks reception	Krolewski
19.00	Congress welcome drinks reception for all delegates & guests <i>Kindly sponsored by Allen &amp; Overy - <a href="http://www.allenoverly.com">www.allenoverly.com</a></i>	Ballroom lobby
20.00	Congress dinner for all delegates & guests <i>Kindly sponsored by Allen &amp; Overy - <a href="http://www.allenoverly.com">www.allenoverly.com</a></i>	Ballroom

## FRIDAY 6 OCTOBER

## MORNING TECHNICAL SESSION

*Kindly sponsored by Hoche Société d'Avocats - [www.hoche-avocats.com](http://www.hoche-avocats.com)*

08.30-09.00	Welcome coffee	Ballroom lobby
09.00-09.10	<b>Opening remarks of the Annual Congress by the Congress Facilitator, Co-Chairs and the President of INSOL Europe</b> Sally Bundock (UK) Marcel Groenewegen (CMS, The Netherlands), Pawel Kuglarz (Taylor Wessing, Poland) Steffen Koch (hww hermann wienberg wilhelm, Germany)	Ballroom
09.10-09.30	<b>Keynote Speaker</b> <i>To be announced</i>	
09.30-10.15	<b>The EU Commission Directive proposal: Scope, contents and future legislative process</b> <ul style="list-style-type: none"> <li>With its new Directive proposal, the EU Commission has somehow developed its 2014 Recommendation on a new approach on business failure.</li> <li>Discuss the new Proposal with some of the members of the EU Commission Expert Group.</li> <li>Find out about the possible future evolution of the new Directive proposal and its legislative process.</li> </ul> <b>Moderator: Adrian Thery (Garrigues, Spain)</b> Prof. Michael Veder (Resor, The Netherlands) Nora Wouters (Dentons, Belgium) Michal Barlowski (Wardyński and Partners, Poland)	

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10.15–11.00	<b>Brexit: Impact on European restructurings</b> <i>Moderator: Mark Fennessy (Proskauer, UK)</i> Chris Laughton (Mercer & Hole, UK) Giuseppe Scotti (Macchi Gangemi Studio Legale, Italy) Annerose Tashiro (Schultze & Braun, Germany)	
11.00–11.30	Delegate coffee break <i>Kindly sponsored by Troostwijk – <a href="http://www.troostwijkauctions.com">www.troostwijkauctions.com</a></i>	Ballroom lobby
11.30–12.10	<b>Break-out sessions</b> <b>I. Critical Insolvency Issues Facing Companies Dealing with Customers and the Supply Chain</b> <ul style="list-style-type: none"> <li>Accounts Receivable Balances</li> <li>Credit Extensions after Insolvency</li> <li>Sales Contracts</li> <li>Sales in the “Zone of Insolvency”</li> <li>Vendor Remedies for Payment</li> <li>Avoidance Actions</li> </ul> <i>Moderator: David Conaway (Shumaker, USA)</i> Simeon Gilchrist (Edwin Coe, UK) Rudolf Vizental (CITR, Romania) Guy Lofalk (Lofalk Advokatbyrå, Sweden)	To be advised
	<b>II. Chapter 11: Use, Abuse &amp; Inspiration in European Restructurings</b> <i>Moderator: Graham Lane (Willkie Farr, UK)</i> Vincent Vroom (Loyens Loeff, The Netherlands) Ignacio Buil Aldana (Cuatrecasas, Spain) David Riddell (PJT, UK)	
	<b>III. Fuelling a rescue plan: DIP financing, new lending options in Europe?</b> <ul style="list-style-type: none"> <li><i>DIP financing: An Introduction.</i> Outline of main features by reference to US DIP financing.</li> <li><i>The Proposal for a EU Directive on Preventive Restructuring.</i> The DIP lending provisions in the context of the general move towards early intervention measures.</li> <li><i>Where are we now?</i> A look at the limited current status of rules on and market in DIP financing in different jurisdictions and reason for this.</li> <li><i>Fuelling a business restructuring with tools other than DIP financing.</i> How are groups financing a restructuring plan when DIP financing tools are not available.</li> <li><i>A look to the future.</i> Recent trends and developments in the US and Europe.</li> </ul> <i>Moderator: Devi Shah (Mayer Brown, UK)</i> Tommaso Foco (Portolano Cavallo, Italy) Ernst Giese (Giese and Partners, Czech Republic/Slovakia) Michael Nienerza (Goerg, Germany)	
	<b>IV. The EU Commission Directive proposal and the UK Insolvency Service 2016 Review Proposal: Is there any difference in substance?</b> <ul style="list-style-type: none"> <li><i>Common proposals:</i> Companies need to be insolvent or approaching insolvency. Application for moratorium to be filed with a court. Division of creditors into classes. Ability to cram down secured and junior creditors.</li> <li><i>Differences:</i> UK moratorium will be a gateway to multiple procedures. Focus on employee rights in Europe. Court approval of classes prior to issuing a plan in UK. Voting thresholds for classes.</li> </ul> <i>Moderator: Frances Coulson (Moon Beaver, UK)</i> Reinhard Dammann (Clifford Chance, France) Michael McAteer (Grant Thornton, Ireland)	
12.10–12.20	Change of break-out rooms	
12.20–13.00	Repeat of break-out sessions	To be advised
13.00–14.00	Delegate lunch <i>Kindly sponsored by McStay Luby – <a href="http://www.mcstayluby.ie">www.mcstayluby.ie</a></i>	Hotel restaurant

