



NAVIGATING THE WAVE

36TH ANNUAL INSOLVENCY CONFERENCE

MAY 16-19, 2024

RITZ-CARLTON BACARA • SANTA BARBARA, CA



Welcome to the California Bankruptcy Forum!



It is my honor, as 2023-24 President of the California Bankruptcy Forum (CBF), to welcome you to our organization.

Founded in 1988, CBF is the preeminent volunteer organization for insolvency professionals in California, with nearly 1,000 members in seven regional chapters, known as fora, throughout California. Our membership includes bankruptcy and insolvency attorneys, as well as financial advisors, brokers, trustees, accountants, turnaround specialists and other professionals who work in the insolvency arena.

Today, as economic conditions drive an increase in insolvency activity, CBF has a critical role to play in supporting both new and seasoned practitioners in their efforts to serve their clients and ensure that the system remains fair, efficient and effective. For this reason, CBF is committed to clarifying and improving practices and procedures in California bankruptcy courts, providing professional education, and acting as a venue for dialogue between insolvency professionals and bankruptcy judges.

One way we work to accomplish this goal is through the publication of scholarly articles in the California Bankruptcy Journal, which is distributed two to four times a year. Available on Westlaw, the Journal has been cited in more than 70 published opinions, including those of the U.S. Supreme Court. All CBF members receive complimentary subscriptions to the Journal.

Of course, CBF's largest single undertaking is our annual May conference. In an age of remote court appearances and video conferencing, this annual event and those conducted by our regional fora provide essential opportunities for face-to-face interaction and the exchange of ideas. Our 36th Annual Conference, to be held in May 2024 at the Ritz-Carlton Bacara Resort in Santa Barbara, will include engaging and informative educational programs and plenty of opportunities to unplug and connect with colleagues and friends in a relaxed and comfortable setting. The program will include presentations and panels covering a broad range of issues affecting practitioners who work with both businesses and consumers as well as special programming geared toward our Young Insolvency Professionals.

CBF also oversees the activities of the seven CBF regional fora in California, each of which serves the critical role of furthering the mission of CBF at the community level by sponsoring local educational and professional programs around the state. Representing Sacramento, the San Francisco Bay Area, the Central Valley, Los Angeles, Orange County, the Inland Empire, and San Diego, each local forum has its own board of directors, which sends three representatives to the statewide CBF Board. When you join a local forum and gain access to a wealth of educational and social programs, you automatically become a member of CBF.

Additionally, for the last decade, CBF has worked to promote pro bono bankruptcy services throughout California via its financial support of nonprofit organizations that work with unrepresented bankruptcy filers and litigants. Each year, we have reserved a portion of the proceeds from conference registrations and voluntary contributions for an initiative that improves and enhances the services provided to pro se filers. This highly rewarding work helps to ensure access to bankruptcy services for all Californians.

Finally, I look forward to hearing from you. Whether you have thoughts on improving CBF or simply want to get more involved in our organization, please get in touch with me or any other board member.

There's no telling what the coming year will hold for the bankruptcy and insolvency community, but you can count on one thing: CBF will be there at every step along the way to advocate for and serve our members. I hope you will join me, the board and your fellow members in Santa Barbara in May 2024 for our annual conference!

Michael A. Sweet,
2023-2024 President

2024 Conference Leadership Team



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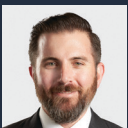
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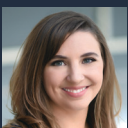
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Thursday, May 16, 2024

1:00 – 6:00 PM

Conference Registration Desk Open

3:00 – 5:00 PM

California Bankruptcy Forum (CBF)
Board of Directors Meeting

5:00 – 5:30 PM

California Bankruptcy Journal (CBJ)
Board of Directors Meeting

5:30 – 7:00 PM

Welcome Reception for CBF & CBJ
Board of Directors, conference committee,
sponsors, exhibitors and Judges

3:00 – 3:15 PM

Networking Break

3:15 – 4:15 PM

Hang Loose, a Nuts-and-Bolts on Joint Stipulations
and Professional Courtesies*

3:15 – 4:15 PM

Business Session

Lessons for Trial Attorneys from Appellate Counsel*

4:30 – 5:30 PM

Hang Nine*

6:00 – 7:00 PM

CLA / ILC Reception for all attendees

Friday, May 17, 2024

8:00 AM - 6:00 PM

Conference Registration Desk Open

8:00 – 9:00 AM

California Bankruptcy Journal (CBJ)
Editorial Board Meeting

8:00 – 9:00 AM

Coffee Meet and Greet
with the California Receivers Forum

8:00 – 9:00 AM

Looking for the Shorebreak: The Use of the
Bankruptcy Code in Equity Receiverships*

