



UNIVERSITY of HAWAI'I at MĀNOA
WILLIAM S. RICHARDSON
SCHOOL OF LAW



IAPBL

Institute of Asian-Pacific Business Law

William S. Richardson School of Law | University of Hawai'i at Mānoa

FEBRUARY 19, 2022 – MARCH 26, 2022
SATURDAYS 9:00 AM - 11:00AM
ZOOM CLASSES & PANELS

WILLIAM S. RICHARDSON SCHOOL OF LAW
UNIVERSITY OF HAWAI'I AT MĀNOA

BUSINESS BOOT CAMP II

This non-credit course offered via Zoom introduces law school students to basic financial and business concepts. The idea is to lay the groundwork for the students' law school commercial and business courses and to help build financial literacy.

The Business Boot Camp, now in its second iteration, is an initiative promoted by **Dean Camille Nelson**. **Professor Charles D. Booth** has led the organization of the course and will serve as the moderator for sessions, except where otherwise noted.

I. FIRST CLASS, FEB 19, 2022

Introduction to Business Boot Camp II and the fundamental financial and business law concepts and skills covered during the sessions.

9:00 AM - 11:00 AM (with a 10-minute break)

Dean Nelson will welcome the students and discuss the importance of this unique course.

Professor Booth will provide an overview of Boot Camp II, introduce basic financial concepts, and discuss how to develop financial and business literacy and basic commercial skill sets for both personal and professional development. He will also provide an overview of the business law curriculum at the Richardson School of Law and explain why business law courses are an important component of Bar Examination preparation.

II. SECOND CLASS, FEB 26, 2022

9:00 AM - 9:55 AM

Bankruptcy Judge Robert J. Faris will engage in an interactive presentation about credit card debt.

10:05 AM - 11:00 AM

Ms. Lauren Sharkey will explain how to read balance sheets, cash flow statements, and financial statements.

III. THIRD CLASS, MAR 5, 2022

9:00 AM - 11:00 AM (with a 10-minute break)

Professor Booth and Bankruptcy Judge Faris will have a discussion about basic bankruptcy concepts under Chapters 7, 11, and 13 of the US Bankruptcy Code; the effect of COVID-19 on filing rates; and the difficulties in discharging student loans in bankruptcy.

IV. FOURTH CLASS, MAR 12, 2022

9:00 AM - 9:55 AM

Ms. Andrea K. Ushijima will discuss real estate finance.

10:05 AM - 11:00 AM

In the context of setting up a business, **Dean Nicholas A. Mirkay** and **Professor Justin D. Levinson** will discuss basic taxation and business association concepts.

V. FIFTH CLASS, MAR 19, 2022 LAWYERS' PANEL I – ALL FIRMS BIG AND SMALL: THE BUSINESS OF LAW PRACTICE

9:00 AM - 11:00 AM (with a 10-minute break)

Lecturer Garrett I. Halydier will moderate the Business of Law Practice Panel, which will include **Ms. Sherry Broder** (Sherry P. Broder, A Law Corporation), **Mr. Jordan K. Inafuku** (McCorriston Miller Mukai MacKinnon LLP), and **Mr. Ted N. Pettit** (Case Lombardi & Pettit).

The panel will discuss the business of starting and growing small- and mid-size law firms, the business of managing large law firms, and why the business of law firms – big and small – should matter to law students.

VI. SIXTH CLASS, MAR 26, 2022 LAWYERS' PANEL II: NON-PROFIT BUSINESS OPERATIONS

9:00 AM - 11:00 AM (with a 10-minute break)

Ms. Miyoko Pettit-Toledo will moderate the Non-Profit Business Panel, which will include **Mr. Hugh Jones** (Ashford & Wriston), **Kate Lloyd** (non-profit consultant), and **Dean Nicholas Mirkay**.

The panel will discuss the lifecycle of a nonprofit and the different roles for lawyers in that process – including the nuts and bolts of forming a nonprofit, managing tax implications, the duties of non-profit boards, and the importance of practical operations like strategic planning and budgeting.

