

The Judicial “Summer Camp” in Paris

July 2-4 2007

by Isabelle Didier/ GRIP21/ France

Academic Group Meeting
13 October 2007

- Patronage
- Participation
- Sponsorship
 - Topics
- Feedback

Patronage:

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I.I.I.(The international Insolvency Institute)
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INSOL EUROPE

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PARTICIPANTS

Judges from

Austria, Denmark, France, Germany,
Hungary, Italy, Latvia, Poland,
Romania, Serbia, U.K., U.S.A.

I.Ps, bankers, credit managers and
lawyers from Austria, France, Germany,
U.K., U.S.A.

SPONSORSHIP

Alix Partners, Banque Themis, Begbies Global Network, Deloitte, Cabinet I. Didier, Eversheds, Freshfields Bruckhaus Derringer, Cabinet Hoche, Jausas, Pluta, 3/4 South Square, UGGC et Associés, Urbanek Lind Schmied Reisch, White & Case

Other supporters: Cabinet Violet, Denton Wilde Sapte, Etude Du Buit, Etude M. André, Cabinet Guibert

Day 1: Initiation to international proceedings

Moderators: Isabelle Didier, Catherine Ottaway – France

The variety of solutions in different countries, judicial or not, for the treatment of company difficulties

(Heinz Vallender - Germany, JL Vallens – France, L. Panzani – Italy, David Richards, Gavin Lighthman – UK, Samuel Bufford, Allan Gropper, C. Klein – USA, J. Melchior – Danmark, Lecia-Ann Mettam – Austria, Anna Hrycaj – Poland, Andrea Csoke – Hungary, Monica Detesanu, Simona Cont – Romania, Jasmina Zjalic – Serbia)

Day 1 continued...

- Purposes of the proceedings
- Role and powers of main players (courts, prosecutors, IPs, other professionals)
- Role, rights and obligations of stakeholders
 - the debtor's status (Allan Gropper - USA, David Richards - UK, J.P. Brain - France)
 - preferential creditors – (Jeanette Melchior - Denmark);
 - creditors' rights and defence organizations (Lecia-Ann Mettam and Ulla Reisch – Austria);
 - the role of employees and unions (Bruno Courtine – France)
 - suppliers and co-contractors (Ulla Reisch – Austria)
 - creditors' committees: categories, powers, control, defence of collective interests
US model, Chapter 11 (Robin Phelan)
- Credit : situation in different countries, COFACE in France (Guy Lepage);
post-filing financing (C. Klein – USA); French model (G. Cornu, P. Benoit, A. Martin)

Day 2: The EC Regulation n° 1346/2000

Moderators: Jean-Luc Vallens, Reinhard Dammann

After the Visit at the Nanterre Commercial Court, in the presence of President Drummen and Judge Brigitte Petiet:

- Treatment of difficulties within the framework of the EU regulation (comi, establishment – Gavin Lightman – UK);
- Judicial treatment of conflicts of jurisdiction – cases Eurofood, Rover, Daisytek (JL Vallens – France, Luciano Panzani – Italy, Heinz Vallender – Germany)
- Decisions taken by European courts (B. Petiet, Bernard Grelon – France)
- Examples of protocols (Allan Gropper – USA, David Richards – UK, Reinhard Dammann – France)
- Forum shopping (David Richards – UK, Martin Prager – Germany, Robin Phelan – USA, Stephen Taylor – UK)

- Day 3: The UNCITRAL Model Law

Moderators: Jean-Luc Vallens, Nick Hood (UK), I. Didier

- After a visit to the 'Cour de Cassation' guided by Councillor Chantal Lardennois:

- The fundamental principles and system proposed by the Model Law for approving and enforcing foreign judgments (Jeremy Goldring UK)

- The differences between the Model Law and the EC Regulation (JL Vallens – France, Gabriel Moss – UK, S. Bufford – USA, David Richards – UK, H. Vallender – Germany)

- Risks involved (Martin Prager – Germany, Robin Phelan – USA, Alexandra Szekely – France, Stephen Taylor – UK)

- *Vade mecum* of the principles of common law used in European countries (A. Martin – France, David Marks – UK)

FEEDBACK

- Allan Gropper, USA judge : « ... an extremely informative and useful conference... »
- Andrea Csoke, Hungarian judge: «...it was very interesting to meet the lawyers of common law and hear their arguments... »
- Inese Belicka, Latvian judge: « The Paris Forum promoted communication within the judicial insolvency community...I sincerely hope the it will become an annual event for judges ... »
- Samurl Bufford, USA judge: « ...you brought together many of the best insolvency judges and lawyers from the US, England, Germany, France and the other European countries...I hope very much that we are able to do a similar program again next year... »
- Jeanette Melchior, Denmark: « ...not only was the academic part of the program on a very high level, but also the more social parts were very well planned... »
- Mr. Justice David Marks, UK: « ...you and your team did an immense amount of work to make it such a success... »

GRIP 21

Groupe de Réflexion sur l'Insolvabilité et sa Prévention



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