



# Rise of Pre-Packs as a Restructuring Tool – Global and Regional Perspectives

Thursday, 9 September 2021 |

7 to 8:15pm (SGT) |

Zoom webinar

## Overview


The use of pre-packs as a restructuring tool has become increasingly popular in recent years. In the United Kingdom, many going concern sales have taken place through pre-packaged administrations. In the United States, pre-packaged reorganisation procedures have allowed many financially distressed firms to quickly emerge from bankruptcy. In 2017, Singapore introduced a pre-packaged scheme that provides companies with an expeditious and efficient restructuring tool, and several companies have successfully conducted debt restructurings through the new pre-pack route. In the past few months, a number of jurisdictions around the world have enacted or announced the enactment of pre-packs. Among these jurisdictions, India has recently introduced a pre-packaged insolvency resolution process for micro, small and medium-sized enterprises.

Organized by the Asian Business Law Institute, this webinar will provide a global view of the rise of pre-packs, with particular emphasis on the nature and features of pre-packs in Singapore, India, the US and the UK. Discussions may include:

- Global overview of pre-packs as a restructuring tool and their similarities and differences around the world
- In depth analysis of the nature and features of pre-packs in Singapore, India, the US and the UK
- Successful cases of pre-packs in Singapore and the US
- Opportunities and risks of pre-packs from the perspective of debtors and creditors
- Use of pre-packs for large companies and small firms
- Future of pre-packs in corporate restructurings

## SILE Attendance Policy

Participants who wish to obtain CPD Points are reminded that they must comply strictly with the Attendance Policy set out in the CPD Guidelines. For this activity, this includes logging in at the start of the webinar and logging out at the conclusion of the webinar in the manner required by the organiser, and not being away from the entire activity for more than 15 minutes. Participants who do not comply with the Attendance Policy will not be able to obtain CPD Points for attending the activity.

 Seminar	1 Public CPD Point
	Practice Area: Corporate/Commercial Training Level: General



## Programme (9 September 2021)

6:45 PM (SGT)	Attendee log-in
7 PM (SGT)	Global overview of pre-packs as a restructuring tool  Individual presentation on the nature and features of pre-packs in Singapore, India, the US  Panel discussion  Attendee Q&A (8-8:10PM)
8:15 PM (SGT)	End of webinar

### Registration

General admission: S\$ 70 (nett)

ABLI Founding Partners: 10% off general admission

Members of the Singapore Academy of Law can redeem this webinar with their SAL C\$ on SAL-e.

### Register online at:

<https://www.eventbrite.sg/e/rise-of-pre-pack-as-a-restructuring-tool-global-and-regional-perspectives-tickets-158348483577>

### Register by

Monday, 6 September 2021

Enquiries to:

catherine\_shen@abli.asia

### Speakers

(in alphabetical order)



#### Aurelio Gurrea-Martínez (Singapore)

##### Assistant Professor of Law, Singapore Management University

Aurelio Gurrea-Martínez is an Assistant Professor of Law at Singapore Management University, where he teaches company law, financial and securities regulation, corporate governance, and comparative and international insolvency law. He is also head of the Singapore Global Restructuring Initiative and co-chair of the SMU-3CL Cambridge Roundtable on Corporate Insolvency.

Before joining SMU, he was a Fellow of the Program on Corporate Governance and a Fellow of the Program on International Financial Systems at Harvard Law School. He has taught, studied or conducted research at several institutions in the United States, the United Kingdom, Continental Europe, Asia and Latin America, including the University of Oxford, Harvard Law School, Columbia Law School, Yale Law School and Stanford University.

His research interest lies in the intersection of law and finance, with particular emphasis on corporate governance, capital markets, financial regulation and corporate insolvency law, and how legal and institutional reforms may promote entrepreneurship, innovation, access to finance, and economic growth.