Bios

PROF. CHARLES D. BOOTH (BA, Yale University, 1981 (*summa cum laude* & Phi Beta Kappa); JD, Harvard Law School, 1984 (*cum laude*)) is the Michael J. Marks Distinguished Professor in Business Law and the Founding Director of the Institute of Asian-Pacific Business Law ("IAPBL"). He focuses on comparative and cross-border insolvency and commercial law. He practiced at Cleary, Gottlieb, Steen and Hamilton on Wall Street (1984-86) and taught at the Richardson School of Law (1986-89) and in the Faculty of Law at the University of Hong Kong (1989-2005), before returning to Richardson in 2006. He teaches Secured Transactions, Debtors' and Creditors' Rights/Corporate Reorganization, Asian-Pacific Insolvency Law, International Business Law in Asia, and Comparative Law. He is a Fellow in the American College of Bankruptcy, a Member of the International Academy of Commercial and Consumer Law, and a Founding Member of the International Insolvency Institute. He has co-authored: A GLOBAL VIEW OF BUSINESS INSOLVENCY SYSTEMS (2010); the HONG KONG CORPORATE INSOLVENCY MANUAL (4th ed, 2018); and the HONG KONG PERSONAL INSOLVENCY MANUAL (2nd ed, 2010; 3rd ed, forthcoming 2022). He is active in insolvency and commercial law reform and training projects for international organizations, including the World Bank Group, the IMF, and the Asian Development Bank. He recently contributed to the new Lao Law on Rehabilitation and Bankruptcy of Enterprises and is currently engaged in assisting with the drafting of bankruptcy rules and forms to accompany the new law as well as in training Lao judges and insolvency practitioners. He is also participating in World Bank out-of-court workout projects in Mongolia and Indonesia.

Ms. SHERRY P. BRODER (BA, Wellesley College, 1970 (Wellesley Scholar); JD, Boalt Hall, University of California at Berkeley, 1975 (Highest Honors & Order of the Coif)) is a legal practitioner concentrating in complex civil litigation – trials, appeals, and class actions, personal injury, medical malpractice, products liability, international law, ocean law, environmental law, human rights, and rights of Native Hawaiians and other indigenous people. Ms. Broder has extensive experience in Hawai'i real estate and business

transactions and litigation, administrative law, land development, and water rights and has advised some of Hawai'i's largest hotels and resorts. She serves as a mediator, an arbitrator and a hearings officer for state and federal government agencies, the Hawai'i Supreme Court, and private parties. She was the first woman President of the Hawai'i State Bar Association and was the 2016 President of the Federal Bar Association for the District of Hawai'i. She was selected as a Finalist by Public Justice for the Trial Lawyer of the Year Award in 1994, 1995, and 1997 and was selected by the ABA as the 1992 Solo Practitioner of the Year. In 2015, the ABA awarded her the 2015 Solo and Small Firm Lifetime Achievement Award. Ms. Broder is a Lecturer in Law at the Richardson School of Law and teaches International Law and Ocean Law. She is currently the Chair of the Commission on Clean Water and Natural Resources, City and County of Honolulu.

HONORABLE ROBERT J. FARIS (BA, Reed College, 1980 (Phi Beta Kappa); JD, Boalt Hall School of Law, University of California, Berkeley, 1983 (Order of the Coif)) is a US Bankruptcy Judge for the District of Hawai'i. From 1983 until 2002, he practiced with a Honolulu law firm, emphasizing bankruptcy, insolvency, and commercial litigation. He became a bankruptcy judge in February 2002 and a member of the Ninth Circuit Bankruptcy Appellate Panel in 2015. He is a Fellow in the American College of Bankruptcy and is a Lecturer in Law at the Richardson School of Law, where he teaches Debtors' and Creditors' Rights and Corporate Reorganization.