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## FRIDAY 6 OCTOBER

## AFTERNOON TECHNICAL SESSION

*Kindly sponsored by Moon Beaver - [www.moonbeever.com](http://www.moonbeever.com)*

14.00–15.00	<b>The insolvency regulation recast: Time to get practical</b> <i>Moderator: Stan Brijs (NautaDutilh, Belgium)</i> Prof. Reinhard Bork (University of Hamburg, Germany) Judge Prof. Rymvidas Norkus (Supreme Court of Lithuania) Christina Fitzgerald (Shakespeare Martineau, UK) Bartosz Groele (Tomasik Pakosiewicz Groele, Poland)	
15.00–15.30	<b>Turnaround Wing Project: The EU Commission Directive proposal and the practicalities of its legal implementation</b> <ul style="list-style-type: none"> <li>• Risk of not implementing the same text in each EU jurisdiction: <i>forum shopping</i>.</li> <li>• The EU Commission Directive proposal can coexist with other out-of-court restructuring tools.</li> </ul> <i>Moderator: Alberto Núñez-Lagos (Uría Menéndez, Spain)</i> <i>Speakers to be announced</i>	
15.30–16.00	Delegate coffee break <i>Kindly sponsored by CPO (Centre for Professional Legal Education) - <a href="http://www.ru.nl">www.ru.nl</a></i>	Ballroom lobby
16.00–16.10	<b>Update on INSOL International Principles of Multi-Creditor Workouts</b> Sean Pilcher (Restructuring RBS, UK)	
16.10–17.05	<b>Group Insolvencies: Theory and Practice in cross-border Insolvencies</b> <i>Moderator: Bartosz Merczynski (Allen &amp; Overy Poland)</i> Jeroen Princen (Ploum Lodder Princen, The Netherlands) Michael Jaffé (JAFFÉ Rechtsanwälte Insolvenzverwalter, Germany) Brigitte Umbach-Spahn (Wenger Plattner, Switzerland)	
17.05–17.10	<b>Closing remarks of the day</b> Steffen Koch (President of INSOL Europe, hww hermann wienberg wilhelm, Germany)	
17.30–19.00	<b>INSOL Europe Turnaround Wing Meeting</b> <b>(Invitation only, however if you are interested in joining this meeting, please contact <a href="mailto:carolinetaylor@insol-europe.org">carolinetaylor@insol-europe.org</a>)</b>	Saski
17.30	<b>INSOL Europe Eastern European Countries' Committee Meeting</b> <b>(Invitation only)</b>	Ujazdow
18.00	<b>INSOL Europe 2018 Congress Technical Committee Meeting</b> <b>(Invitation only)</b>	Krolewski
18.00–20.00	Young Members Group Drinks Reception <i>Kindly sponsored by Schiebe und Collegen - <a href="http://www.schiebe.de">www.schiebe.de</a></i> <b>(Invitation only, however if you are interested in joining this meeting, please contact <a href="mailto:carolinetaylor@insol-europe.org">carolinetaylor@insol-europe.org</a>)</b>	Alchemist bar

