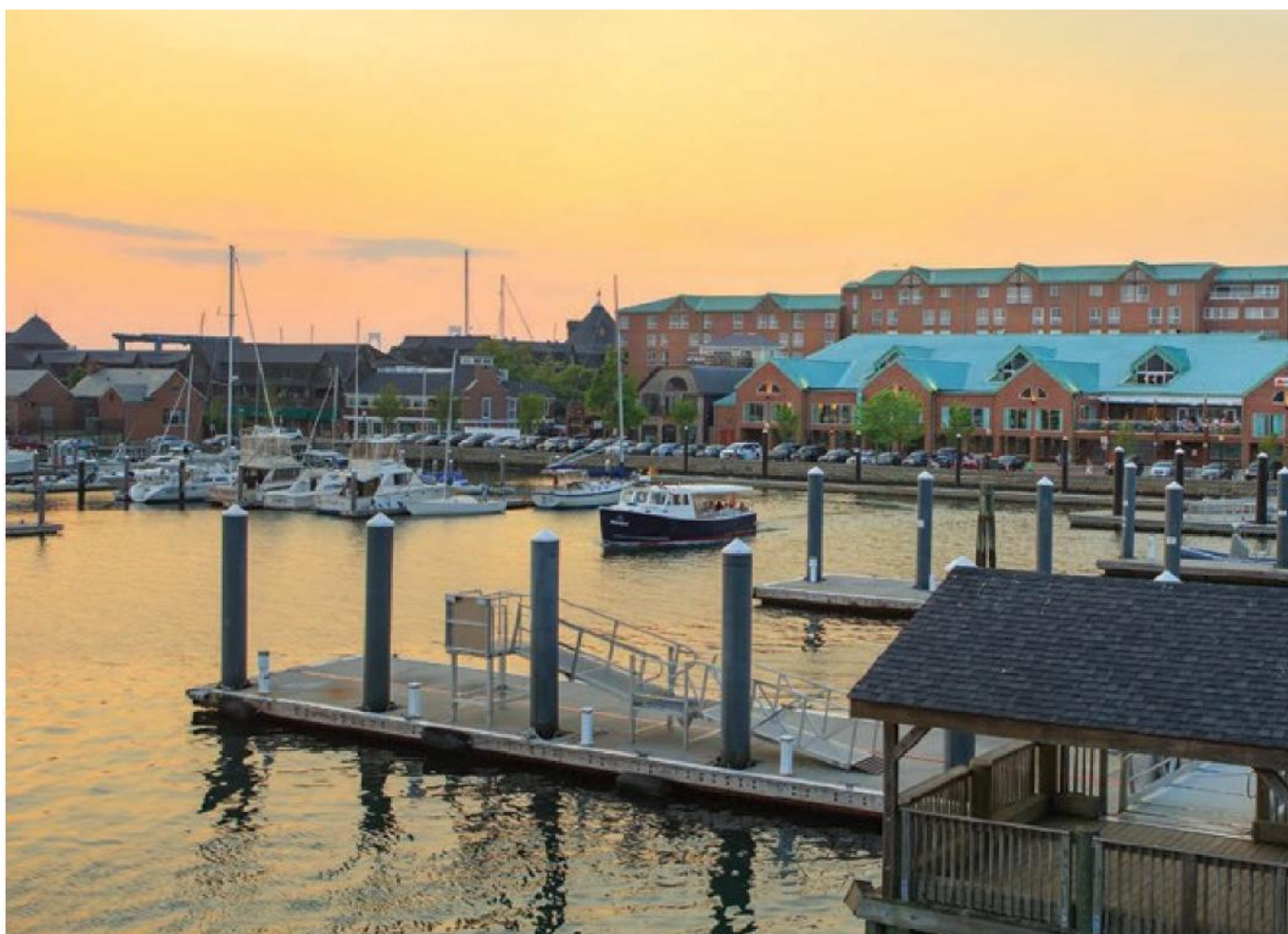


The ASSOCIATION of COMMERCIAL FINANCE ATTORNEYS, INC.
2018 Continuing Legal Education Weekend
June 8-10, 2018
Newport Marriott, Newport, R.I.



Registration Deadline:
April 26, 2018

This spring's CLEW (Continuing Legal Education Weekend) is being held June 8, 9, and 10, 2018 at the Newport Marriott in Newport, Rhode Island. Set on the waterfront in the historic district of downtown Newport, Rhode Island, this redesigned hotel offers resort-style amenities and modern nautical-inspired decor.

See: www.marriott.com/hotels/travel/pvdlw-newport-marriott/

Similar to last year, the CLEW will start with lunch on Friday, June 8th, with CLE classes beginning at 1:00 p.m., and the CLE programs for Saturday and Sunday will begin at 8:00 a.m. Our presentations will include our annual up-dates on the UCC, Bankruptcy and Ethics, together with discussions of recent developments in healthcare, third party financing of litigation, cybersecurity, diversity and inclusion, and selected topics in loan documentation.

