

All agenda items are in Eastern Standard Time

TUESDAY, MAY 4TH

Noon – 12:15pm

WELCOME REMARKS

LISA MOORE

Sr. Counsel

PNC Equipment Finance, LLC

2021 EDWARD A. GROOBERT AWARD FOR LEGAL EXCELLENCE WINNER



Bonnie Michael

Vice President Legal & Compliance (USA)

Volvo Financial Services

12:15pm – 1:15pm

LEGAL UPDATE

Sponsored by:



Moderator:

JENNIFER D. GOULD, Esq.

Shareholder

Stark & Stark, PC

Panelists:

KENNETH WEINBERG

Partner

Rimon Law

ARLENE N. GELMAN, Esq.

Shareholder

Vedder Price

FRANK PERETORE, Esq.
Member
Chiesa Shahinian & Giantomasi PC

1:30 – 2:30pm

CONCURRENT BREAKOUT SESSIONS

- **CA, NY, Federal Licensing and Disclosure**

Equipment leasing and finance companies continue to face a barrage of new state and federal laws applicable to various commercial transactions, including the introduction of consumer-style financing disclosures, expansion of state regulatory enforcement authority, and new licensing requirements, among others. This session provides an overview of recent and pending changes being considered in Washington D.C., California, and New York, as well as some noteworthy enforcement activity.

Panelists:

ROBERT COHEN
Partner
MORITT HOCK & HAMROFF LLP

MARSHALL F. GOLDBERG
Managing Partner and Founder
Glass & Goldberg

MOORARI SHAH
Partner
Buckley LLP

- **Cybersecurity – Fraud, Ransomware, and Other Spine-Tingling Horrors**

Join in for critical legal updates and practical solutions surrounding a growing concern in the equipment leasing industry with an international focus.

Moderator:

JEANETTE DANNENFELSER
Vice President and General Counsel
Summit Funding Group, Inc.

Speakers:

MAX JARVIE
Senior Associate
Borden Ladner Gervais LLP

DORON S. GOLDSTEIN
Partner
Katten Muchin Rosenman LLP

- **Air, Rail, Marine**

This breakout session will highlight key issues affecting the financing and leasing of equipment used in the air, rail and marine sectors. Panelists will discuss new developments affecting each industry and audience members will have opportunities to ask questions based on their interests. This breakout session will help you spot issues unique to each asset class and provide practical solutions for resolving them. This

session will be a great resource for those who routinely finance this kind of equipment as well as those who only occasionally encounter such transactions.

Moderator:

ANDREA NICOTERA

Senior Corporate Counsel

U.S. Bank Equipment Finance

Panelists:

EILEEN BROWN

Partner

Thompson Coburn LLP

JASON HUFF

Partner

Smith, Gambrell & Russell, LLP

MELISSA KOPIT

Associate

Vedder Price P.C.

EDWARD WANG

Partner

Borden Ladner Gervais LLP

2:30 – 3:00pm

BREAK

3:00 – 4:00pm

CONCURRENT BREAKOUT SESSIONS

- **The Courts, Bankruptcy and Workout Strategies During The Pandemic- What Are The Courts Doing?**

The Panel will explore -

- Market/landscape overview
- Particularly hard-hit industries/markets
- Differences in states depending on level of “lock down”
- Chapter 5/greater flexibility for small business debtors
- New statutes/executive orders/moratoriums, with examples from prominent states
- Implications for a “commercially reasonable” disposition and case law developments
- New defenses, including force majeure
- Access to courts – especially with regards to jury trials

Moderator:

MARC L. HAMROFF

Managing Partner

Moritt Hock Hamroff LLP

Panelists:

ANDREW ALPER

Vice President

Frاندzel Robins Bloom & Csato LC

RICH TANNENBAUM

Partner

Reed Smith

Jennifer Crastz

Partner

Hemar Rousso & Heald

- **E-Docs and Working Remotely: E-docs Considering The Pandemic**

A discussion among a group of subject matter experts regarding real life considerations. Panelists will discuss challenges that have surfaced during the pandemic and accelerated adoption of digital transactions. The discussion will also include fact patterns and examples to assist your organization with analyzing electronic lease and e-signature questions and requests. The session will also touch upon the status of American Law Institute proposals for updates to the UCC regarding electronic leases.