9:00 – 10:00 AM

Receivers Session:

The Crashing Wave: Commercial Real Estate
Receiverships*

9:00 AM – 5:30 PM

Exhibitors Open

11:30 AM – 1:30 PM

Keynote Luncheon featuring Bill Dedman

2:00 – 3:00 PM

Judges Roundtable

The Swell of Subchapter V Cases*

Saturday, May 18, 2024

7:00 AM – 6:00 PM

Conference Registration Desk Open

7:30 – 9:30 AM

Breakfast

7:30 AM – 12:00 PM

Exhibitors Open

8:00 – 9:00 AM

Business Session

Commercial Real Estate*

8:00 – 9:00 AM

Hang 12 Dude!

Make Way For The New UCC Article 12*

8:30 – 9:30 AM

Pier to Pier Networking*

8:30 – 9:30 AM

The Line Up Waiting to Catch a Wave:
The Different Types of Receiverships

**An application requesting MCLE credit
for this activity is pending for approval*



9:30 – 10:30 AM

\$100,000 Pyramid of Debt Game Show
with Honorable Sheri Bluebond*

10:30 – 11:00 AM

Networking Break

11:00 AM – 12:00 PM

Judge's Roundtable
Shredding*

12:15 – 1:15 PM

*Young Insolvency Professionals (YIP) Lunch
and Judges Roundtable*
Navigating the Rip Tide: Ethical Dilemmas and
Considerations for YIPs*

(Please Note: This session is only available to YIP Registrants)

2:45 – 3:45 PM

YIP Session
Swimming Smoothly Around the Rocky
Shoals of Litigation*

3:30 – 4:00 PM

Consumer Networking Break

4:00 – 5:30 PM

Mingle with the YIPs Mixer and Lawn Games

4:00 PM – 5:00 PM

Consumer Session
Riding the Barrel: Will the new DOJ Guidance provide
debtors with much needed relief from student loan
debt?*

6:30 – 7:00 PM

Final Night Reception

7:00 – 9:00 PM

Dinner and Entertainment

Sunday, May 19, 2024

8:00 – 10:00 AM

California Receivers Forum (CRF) Board Meeting

8:00 – 10:00 AM

CBF Future Planning Meeting

**An application requesting MCLE credit
for this activity is pending for approval*

Optional Activities

1:00 – 5:00 PM

CBF Annual Golf Tournament
at Sandpiper Golf Club

1:30 – 3:20 PM

Ellwood Hike & Bike

1:30 – 4:30 PM

Painting Party

1:30 – 2:30 PM

YIP Session
Beware the Undertow: Creating a Chapter 11 Plan that
Breaks Through the Surfline*

1:30 – 2:30 PM

Consumer Session
The Impact Zone of Probate Law and Bankruptcy*

2:30 – 2:45 PM

YIP Networking Break

2:30 – 3:30 PM

Consumer Session
Waiting for Your Set: How to Prepare for
and Engage in Mediation



Friday May 19, 2023

8:00 – 9:00 AM

Looking for the Shorebreak: The Use of the Bankruptcy Code in Equity Receiverships*

This panel will discuss the interplay between equity receiverships and the Bankruptcy Code and how the bankruptcy toolbox is used in equity receiverships.

9:00 – 10:00 AM

Receivers Session:

The Crashing Wave: Commercial Real Estate Receiverships*

This panel will discuss the use of receiverships to address distressed commercial real estate, the benefits that make receiverships attractive, and why they may not be the best solution for particular assets.

Panelists

Krista Freitag, E3 Advisors, San Diego
Meagen E. Leary, Duane Morris, San Francisco
Daniel Miggins, Hilco Real Estate, San Diego

2:00 – 3:00 PM

Judges Roundtable

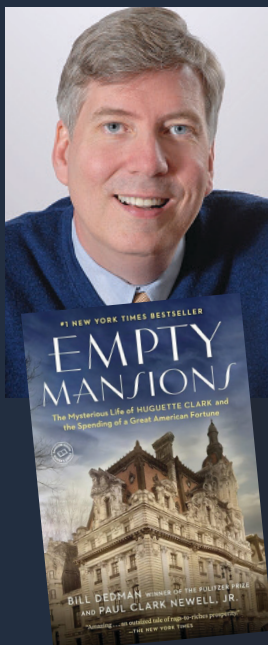
The Swell of Subchapter V Cases*

A discussion of critical issues impacting Subchapter V cases, including recent decisions from around the country.

