**Title:**

Valuation in Bankruptcy. Examining Valuation Methods, Evidentiary Requirements and Other Considerations for Both Debtors and Creditors in Bankruptcy.

**Program Description:**

The panelists will discuss handling valuation disputes from both the debtor’s and creditor’s perspective and provide tips for preparing for evidentiary hearings and expert witness testimony, as well as prehearing discovery and negotiations.  The panelists will also delve into the different valuation methods and relevant dates for assessment. The panel will further discuss recent case law addressing valuation disputes, including with respect to cryptocurrency and intellectual property.

**Panelists:**

Kirk B. Burkley, Bernstein-Burkley, PC, Pittsburgh, PA

Peter M. Gannott, Gannott Law Group, PLLC, Louisville, KY

Randall Woolley, Darcy & Devassy PC, Chicago, IL

**More…**

Outline:

1. **Purposes of Valuation**

1.    Section 506(a): Valuation of Secured Collateral

      2.    Section 362 (d)(1) & (2): Relief of The Automatic Stay Valuations

      a.    Section 362(d)(1):  Lack of “Adequate Protection”

      b.    Section 362(d)(2):  Lack of “Equity” in the Property

      3.    Section 363: Use of “Cash Collateral” Valuations

      4.    Section 364: DIP Financing Valuations

      5.    Section 547, 548 & 550: Recovery Action Valuations

      6.    Section 1129: Plan Confirmation Valuations

      7.    Section 506(b): Post-Petition Interest & Fees Valuations

 8. Section 1111(b) Elections

1. **Various Methods of Valuation**
2. Different approaches based on debtor’s use
3. Appropriate date for valuation
4. Fair market value
5. Liquidation value
6. Factors in deciding valuation method
7. Appropriate interest rates for plan treatment
8. **Experts**
9. Choosing the right expert
10. Qualifying experts
11. Using client as expert
12. Cost effective approaches to hiring experts
13. Expert reports
14. **Evidentiary Hearings**
15. Rule 2004 discovery
16. Obtaining inspections
17. Direct and cross examination of experts
18. War stories
19. **Different types of estate property**
20. Real property and appraisals
21. Personal property
22. UCC searches
23. Inventory liens
24. Cash collateral
25. Intellectual property
26. Cryptocurrency