Panelists:

SCOTT ADAMS

Senior Counsel-US

Volvo Financial Services

STEPHEN BISBEE

President & CEO

eOriginal

DOMINIC A. LIBERATORE

Deputy General Counsel

DLL

STEPHEN T. WHELAN

Partner

Blank Rome LLP

WENDY HURWITZ

Marketing Director

eOriginal

- **Inventory Financing - International & Motor Vehicles**

Panelists will share their experiences advising lenders who provide inventory finance options in the United States and Canada, aiming to share best practices and advice on how to avoid pitfalls. The panelists will discuss the differences in perfection requirements in the U.S. and Canada and will also share some war stories and lessons learned.

Moderator:

RACHEL BRESROLL

Associate

Kutak Rock LLP

Panelists:

BENJAMIN GROSS

Partner

Borden Ladner Gervais LLP

SHERRY LOWE JOHNSON
Director, Senior Counsel
Volvo Financial Services

ANN E. PILLE
Partner
Reed Smith LLP

ANGELA M. ULUM
Partner
Mayer Brown LLP

- **Merger Up & Other Restructures**

Since the passage of the Dodd Frank Act (eliminating Federal preemption for bank owned equipment finance companies) many such equipment finance companies have considered and/or executed on a merger up into their parent entity. Following such a merger up, the equipment finance company operates as a division of the bank, rather than as a separate legal entity. This distinguished panel of inside and outside counsel will discuss the advantages and disadvantages of such a merger up transaction. They will also explore a variation of the merger up, which is a runoff of the existing book of business of the subsidiary. Lastly, they will highlight the various issues and considerations that must be considered in such a merger up or run off transaction.

Moderator:
DAVID MIELE
Senior Vice President
Citizens Bank

Panelists:
KENNETH WEINBERG
Partner
Rimon Law

ROBERT GEIS
Assistant General Counsel
CIT Bank, N.A.

4:00 pm – 5:00 pm

Opening Virtual Reception

Sponsored by:



WEDNESDAY, MAY 5TH

11:00am – 11:45am

**Welcome
State of the Association and Industry**

Panelists:

KRIS SNOW

President

Cisco Systems Capital Corporation

RALPH PETTA

President and CEO

Equipment Leasing and Finance Association

11:45am – 12:00pm **BREAK**

Noon – 1:00pm **CONCURRENT BREAKOUT SESSIONS**

- **Managed/Bundled Services: Recent Developments and Market Practices**

This breakout session will discuss recent developments, common challenges and suggested approaches, as well as applicable UCC provisions and the status of American Law Institute proposals for bundled transactions.

Panelists:

SCOTT KEARNS

Senior Legal Director

Dell Financial Services

DOMINIC A. LIBERATORE

Deputy General Counsel

DLL

STEPHEN T. WHELAN

Partner

Blank Rome LLP

- **Government Finance - Municipal/Tribal**

This panel will discuss issues commonly involved in financing and lease transactions with governmental entities, including financings with tribal governments. Among the topics to be addressed are the following:

- Constitutional and statutory debt limitations
- Authority for financings
- Special approval requirements for tribal governments
- Political risks
- Financing structures
- Sovereign immunity
- Lien perfection
- Sales of transactions or portfolios

While events of default and non-appropriation are rare in the governmental space, the impact of the pandemic and options after an event of default or event of non-appropriation will also be discussed.