Free evening

Break-out room



Conference Room



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## SATURDAY 7 OCTOBER

## MORNING TECHNICAL SESSION

*Kindly sponsored by Prof. Dr. Pannen Rechtsanwälte - [www.profpannen.de](http://www.profpannen.de)*

08.30-09.00	Welcome coffee	Ballroom lobby
09.00-09.05	<b>Opening remarks by the Co-Chairs</b> Marcel Groenewegen (CMS, The Netherlands), Pawel Kuglarz (Taylor Wessing, Poland)	Ballroom
09.05-09.30	<b>Keynote speaker</b> – Cezary Stypułkowski (CEO of mBank, Poland)	
09.30-10.15	<b>Preventive restructuring frameworks – how do they work in practice?</b> <ul style="list-style-type: none"> <li>Does the preventive restructuring exist in EU? Current legislations in certain EU countries</li> <li>Presentation of certain proceedings - including ESUG proceedings and the Polish proceedings on the acceptance of the scheme of arrangements</li> <li>Case study - how the presented proceedings would work in case of hypothetical company - in particular: <ul style="list-style-type: none"> <li>Affected claims</li> <li>The role of the administrator</li> <li>Impact of the proceedings on the ability of the debtor to manage its affairs</li> <li>Impact on the court and administrative proceedings</li> <li>Impact on the employment relations</li> <li>Possibilities for creditors to challenge the decision taken in the course of proceedings</li> </ul> </li> <li>Possible cross-border aspects of preventive restructuring.</li> </ul> <p><i>Moderator: Prof. Bettina Nunner-Krautgasser (University of Graz, Austria)</i>  Judge Emil Szczepanik (District Court for the Capital City of Warsaw, Poland)  Robert Hänel (Anchor Rechtsanwälte, Germany)  Przemyslaw Wierzbicki (Warp, Poland)</p>	
10.15-10.30	<b>INSOL International Announcements</b> Adam Harris (President of INSOL International, Bowmans, South Africa)	
10.30-11.00	Delegate coffee break	
11.00-11.45	<b>Legal Tech/Internet 4.0. How will technology change the industry?</b> <i>Moderator: Joanna Goodman (Joanna Goodman, UK)</i> Judge Erik Boerma (Court of Breda, The Netherlands) Joseph Raczynski (Thomson Reuters, USA) Gunther Thies (STP Information Technologie, Germany)	
11.45-12.15	<b>Establishment of Insolvency Registers in all Member States and their Interconnection: Reality or Illusion?</b> <i>Moderator: Susanne Fruhstorfer (Taylor Wessing, Austria)</i> Judge Anna Hrycai (Poland) Niklas Körling (Wistrand, Sweden)	
12.15-12.50	<b>Prepack – Magic tool to rescue a business?</b> <ul style="list-style-type: none"> <li>Take your pick: the main steps of the pre-pack</li> <li>Key points: valuation of the company, confidentiality and rapidity</li> <li>Goal: return for creditors and clients</li> <li>Conclusions: pros &amp; cons.</li> </ul> <p><i>Moderator: Audrey Molina (Dentons, France)</i>  Friedrich von Kaltenborn-Stachau (BRL, Germany)  David Rubin (David Rubin &amp; Partners, UK), Daniel Ozon (Poland)</p>	
12.50-13.00	<b>Closing of the day</b> Steffen Koch (President of INSOL Europe, hww hermann wienberg wilhelm, Germany)	
13.00	Delegate & guest lunch then free afternoon <i>Kindly sponsored by hww hermann wienberg wilhelm - <a href="http://www.hww.eu">www.hww.eu</a></i>	Hotel restaurant
14.30-17.30	Optional tour including Chopin concert (see page 11 for details)	
18.30	Buses depart for Gala Evening	Front of hotel
19.00	Gala Evening Drinks Reception <i>Kindly sponsored by anchor rechtsanwälte - <a href="http://www.anchor.eu">www.anchor.eu</a></i>	University of Technology
20.00	Gala Evening Dinner, Entertainment and Dancing <i>Kindly sponsored by NautaDutilh - <a href="http://www.nautadutilh.com">www.nautadutilh.com</a></i>	University of Technology