CLEW SCHEDULE OF EVENTS

Friday, June 8, 2018

1:00 pm - 2:00 pm

Healthcare and the Trump Administration, Congress, and the States

Panelist:

James Iacobellis
Connecticut Hospital Association
Senior Vice President of Government and Regulatory Affairs

Description

James Iacobellis will discuss the impact of recent developments involving the Trump Administration and Congress on hospitals and healthcare. Hear critical updates on key healthcare legislation in Congress and federal agency regulations that may affect you and your hospital and healthcare clients. Listen to an update on the status of key healthcare issues, such as changes to the Affordable Care Act, the Medicare 340B Drug Pricing Program, Medicaid, mental health and substance use services programs. Gain insight into the direction of key Congressional committees and the reaction to federal changes among the states. Join us in an informative discussion of healthcare policy during the second year of the Trump Administration.

Friday, June 8, 2018 —cont'd

2:00 pm - 5:00 pm The Annual UCC Update

Panelists

Janet M. Nadile
Simpson Thacher & Bartlett LLP
New York, NY

Edwin E. Smith
Morgan Lewis & Bockius LLP
New York, NY; Boston, MA

Steven O. Weise
Proskauer Rose LLP
Los Angeles, CA

Description

Janet Nadile, Ed Smith and Steve Weise will provide us with our annual UCC update and discuss other commercial law developments, including recent case law affecting commercial law practice. They will also provide a summary of the proposed federal registry for electronic residential mortgage notes and proposed related amendments to UCC Articles 1, 3, 8 and 9.

Saturday, June 9, 2018

8:00 am—10:00 am The Annual Bankruptcy Update

Panelists:

Hon. Joel B. Rosenthal
U.S. Bankruptcy Court,
District of Massachusetts
(Retired)

Stephen V. Falanga
Walsh Pizzi O'Reilly
Falanga LLP
Newark, NJ

Richard Levy, Jr.
Pryor Cashman LLP
New York, NY

Hon. Mindy A. Mora
U.S. Bankruptcy Court
Southern District of Florida

Kevin S. Neiman
Law Offices of Kevin S.
Neiman, PC
Denver, CO

Description

Judges Joel Rosenthal and Mindy Mora, together with Attorneys Stephen Falanga, Richard Levy and Kevin Neiman will provide us with our annual update on bankruptcy law.

Saturday, June 9, 2018—cont'd**10:00 am—11:00 am Cyber Security****Panelist:**

Khizar Sheikh
 Regional Privacy Officer & Counsel – Americas
 ADP
 One ADP Boulevard
 Roseland, NJ 07068

Description:

Khizar Sheikh will discuss current issues in cybersecurity.

11:00 am—12:00 pm The Gotchas that Getcha: Selected Loan Documentation Issues- Part 2**Panelists:**

Thomas S. Hemmendinger	Stephanie Stephens
Brennan, Recuperero, Cascione	Lane Powell PC
Scungio & McAllister, LLP	Seattle, WA
Providence, RI	

Jordan Wishnew
 Shearman & Sterling LLP
 New York, NY

Description:

Nearly every financing transaction has “deliverables” involving third parties, including contract counterparties and regulators. We also constantly face novel types of collateral and creative deal terms. Economic reality requires the transactional lawyer to deal with all this using a library of forms. How well do we utilize our own libraries? What traps do these forms often contain?

How the lender’s lawyer handles these issues can spell the difference between a happy client and a migraine. What are some suggested best practices for how to avoid the landmines?

Stephanie Stephens, Jordan Wishnew, and Tom Hemmendinger will lead us in a lively interactive discussion of these and other questions.

Saturday, June 9, 2018—cont'd

6:00 pm—10:00 pm

International Tennis Hall of Fame, 194 Bellevue Avenue, Newport, RI, 02840

The International Tennis Hall of Fame is set in The Newport Casino, a National Historic Landmark that was first opened on July 26, 1880 as a social club for Newport's turn of the century summer elite.

Dinner Will Be Outdoor Rhode Island Lobster Boil*

[*alternatives to lobster will be available]

Attire:

Casual Dress



Sunday, June 10, 2018**8:00 am—9:00 am Diversity, Inclusion and Elimination of Bias****Panelist:**

Peter J. Sullivan
Cassels Brock & Blackwell
LLP Toronto, Ontario,
Canada

This program will include discussions on: (1) where we are in numbers for diverse talent at various levels of law firm talent (a long way to go); (2) client demands in RFPs and engagements, including examples of requirements imposed by clients prior to awarding work and keeping firms on preferred counsel lists; and (3) the importance of being able to evidence diversity in law firm recruitment & retention, including examples of successful inclusion initiatives to create inclusive spaces for diverse attorneys and staff (such as implicit/unconscious bias training, affinity group activities, mentorship programs, diversity e-memos, parental leave and transgender healthcare policy development).