#### Debby Lim (Singapore)

##### Director, BlackOak LLC

Debby joined BlackOak LLC in 2020, complementing the firm's practice with her focus on all areas of contentious insolvency and asset recovery work (including major commercial disputes) and investigations. These often involve complex and multifaceted litigation in the aftermath of cross-border corporate collapses. Debby has recently appeared before the Singapore Court of Appeal (with a full bench of five Judges) in SK Engineering & Construction Co Ltd v Conchubar Aromatics Ltd and another appeal [2017] SGCA 51, Diablo Fortune Inc v Duncan, Cameron Lindsay and another [2018] SGCA 26 and AnAn Group (Singapore) Pte Ltd v VTB Bank (Public Joint Stock Company) [2020] SGCA 33, a trifecta of jurisprudentially significant insolvency-related appeals to confront the Singapore courts.

Her involvement in ground-breaking cases include the first "pre-packaged" scheme of arrangement and the first judicial management involving a foreign-incorporated entity.

Debby has been noted as a leading lawyer in many publications including Chambers Asia, Legal 500 and Who's Who in Legal Restructuring & Insolvency. Debby is the Immediate Past Chairperson of the International Women's Insolvency & Restructuring Confederation (Singapore Network) and is also a founding member of the Law Society of Singapore's Women in Practice Task Force. She is a fellow of INSOL International and is one of the first three Singapore-qualified lawyers to have earned this recognition.



## Speakers

(in alphabetical order)



### Dan T. Moss (Washington, D.C., United States)

#### Partner, Jones Day

Dan has represented debtors, creditors, trustees, and creditor committees in some of the largest and historic corporate and government reorganizations in the United States. He also has extensive experience counseling clients on fraudulent conveyance, preferential transfer, fiduciary duty, and corporate governance issues.

Dan recently served as co-lead counsel for the Official Committee of Unsecured Creditors in the Toys "R" Us Property Company I chapter 11 cases and the Peabody Energy chapter 11 cases. Dan played a significant role in the City of Detroit's historic chapter 9 case – from litigating the City's eligibility for chapter 9 to confirmation of its plan for the adjustment of debts. He also represents the Washington Metropolitan Area Transit Authority in connection with its revitalization efforts.

In connection with Jones Day's representation of the Chapter 7 Trustee of Anthracite Capital, one of the largest chapter 7 cases ever filed, Dan oversaw all aspects of this engagement, which resulted in a recovery of approximately \$47 million for the estate and a release of more than \$33 million in secured affiliate claims. He also was a member of the team that represented Chrysler in the sale of its assets to Fiat and the decision to reject certain dealership agreements.

Additionally, Dan devotes time to monitoring various legislative proposals pending in Congress that would amend the Bankruptcy Code and pro bono activities such as the representation of disabled veterans. He is an active member of INSOL International and writes frequently about cross-border restructuring matters.

### Dr. Neeti Shikha (New Delhi, India)

#### Head, Centre for Insolvency and Bankruptcy, Indian Institute of Corporate Affairs

Dr. Shikha is currently working as Head, Centre for Insolvency and Bankruptcy, Indian Institute of Corporate Affairs, a think tank under India's Ministry of Corporate Affairs. She holds PhD from National Law University Jodhpur and LLM from University College London, UK. She is recipient of prestigious Hague Scholarship and has pursued course in private international law at the Hague Academy, Netherlands.

She has held academic positions at various law and business schools in India and Singapore including Stansfield College Singapore, National law University, Jodhpur and FORE School of Management, and IMT Ghaziabad. She has given guest talks at the University of Indonesia, National University Singapore, Nanyang Technology University, among others, and has held visiting positions at IIM Rohtak, IIFT Delhi, etc.

Dr. Shikha serves on the Academic Advisory Board of India School of Public policy and on the board of advisors of India's leading think tank, Centre for Civil Society, New Delhi. She is also a life member, FORE Society, parent body governing FORE School of Management, New Delhi.

She has published widely in leading journals and newspapers, and has authored two leading books *Changing Paradigm of Corporate Governance in India* and *Corporate Governance: Principles and Policies*. She has done funded research for Insolvency and Bankruptcy Board of India and Ministry of Corporate Affairs and has submitted policy inputs to the government on insolvency and bankruptcy laws. Her main area of interest are company laws, insolvency laws, corporate governance and law and policy.

Dr. Shikha champions liberal ideas and pro-market reforms.



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