Producers

Jeffrey K. Garfinkel, Buchalter, Irvine
Shelby Poteet, U.S Bankruptcy Court, Southern District of California, San Diego

**An application requesting MCLE credit for this activity is pending for approval*



11:30 AM – 1:30 PM

Keynote Luncheon: Empty Mansions: The Mysterious Life of Huguette Clark and the Spending of a Great American Fortune, featuring Bill Dedman

Bill Dedman is a Pulitzer Prize-winning investigative reporter and co-author of the bestselling biography *Empty Mansions: The Mysterious Life of Huguette Clark and the Spending of a Great American Fortune*. He has worked in online news, video, newspapers, television, and magazines.

Bill got his start in journalism at 16 as a copy boy at The Chattanooga Times. Bill has written for The Associated Press, The Washington Post, The New York Times, and The Boston Globe. He received the 1989 Pulitzer Prize in investigative reporting. Bill has received national journalism awards for online reporting, feature writing, and public service.

In eight years with NBC News, reporting online for NBCNews.com and msnbc.com, Bill uncovered stories on the Pentagon's slow efforts to identify servicemen and women killed in past wars, the military police officers who tried to stop coercive interrogations of detainees at Guantanamo, fatal problems with firefighter safety equipment, and lessons learned from studies of school shootings.

Bill stumbled onto the mystery of the reclusive heiress Huguette Clark, who was featured in his series of reports in 2010 on NBCNews.com and the Today show. The Clark series was the most popular story ever on NBCNews.com, with more than 110 million page views. What began as a slideshow and feature story developed into an investigative series, a running daily competitive story, a full-length biography, and now is being developed as a Hollywood film.

He co-wrote the biography *Empty Mansions: The Mysterious Life of Huguette Clark and the Spending of a Great American Fortune*. The book debuted at No. 1 on The New York Times best seller list and was chosen among the best books of 2013 by critic Janet Maslin, Amazon.com, Barnes & Noble, and Goodreads readers. See more at emptymansionsbook.com.

3:15 – 4:15 PM

Concurrent Session

Hang Loose, a Nuts-and-Bolts on Joint Stipulations and Professional Courtesies*

Our esteemed panelists will discuss best practices and strategies on stipulations and professional courtesies that promote civility and advance the efficient and effective practice of law.

Producer

Brent Meyer, Meyer Law, San Francisco

Panelists

Hon. Neil Bason, U.S. Bankruptcy Court, Eastern District of California

J. Scott Bovitz, Bovitz & Spitzer, Los Angeles

Peter L. Fear, Fear Waddell, PC, Fresno

3:15 – 4:15 PM

Concurrent Session

Lessons for Trial Attorneys from Appellate Counsel*

Led by seasoned practitioners, this panel will lead a discussion on a number of strategic considerations concerning bankruptcy appeals, including:

- A comparison of trial and appellate court advocacy and writing.
- How to best tee up factual and legal issues in the trial court to make the strongest appeal for your client (and/or the weakest appeal for your opponent).
- How to make a good record for appeal.
- How to preserve issues for appeal.
- Thoughts regarding when and where to appeal.

Producer

Kelly Ann Tran, Small Law PC, San Diego

Panelists

Keith Patrick Banner, Greenberg Glusker LLP, Los Angeles

Hon. Julia Brand, U.S. Bankruptcy Court, Central District of California

Paul Leeds, Franklin Soto Leeds LLP, San Diego

Adam A. Lewis, Morrison Foerster, San Francisco

4:30 – 5:30 PM

Hang Nine*

A review of the major decisions from the 2022-23 Supreme Court term and examination of major cases and developments of the current term and their potential impact on bankruptcy practitioners.

