



CPR Banking & Financial Services Committee Meeting

Tuesday, May 07, 2019, 12:30 p.m. to 2:00 p.m. (ET)

Holwell Shuster & Goldberg LLP
425 Lexington Avenue
New York, NY 10017

ATTENDEES

Lani Perlman (Co-Chair)

Holwell Shuster & Goldberg LLP

Sarah Radcliffe Kirby (Co-Chair)

KPMG LLP

Hon. Robert D. Drain (Speaker)

U.S. District Court – Southern District of
New York

Leo T. Crowley

Pillsbury Winthrop Shaw Pittman LLP

Scott Danner

Holwell Shuster & Goldberg LLP

Gregory Dubinsky

Holwell Shuster & Goldberg LLP

Helena Tavares Erickson

CPR Institute

Daniel P. Goldberg

Holwell Shuster & Goldberg LLP

Citlali Grace

CPR Institute

Richard M. Gray

Gray Arbitration LLC

Dwight A. Healy

Holwell Shuster & Goldberg LLP

Anna Hershenberg (Staff Liaison)

CPR Institute

Kizzy L. Jarashow

JPMorgan Chase

Joan Sterns Johnsen

University of Florida

Neil R. Lieberman

Holwell Shuster & Goldberg LLP

Robert J. Morrow

Holwell Shuster & Goldberg LLP

Deborah A. Reperowitz

Stradley Ronon Stevens & Young LLP

Karen A. Sebaski

Holwell Shuster & Goldberg LLP

Hannah Sholl
Visa Inc.

Martha Solinger
Lehman Brothers

Eddie Shroff
Cyril Amarchand Mangaldas

John L. Warden
Sullivan & Cromwell LLP

Michael S. Shuster
Holwell Shuster & Goldberg LLP

Ralph G. Wellington
Schnader Harrison Segal & Lewis LLP

MINUTES

Moderated by Ms. Lani Perlman

I. Welcome and Introductions

Ms. Lani Perlman, Co-Chair of the CPR Banking & Financial Services Committee, convened the meeting at 12:30 pm, welcomed and thanked all the members attending. Ms. Anna M. Hershenberg thanked the hosts, Holwell Shuster & Goldberg LLP, and Hon. Robert D. Drain, United States Bankruptcy Judge for the Southern District of New York, for speaking at the meeting.

II. Presentation by the Hon. Robert D. Drain, United States Bankruptcy Judge for the Southern District of New York

The meeting consisted of a Q&A presentation with Hon. Drain, moderated by Ms. Perlman.

Hon. Drain began by discussing the [Judicial Insolvency Network](#) (“JIN”). This project was formed in 2016 and is a network of insolvency judges from across the world. It serves as a platform for sustained and continuous engagement for the furtherance of judicial thought leadership, best practices and communication and cooperation.

Hon. Drain discussed his work on “The Guidelines for Communication and Cooperation between Courts in Cross-Border Insolvency Matters”, also known as the JIN Guidelines. The Guidelines were drafted with the contribution of the first JIN members, of which Hon. Drain was one.

The JIN Guidelines address key aspects of communication and cooperation among courts, insolvency representatives and other parties involved in cross-border insolvency proceedings, including the conduct of joint hearings. The overarching aim of the JIN Guidelines is the preservation of enterprise value and the reduction of legal costs. Ten countries around the world have already adopted the Guidelines (see list [here](#)). The Guidelines can be accessed [here](#).

The discussion moved on to some personal reflections by Hon. Drain as to how he began his career in bankruptcy law and some reflections on his time in private practice and on the bench, including his views on ADR, especially mediation and his experience as mediator for a number of major bankruptcy disputes.

The Q&A concluded with Hon. Drain also sharing his views on arbitration, including discussion of the utility of arbitration and the influence of bankruptcy's legal framework on the structure and success of arbitrations.

III. Suggestions for Neutrals Outside of NYC for the CPR Banking Panel

CPR is currently looking for experienced neutrals from outside New York City to apply to join the [CPR Banking, Accounting & Financial Services Panel](#). If you are interested in applying or have recommendations for candidates, please e-mail Anna M. Hershenberg at ahershenberg@cpradr.org.

IV. Marketing CPR's new 2019 Administered Rules to the Banking & Financial Sector

Last March, CPR launched new [Administered Arbitration Rules](#). One of the new additions to these Rules was the inclusion of a provision on the Early Disposition of Issues, to which a subcommittee of this committee contributed heavily.

CPR is currently looking for volunteers to help in marketing and promoting the new Rules to the banking & financial sector. If you are interested in joining this initiative, please e-mail Anna M. Hershenberg at ahershenberg@cpradr.org.

V. CPR Announcements

At the end of the meeting, Ms. Anna Hershenberg announced CPR's upcoming events.

- [2019 CPR European Conference](#), which will take place on May 15, 2019, at Swiss Re in London.
- [CPR Environmental Committee](#), which will take place on May 21, 2019, via Webinar Access and Dial-In.
- [CPR Insurance Committee Meeting](#), which will take place on June 4, 2019 via teleconference.
- [CPR Arbitration Committee Meeting](#), which will take place on June 24, 2019, at Hughes Hubbard & Reed LLP in New York City.
- [CPR Mediation Committee Meeting](#), which will take place on July 17, 2018, in New York City.

CPR Upcoming events are also available at <https://www.cpradr.org/events-classes/upcoming>.