LECTURER GARRETT I. HALYDIER (BS, Liberty University, 2008; MBA Liberty University, 2009; JD, Richardson School of Law (*magna cum laude*), 2015) is a Lecturer-in-Law at the Richardson School of Law, teaching courses in Cannabis Law, Secured Transactions, and Bar Preparation, and coaching the Phillip C. Jessup International Law moot court team. He maintains his own law firm serving corporate, real estate, and cannabis industry clients and provides business development consulting for small law firms. He was recently awarded Teacher of the Year by Kaplan, Inc., for his ongoing international work as an elite private test tutor. He previously founded the Hawai'i Dispensary Alliance, a trade association advocating for medical cannabis in Hawai'i; clerked at the Hawai'i Intermediate Court of Appeals; founded an award winning national marketing company; and won the Frank S. Harrison Memorial Award for Excellence in Coaching from the United States Naval Academy for coaching a repeat national champion college policy debate team.

MR. JORDAN K. INAFUKU (BA, Stanford, 2011; JD, Richardson School of Law (*summa cum laude*), 2015) is a partner in the litigation department at McCarriston Miller Mukai MacKinnon LLP. His diverse practice includes complex civil litigation, construction litigation, labor and employment law, insurance defense, administrative law, Native Hawaiian rights, and commercial litigation. Jordan has been recognized as a Super Lawyees Rising Star (2016-2020), as a lawyer delegate to the United States District Court, District of Hawai'i, Judicial Conference (2019-2021), and as a participant in the Hawai'i Federal Trial Academy (2019). He has also successfully argued before the United States Court of Appeals for the Ninth Circuit. When not practicing law, Jordan serves as the Program Head for Boys Volleyball at 'Iolani School and as Assistant Director to Spike &

Serve Volleyball Club. Jordan was a member of the Stanford men's volleyball team that captured the 2010 NCAA Championship.

MR. HUGH JONES (BA, University of Wisconsin; JD, University of Wisconsin, 1986) is Counsel to the law firm of Ashford & Wriston LLP. Mr. Jones has practiced law in Hawai'i for 35 years, both in private practice, government service, and inside the non-profit sector. His practice concentrates on the federal and state regulation of public charities and private foundations and their governance, the regulation of charitable solicitation and charitable registration matters, trust administration, Hawai'i State taxation, and government affairs. As a Senior Deputy Attorney General, Mr. Jones supervised the Hawai'i Attorney General's Tax & Charities Division for over a decade and created and launched a successful charitable enforcement unit in the wake of the Bishop Estate controversy of the 1990s, including establishing the necessary enabling legislation and online registration and reporting systems. Immediately prior to joining Ashford & Wriston, Mr. Jones was the first In-House Counsel for the University of Hawai'i Foundation and its Board of Trustees. Mr. Jones is a Lecturer-in-Law at the William S. Richardson School of Law, teaching the Non-Profit Organization Course. Mr. Jones is a former president of the Hawai'i State Bar Association (HSBA) and the National Association of State Charity Officials (NASCO). He has received several awards, including the following: Manager of the Year, Hawai'i Attorney General; Senior Staff Attorney Award (National Association of Attorneys General); Nonprofit Sector Champion Award, Hawai'i Alliance of Nonprofit Organizations (HANO); and Presidents Award, Lifetime of Service to the Bar (HSBA).

PROF. JUSTIN LEVINSON (BA, University of Michigan, 1996; JD, University of California, 1999; LLM, Harvard, 2004) is a Professor of Law, a leader in the field of implicit bias and the law, and an expert in psychological decision-making in the legal system. His scholarship, which regularly employs experimental social science methodology, has appeared in the NYU Law Review, Yale Law Journal Forum, UCLA Law Review, and Duke Law Journal, among others, and has been cited by the United States Supreme Court. He served as lead editor of *Implicit Racial Bias Across the Law*, a volume that was published by Cambridge University Press in 2012 (co-edited by Robert J. Smith). In 2008, he founded the Culture and Jury Project, an interdisciplinary and international research collaboration devoted to facilitating the study of human decision-making in the law. He is currently collaborating with scholars in China, Japan, and Korea, as well as domestically in the United States. Professor Levinson previously practiced corporate law at Wilson Sonsini Goodrich & Rosati in Palo Alto, California. He regularly teaches Business Associations, Law and Psychology, Corporate Finance, High Growth Entrepreneurship, and has offered a seminar on Implicit Bias and the Law.