Moderator:

LISA MOORE

Senior Counsel

PNC Equipment Finance, LLC

Speakers:

NAOMI BARNES

Partner

Kutak Rock LLP

KRISTIN KNOX ESCHE

Associate Chief Counsel

John Deere Financial

BRAD NIELSEN

Partner

Kutak Rock LLP

SAMANTHA SKENANDORE

Of Counsel

Quarles & Brady LLP

- **Cross-Border Lease Transactions**

This session will provide participants with an overview of the most common particularities of doing lease and other relevant secured transactions in cross-border deals involving Canada and Mexico. The panel will also focus on hot topics in their jurisdictions, in this space. The goal is to provide U.S. counsel and other participants with visibility on what to expect, and highlight things to look out for, when working on deals involving Canada and Mexico.

Moderator:

BENJAMIN GROSS

Partner

Borden Ladner Gervais LLP

Speakers:

ADAM JACKSON

Associate

Blake, Cassels and Graydon LLP

LORENZA K. LANGARICA O'HEA

Partner

Mijares, Angoitia, Cortés y Fuentes

MANDEEP DHALIWAL

Partner

Lawson Lundell LLP

ANDREW HODHOD

Partner

Borden Ladner Gervais LLP

1:30pm – 2:30pm

CONCURRENT BREAKOUT SESSIONS

- **Does Your Contract Work Across State Lines?**

Parties to a contract commonly agree to the application of a certain jurisdiction and/or state's law, without recognizing circumstances where such a governing law provision may be deemed unenforceable by a court. This session will discuss and analyze the exceptions that can override a choice of law provision or forum selection clause and result in ramifications for which any lender/lessor may never have bargained.

Panelists:

MARSHALL F. GOLDBERG

Managing Partner and Founder

Glass & Goldberg

JULIA GAVRILOV

Counsel

Moritt Hock & Hamroff LLP

- **Fintech: What IS It and How Do I Help My Business Use It?**

Broadly, FinTech describes any software technology used to perform financial services. Whether it covers back-end system support or customer facing tools (commercial and consumer), FinTech's diverse uses present opportunities and challenges for businesses and their legal counsel. This panel will share in-house counsel, business partner, and vendor perspectives on the process of onboarding cutting-edge technology.

Moderator:

ANDREA NICOTERA

Senior Corporate Counsel

U.S. Bank Equipment Finance

Panelists:

CHRISTA M. BALLIN

Legal Counsel,

Dell Financial Services

DOUGLAS NIELSON

Senior Vice President, Innovation Research and Development

U.S. Bank Equipment Finance

KRISTIN KNOX ESCHE

Associate Chief Counsel

John Deere Financial

WILLIAM VERHELLE

CEO

Innovation Finance

- **UCC Basics and Advanced**

Join this session to consider UCC issues for the equipment finance practitioner. Whether you are drafting transaction documents or litigating disputes, there is

something for everyone in this informative panel. The format will include compounding fact patterns for you to analyze along with the panel, as well as brief presentations from the presenters on UCC nuances and solutions. This session will allow you to learn from others and build your UCC toolkit.

Panelists:

SCOTT ADAMS
Senior Corporate Counsel
Volvo Financial Services

KENNETH WEINBERG
Partner
Rimon, P.C.

SCOTT CHAIT
Vice President & Counsel
Sumitomo Mitsui Finance & Leasing Co., Ltd.

BENJAMIN COURT
Partner
Stinson LLP

BARBARA GOODSTEIN
Partner
Mayer Brown LLP

EDWARD GROSS
Shareholder
Vedder Price P.C.

2:30pm – 3:00pm

BREAK

3:00pm – 4:00pm

General Session - Ethics

Moderator:

RACHEL BRESKOLL
Associate
Kutak Rock LLP

Panelists:

MELISSA W. KOPIT
Associate
Vedder Price P.C.

ROBERT HORNBY
Member
Chiesa Shahinian & Giantomasi P.C.

RYAN THOMPSON
Counsel
PNC Bank, National Association