Producers

Tinho Mang, Marshack Hays Wood LLP, Irvine

Matthew J. Olson, Dorsey & Whitney LLP, Palo Alto

Panelists:

Hon. Charles Novack, U.S. Bankruptcy Court Northern District of California

John Fiero, Pachulski Stang Ziehl & Jones LLP, San Francisco

Robert S. Marticello, Smiley Wang-Ekval, LLP, Costa Mesa

Jennifer Taylor, O'Melveny, San Francisco

**An application requesting MCLE credit for this activity is pending for approval*

Saturday May 18, 2024

8:00 – 9:00 AM

Concurrent Session **Commercial Real Estate***

The commercial real estate sector is threatened by a looming crunch, with many underwater properties having large payments due in the coming months and years. The owners are having trouble filling the buildings with commercial tenants and may not be able to make payments in full, and the lenders may not wish to foreclose. Creative solutions have been proposed—such as converting offices into residential space, or malls into schools—but no clear answer has emerged. What can bankruptcy and restructuring practitioners expect, and what can they do to prepare?

Producers

Christine M. Fitzgerald, Robberson Schroedter LLP, San Diego
J. Jackson Waste, Fennemore, Fresno

Panelists

Garrick A. Hollander, Winthrop, Golubow, Hollander, Newport Beach
Ivo Keller, SSL Law Firm LLP, San Francisco
Christopher O. Rivas, ReedSmith, Los Angeles
Michele Vives, Douglas Wilson Companies, San Diego

8:00 – 9:00 AM

Concurrent Session **Hang 12 Dude! Make Way For The New UCC Article 12***

A program exploring the new UCC Article 12, which proposes to modernize existing commercial law and address the transfer of property rights in digital assets, such as cryptocurrency or NFTs.

Producer

Garrett Leatham, McCormick Barstow, Fresno

Panelists

Hon. Victoria Kaufman, U.S. Bankruptcy Court, Central District of California
Ellen A. Friedman, Friedman & Springwater LLP, San Francisco
Steven O. Weise, Proskauer, Los Angeles

8:30 – 9:30 AM

Pier to Pier Networking: **Ethical Guidelines and Practical Advice On Artificial Intelligence: What Every Bankruptcy Lawyer Should Know**

A discussion about the implications of Artificial Intelligence on the law and legal profession

Producers

Jeffrey S. Kwong, Levene Neal Bender Yoo & Golubchick LLP, Los Angeles
Shane J. Moses, Foley & Lardner LLP, San Francisco

Panelists:

Hon. M. Elaine Hammond, U.S. Bankruptcy Court, Northern District of California
Doug Flahaut, Arent Fox Schiff, Los Angeles
Chuck Kellner, Everlaw, Oakland
Miriam Kim, Munger, Tolles & Olson, San Francisco

8:30 – 9:30 AM

The Line Up Waiting to Catch a Wave: The Different Types of Receiverships*

This panel will discuss what a receiver is, the different types of receiverships, when they are useful and when they are not, and the process for seeking their appointment.

Panelists:

Ori Blumenfeld, Levinson, Arshonsky, Kurtz & Komsky, LLP, Sherman Oaks
Gerard Keena, Bay Area Receivership Group, Berkeley
Danielle Mayer, Buchalter, Los Angeles

**An application requesting MCLE credit for this activity is pending for approval*

9:30 – 10:30 AM

\$100,000 Pyramid of Debt Game Show with Honorable Sheri Bluebond*

Contestants will compete to see how many key words related to topics on the game board their partners can guess within 60 seconds based on the clues they provide. Topics on the gameboard will be inspired by recent Supreme Court or Ninth Circuit bankruptcy cases. Once all words related to a selected topic have been guessed or missed, a member of our panel of judges will explain the holding of the case to which the topic relates and audience members will be asked to weigh in with their opinions on issues raised by each case.

Moderator

Hon. Sheri Bluebond, U.S. Bankruptcy Court, Central District of California

Judge Panelists

Hon. Alan Ahart, U.S. Bankruptcy Court, Central District of California

Hon. Neil Bason, U.S. Bankruptcy Court, Central District of California

Hon. Julia Brand, U.S. Bankruptcy Court, Central District of California

Hon. M. Elaine Hammond, U.S. Bankruptcy Court, Northern District of California

Hon. Victoria Kaufman, U.S. Bankruptcy Court, Central District of California

11:00 AM – 12:00 PM

Judges Roundtable Shredding*

Tips from the bench on best practices in dealing with the court and opposing counsel.