MS. KATHARINE ("KATE") P. LLOYD (BA, University of Wisconsin-Stevens Point, 1984; JD, University of Wisconsin-Madison, 1988) recently retired from the Hawai'i Community Foundation ("HCF"), where she served for more than sixteen years in various roles, including General Counsel, Head of Development, and Head of Operations. Ms. Lloyd currently provides private consulting services, especially for nonprofits. Before joining HCF, she served as Deputy General Counsel for Hawai'i Pacific University and as Senior Vice President in First Hawaiian Bank's Trust Division. She was also a partner with the

Honolulu law firm, Ashford & Wriston LLP. Her areas of expertise include complex charitable gift and wealth planning, non-profit governance, endowment management, and the laws of exempt organizations, including private foundations, public charities, and non-charitable exempt organizations.

DEAN NICHOLAS A. MIRKAY (BSBA, Saint Louis University, 1989 (*magna cum laude*); JD, University of Missouri, 1992; LLM in Taxation, Georgetown University Law Center, 1996 (with distinction)) is a Professor of Law and Associate Dean for Academic Affairs at the William S. Richardson School of Law. Before joining the Richardson Law faculty in August 2017, he was a Professor of Law at Creighton University School of Law (2011-2017) and served as the Senior Associate Dean for Administration and Planning (2015-17). He began his career in legal academia at the Delaware Law School of Widener University for (2003-2011). He teaches Federal Income Tax, Trusts & Estates, Nonprofit Organizations, and State & Local Taxation. He has received outstanding faculty awards at all three law schools where he has taught. His scholarship focuses predominantly on tax exemption and governance issues regarding nonprofit organizations, with more recent articles addressing institutional leadership, state taxation, and wealth inequality. He regularly engages in community service, advising and assisting nonprofit organizations on state formation and federal tax exemption, and serves on several nonprofit boards of directors. Prior to entering legal academia, Dean Mirkay had over eleven years of experience as a tax and business lawyer in both the federal government and private practice.

DEAN CAMILLE NELSON (BA, University of Toronto, 1991; JD, University of Ottawa Faculty of Law, 1994 (*magna cum laude*); LLM, Columbia Law School, 2000) joined the Richardson School of Law as Dean in the summer of 2020. She previously served as Dean of American University Washington College of Law (2016-20) and as Dean of Suffolk University Law School in Boston (2010-15). She was also a Professor of Law at the Maurice A. Deane School of Law at Hofstra University (2009-10), a Dean's Scholar in Residence and Visiting Professor of Law at Washington University School of Law in St. Louis (2008-9), and a Professor of Law at Saint Louis University School of Law (2000-8). She has taught Contracts, Criminal Law, Torts, Critical Race Theory, Comparative Criminal Law, Transnational Law, Criminal Procedure, and Professional Responsibility. Prior to entering academia, Dean Nelson was a litigator at McCarthy Tétrault (a large Canadian law firm) and clerked for Justice Iacobucci of the Supreme Court of Canada.

MR. TED N. PETTIT (BA, University of Missouri, 1972; JD, Richardson School of Law, 1986; PhD in Medical Physiology, Burns School of Medicine, 1980) is a shareholder and director of Case Lombardi & Pettit. He practices in the areas of business reorganization, bankruptcy, and business and commercial litigation. He advises and represents debtors, landlords and lessors, secured creditors, creditors committees and liquidating trusts in a variety of industries. He has extensive experience in large bankruptcy cases, cross border insolvency matters, and state court foreclosure and receivership proceedings. He was a co-author and editor of the Hawai'i Collection and Bankruptcy Law Manual (4th ed. 2013, 5th ed. forthcoming), and he has authored numerous legal articles. He is rated "AV Preeminent" by Martindale-Hubbell and was named 2020 & 2016 Best Lawyer of the Year in Bankruptcy-Litigation, Best Lawyer of the Year, 2015, 2021 & 2022 in Bankruptcy and

Creditor Debtor Rights/Insolvency and Reorganization Law, by Best Lawyers in America. He has also been recognized as a Hawai'i Super Lawyer, Top 25 (2008-21) in Bankruptcy and Business Litigation. Chambers & Partners has honored Mr. Pettit as a Band 1, Leading Individual in Bankruptcy/Restructuring (2017-2021). In 2017, Mr. Pettit was selected for membership to America's Top 100 Attorneys by America's Top 100, LLC. He was one of the founders and the first president of the Hawai'i Bankruptcy Bar Association, and is active in community organizations. Mr. Pettit is a trustee of the University of Hawai'i Foundation and a member of its Executive Committee.