9:00 am—10:00 am Third Party Financing of Litigation**Panelists:**

Cathy L. Reece
Fennemore Craig PC
Phoenix, AZ

Ken Epstein
Bentham IMF
New York, NY

Justin Brass
Jefferies LLC
New York, NY

Description

What is third party financing of litigation all about? Other programs usually discuss the ethical issues concerning third party financing of litigation. Our panel will focus on the players, how the financing is structured and documented, the different types of litigation from antitrust to class actions to bankruptcy trustee litigation that might need such financing, and will address key provisions and terms unique to this type of financing. We will identify some of the companies that offer litigation finance and explain the different mechanisms and structures of the finance. We will also look at the basic funding agreement that might be typical and discuss what funding documents and security interests are provided. What is happening in this industry and how are courts reacting to this financing? We will review a few court decisions and address challenges to such financing.

Sunday, June 10, 2018—cont'd

10: 00 am—12:00 pm

Ruminations on Ethics and Professionalism: Part VIII

Panelists:

R. Marshall Grodner
McGlinchey Stafford
Baton Rouge, LA

Skyler M. Tanner
Lane Powell
Portland, OR

Description:

Marshall and Skyler will again update us on recent developments in the areas of ethics and professionalism, with a focus on issues in transactional practice. In a lively and interactive presentation, they will discuss recent ethical opinions from both the ABA and state bar associations. They will also present some ethical dilemmas and possible resolutions. Marshall and Skyler will also debate some other trends in professionalism, including what attorneys should do over and above their professional ethical responsibility. We may even have a siting of Ed Lester, our panelist emeritus.

Registration Deadline is April 26, 2018

General Registration includes conference programming for 12 CLE credits (9 credits in areas of Professional Practice and 2 credits in Ethics and Professionalism and 1 credit in the area of Diversity, Inclusion and Elimination of Bias), double occupancy room and the following activities for members and one guest: Friday lunch, Friday evening cocktail reception and dinner, Saturday breakfast, lunch, cocktail party and dinner, and Sunday breakfast.

Any additional charges will be charged to your individual account by the resort. The CLEW is open to ACFA members and non-members. The price for members is \$1,950.00; the price for non-members is \$2,200.00 and includes a year of membership in ACFA. Please register online at <http://www.acfalaw.org/>

If you are unable to register online, please complete the form below and send it, together with your check made payable to The Association of Commercial Finance Attorneys, Inc., to our CLEW organizer:

Elyse D. Beidner
Senior Vice President/Chief Legal Officer
Boiling Springs Savings Bank
25 Orient Way
Rutherford, New Jersey 07070
(201) 507 3217
Email: kandrade@bssbank.com

ACFA Registration Form — 2018 CLEW

Name of Member: _____ Spouse/Guest Name: _____

Firm/Company: _____

Street Address: _____

City: _____ State: _____ Zip Code: _____

Telephone No.: _____

Email Address: _____

Name and Age of Each Child:

Name: _____ Age: _____

Name: _____ Age: _____

Name: _____ Age: _____

Name: _____ Age: _____

Please indicate any dietary restrictions (kosher, allergy, vegetarian):

General Registration

(Includes tuition, room, all meals for 1 member and 1 guest)**

\$1,950

**Add children under 4 _____ x \$ 0.00 no charge

**Add children ages 4—12 years old _____ x \$ _____ \$400.00

**Add children ages 13 years & older _____ x \$ _____ \$400.00

TOTAL REGISTRATION FEE \$ _____

**Does not include any room upgrades or additional rooms required to accommodate additional guests.

**Includes meals from Friday lunch through Sunday breakfast.

Hotel Information Newport Marriott, Newport, R.I.

Check-In | Check-Out

Guest accommodations will be available at **4:00 p.m.** on arrival day and reserved until **1:00 p.m.** on departure day.

Parking

\$12.00 per day

Attire

Smart casual.

Additional Hotel Rooms:

There are a limited number of rooms available in our room block for Thursday night arrival should that be needed for your travel plans. Please contact the CLEW organizer directly - not the hotel - if you would like to reserve a room for Thursday night.

Although we will not be officially sponsoring a golf outing as part of the CLEW this year, below is a list of nearby golf courses for those who are so inclined:

6 MILES from hotel

Wanumetonomy Country Club

Phone: +1 401-847-5141

Rentals and Lessons

Wanamotonomy Country Club

18 holes, 6309 yards, Par for course: 70

<http://wanumetonomy.com/>

6.5 MILES from hotel

Newport National Golf Course

Phone: +1 401-848-9690

Rentals and Lessons

Newport National Golf Course

18 holes, 7244 yards, Par for course: 72

<http://newportnational.com/>

8.2 MILES from hotel

Green Valley Country Club

Phone: +1 401-842-0126

Rentals and Lessons

Driving range and Putting green

Green Valley Country Club

18 holes, 6830 yards, Par for course: 71

<http://www.gvccri.com/>

15 MILES from hotel

Montaup Country Club

Phone: +1 401-683-0955

Montaup Country Club

18 holes, 6321 yards, Par for course: 71

<https://www.montaupcc.com/>