Producers

Michele Choi, Gibson Dunn, Los Angeles

Daniel Egan, Wilke Fleury, LLP, Sacramento

Judge Panelists

Hon. Alan Ahart, U.S. Bankruptcy Court, Central District of California

Hon. Julia Brand, U.S. Bankruptcy Court, Central District of California

Hon. Victoria Kaufman, U.S. Bankruptcy Court, Central District of California

Hon. Charles Novack, U.S. Bankruptcy Court, Northern District of California

Hon. Magdalena Reyes Bourdeaux, U.S. Bankruptcy Court, Central District of California

**An application requesting MCLE credit for this activity is pending for approval*

YIP Sessions

Saturday, May 18, 2024

12:30 – 1:30 PM

YIP Lunch and Judges Roundtable

Navigating the Rip Tide: Ethical Dilemmas and Considerations for YIPs*

Judges Roundtable discussion using hypotheticals of various ethical dilemmas YIPs may face.

Producers

Ryan W. Beall, Golden Goodrich, Costa Mesa
Rebecca M. Wicks, Dentons, Los Angeles

Moderator

Jessica Bagdanov, BG Law, Los Angeles

Panelists

Hon. Martin Barash, U.S. Bankruptcy Court, Central District of California
Hon. Julia Brand, U.S. Bankruptcy Court, Central District of California
Hon. Charles Novack, U.S. Bankruptcy Court Northern District of California

1:30 – 2:30 PM

Beware the Undertow: Creating a Chapter 11 Plan that Breaks Through the Surfline*

A discussion about the key considerations in developing a chapter 11 plan and some red flags to avoid.

Producers

Nir Maoz, KTBS Law LLP, Los Angeles
Olivia J. Scott, Bryan Cave Leighton Paisner LLP, Los Angeles

Panelists

Hon. Martin Barash, U.S. Bankruptcy Court, Central District of California
Mike Bergthold, Stapleton Group, Los Angeles
Julian Gurule, O'Melveny, Los Angeles
Annie Y. Stoops, ArentFox Schiff, Los Angeles

2:45 – 3:45 PM

Swimming Smoothly Around the Rocky Shoals of Litigation*

A review of the bankruptcy litigation life cycle and practice pointers for the young insolvency professional.

Producers

Michael S. Myers, Ballard Spahr, San Francisco
Jullian S. Sekona, Keller Benvenuti Kim LLP, San Francisco

Panelists:

Hon. Maureen Tighe, U.S. Bankruptcy Court, Central District of California
Christopher V. Hawkins, Sullivan Hill, San Diego
Peter J. Mastan, Dinsmore, Los Angeles
Nicholas R. Troszak, DSI Development Specialists, Inc, Los Angeles

4:00 – 5:30 PM

Mingle with the YIPs Mixer

Join the Young Insolvency Professionals for a beverage, networking, and a game of putt putt golf, ladder ball, giant connect four, or cornhole.

**An application requesting MCLE credit for this activity is pending for approval*

Saturday, May 18, 2024

1:30 – 2:30 PM

The Impact Zone of Probate Law and Bankruptcy*

When representing parties in consumer bankruptcy proceedings, bankruptcy law and probate law often collide. A debtor may pass away during the pendency of the case, inherit property within 180 days of the filing, or be the beneficiary of a trust. Perhaps the estate (or its trustee) makes a claim to a debtor's interest in a probate estate. Join our experienced panelists as they help practitioners navigate the intricate intersection of California probate law and bankruptcy.

Producer

Peter Sauer, Fear Waddell, PC, Fresno

Panelists

Hon. Sandra Klein, U.S. Bankruptcy Court, Central District of California
Misty Perry Isaacson, Pagter and Perry Isaacson, Santa Ana
Iain A. Macdonald, Macdonald Fernandez, LLP, San Francisco
Summer Shaw, Shaw & Hanover, PC, Palm Desert

2:30 - 3:30 PM

Waiting for Your Set: How to Prepare for and Engage in Mediation

In consumer bankruptcy cases and adversary proceedings formal mediation of disputes allows litigants to resolve their differences quickly and more cost effectively. Typically mediation reduces the stress and pressure of litigation. The panelists will discuss how to effectively prepare clients and counsel for a mediation with the best possible outcome.

