



BUILDERS, CONSTRUCTION CONTRACTORS AND DEVELOPERS IN BANKRUPTCY



Keeping the Work Going and the Payments Flowing

WEDNESDAY, FEBRUARY 20, 2008 • 1:00 P.M. - 2:30 P.M. EST

A 90-MINUTE TELECONFERENCE

Program Description:

A financially impaired developer, contractor or subcontractor that seeks relief under the Bankruptcy Code can disrupt the progress of the work and interfere with the ability of other parties on a project to receive payment. This program addresses how to avoid and remedy the problems presented by the bankruptcy of a developer, contractor, or subcontractor on a construction project. Learn how the terms of the contract can help avoid the problems caused by a bankruptcy filing. Learn the basic procedures to follow to get relief from the bankruptcy court and to help keep the contract going and payments flowing.

Our Faculty Will Examine:

- The effect of bankruptcy filing on the status of the project and progress of the work.
- Strategies for a debtor to continue work or to be replaced.
- What the developer or owner must do to keep the work going when a contractor or subcontractor files for relief.
- How a subcontractor and supplier can make sure it receives payment when the developer, owner or contractor file for relief.
- Contract provisions that protect contractors and owners in the event of a bankruptcy of a party on the project.
- Basic bankruptcy laws and procedures aimed at assuring work continues and that payments will be made.
- The effect of the "Bankruptcy Abuse Prevention and Consumer Protection Act" on contractor bankruptcies.
- Overall strategies for working out a contractor's debts and completing the work in process.

Moderator:

Scott Leo, Leo & Weber, P.C., Chicago, IL

Speakers:

Bill Ernstrom, Vice President, Strategic Major Project Advisor, The Walsh Group, Chicago, IL

Deborah S. Griffin, Holland & Knight LLP, Boston, MA

Chad L. Schexnayder, Jennings, Haug & Cunningham LLP, Phoenix, AZ

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Cancellation Policy: 5 business days or more, 100% minus a \$25 administrative fee; 4 to 2 business days, 50%; 1 day substitution only. *Confirmation with access information for written materials and teleconference will be e-mailed.

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This teleconference is sponsored by the American Bar Association Tort Trial & Insurance Practice Section's Fidelity and Surety Law Committee.