Producer

Tanisha N. Bostick, Bostick Legal, APC, San Diego

Panelists

Hon. Wayne E. Johnson, U.S. Bankruptcy Court, Central District of California
Adam N. Barasch, Severson & Werson, San Francisco
Leslie A. Cohen, Leslie Cohen Law PC, Santa Monica
Alphamorlai "Mo" Kebeh, Danning Gill, Los Angeles

4:00 PM - 5:00 PM

Riding the Barrel: Will the new DOJ Guidance provide debtors with much needed relief from student loan debt?*

Hope or Hype: The panel will provide an overview of the new DOJ (Department of Justice) Guidance in student loan dischargeability proceedings under 11 U.S.C. Section 523(a)(8). The program will also provide attendees with a nuts-and-bolts training on filling out the DOJ attestation form along with practice pointers. The program is a must see for any attorney who is interested in learning more about how the new DOJ Guidance may provide hope for debtors seeking relief from the weight of student loans.

Producer

Brandon J. Iskander, Goe Forsythe & Hodges, Irvine

Panelists:

Hon. Magdalena Reyes Bordeaux, U.S. Bankruptcy Court, Central District of California
Deepalie Milie Joshi, Joshi Law Group, San Diego

**An application requesting MCLE credit for this activity is pending for approval*

Optional Activities



Ellwood Hike & Bike

Located less than a mile down Hollister Avenue, the Ellwood eucalyptus grove offers miles of hiking through forest and along ocean bluffs. Led by our Cousteau-trained Naturalist, you will explore this diverse habitat, home to hundreds of predatory birds and thousands of monarch butterflies. After biking to the grove, the tour will proceed on foot through the grove and to the coastline. Participants will receive drawstring bags packed with water, sunscreen, and other amenities.

1:30 pm - 3:20 pm

Cost: \$120.00 per person for cruiser bike or \$160.00 for e-bikes

Duration: 2.5 hours

Note: E-bikes are only available to those 18 and over.



Painting Party

Art Spot on Wheels comes to the Ritz-Carlton! A trained artist will guide you through a step-by-step process to paint the view in front of you and create a masterpiece to be proud of. All painting supplies are provided for this 3-hour event. Includes non-alcoholic beverages and light snacks.

1:30 pm - 4:30 pm

Cost: \$105

Duration: 3 hours



CBF Annual Golf Tournament at Sandpiper Golf Club

Play golf at Sandpiper with CBF!

Sandpiper is championship golf at its finest. It is an inspiring combination of challenge and beauty at the edge of the Pacific Ocean. With breathtaking ocean and mountain views from every hole, Sandpiper is truly a memorable experience. The price of golf includes a boxed lunch and tee prize. Golfers can take advantage of the hotel shuttle or arrange their own transportation since the course is less than one mile from the Ritz-Carlton Santa Barbara.

2:15 pm

Cost: \$260 per golfer / \$85 rental clubs

Saturday, May 18, 2024, 4:00 - 5:30 pm Mingle with the YIPs Mixer & Lawn Games

Relax outdoors, enjoy the view, hang out and play lawn games with your peer!

Games include:

- Cornhole
- Ladder ball
- Putt-putt golf
- Giant Connect Four

Open to everyone. No fee to attend.



Platinum Sponsors



FENNEMORE.



Gold Sponsors



Silver Sponsors



Bronze Sponsors





Hotel Information

Hotel Information:

Ritz Carlton Bacara
8301 Hollister Ave
Santa Barbara, CA 93117

To reserve your room at the discounted rate of \$289 plus taxes, fees* and a \$10 resort fee per night, please register for the conference first and the link will be provided in your confirmation email.

<https://cbf.memberclicks.net/2024conference>



The cutoff date for rooms at the discounted rate is Tuesday, April 23, 2024. We encourage you to book early as rooms may sell out prior to the cutoff date and you may have to stay at another property.

The resort fee includes:

- Unlimited high-speed internet access hotel wide
- Fitness center use and access to private, professional grade clay tennis courts (1 hour max)
- Daily exercise classes and access to water aerobics equipment
- Ambassadors of the Environment Guided Ecohike Tour
- Complimentary 2-hour bike rental, based on availability
- Complimentary shuttle ride to Sandpiper Golf Course

Parking:

Discounted overnight and daily parking: \$10/day



PO BOX 10, MANHATTAN BEACH, CA 90267

- California Bankruptcy Education
- Young Insolvency Professionals
- Consumer Bankruptcy Program
- California Receivers Forum
- Statewide Networking with Practitioners & Judges
- MCLE/CPE Credit Hours Provided

REGISTER NOW!

cbf.memberclicks.net/2024conference