Ms. MIYOKO PETTIT-TOLEDO (BA, Harvard, 2011 (*magna cum laude*); JD, Richardson School of Law, 2015 (*summa cum laude*, valedictorian)) currently serves as Maximum Legal Services Corporation's ("MaxCorp") Executive Director and Attorney and will be joining the Richardson School of Law as an Assistant Professor of Law in August 2022. Licensed to practice before all courts in the State of Hawai'i, she currently oversees the non-profit's trust and estate administration operations and leads MaxCorp's team of attorneys, paralegals/legal assistants, social workers, and bookkeepers. Serving as fiduciary and attorney, she administers client cases with the highest ethical standards and appears in court regularly for litigious matters. She was selected as a 2020 Hawai'i State Bar Association Leadership Institute Fellow and a lawyer delegate to the United States District Court for the District of Hawai'i Judicial Conference (2020-22). Prior to joining MaxCorp, she was a litigation associate attorney at McCorriston Miller Mukai MacKinnon LLP, where she earned recognition as a Super Lawyers Rising Star (2019-2020) and was listed in Best Lawyers in America: Ones to Watch (2021-2022). With a background in commercial and civil litigation and alternative dispute resolution, she has appeared before state and federal trial courts and successfully argued before the Ninth Circuit Court of Appeals. Before becoming a civil litigator, she clerked for Associate Justice Richard W. Pollack of the Hawai'i Supreme Court and for Senior Judge Susan Oki Mollway of the United States District Court for the District of Hawai'i. She also served as a summer intern in the Trial Chamber of the Special Tribunal for Lebanon in The Hague, Netherlands. At Richardson, she will be teaching Civil Procedure and Legal Writing. Her academic scholarship focuses on Civil Procedure, with an emphasis on electronic discovery, Social Justice, and Civil and Human Rights (with a focus on reconciliation initiatives and reparations for mass historic injustices).

Ms. LAUREN R. SHARKEY (BA, University of Hawai'i, 1990, JD, Pepperdine University, 1997) is a director/shareholder with Case Lombardi & Pettit. She concentrates her practice in the areas of real estate, taxation, and business & commercial law. She represents businesses in wide-ranging commercial matters including acquisitions and sales of real estate and businesses, development, condominiums, and leasing. Ms. Sharkey also advises businesses and individuals as to state and federal tax issues, and retirement and employee stock ownership plans. She is licensed (inactive) as a certified public accountant in Hawai'i and California and, prior to practicing as an attorney, was an auditor with N&K CPAs, one of Hawaii's largest locally owned accounting firms. She is a co-author of the *Doing Business in Hawai'i* section of the DOING BUSINESS IN...HANDBOOK 2008 and 2010. She served as Managing Director for Case Lombardi & Pettit from 2008-14 and continues to serve as Treasurer of the firm. She is a former Director on the Board

of the Hawai'i State Bar Association and past president for the Hawai'i Women Lawyers. She is the immediate past President of the Hawai'i Women's Legal Foundation and continues to serve as Chair of the Budget and Finance Committee. She is the current treasurer of the Kukui Children's Foundation. Ms. Sharkey is an "AV" rated attorney, possessing the highest level of skill and integrity by Martindale Hubbell Law Directory. She is also recognized by Super Lawyers (2011-13) and Best Lawyers in America (2013-21). In 2016, she was selected for membership to America's Top 100 Attorneys by America's Top 100 LLC.

Ms. ANDREA USHIJIMA (BA, University of Washington, 2002; MBA, Shidler College of Business, University of Hawai'i, 2006; JD, Richardson School of Law, 2013) is a partner at Cades Schutte LLP. She practices in the areas of finance and real estate. She represents financial institutions in commercial loan transactions and regularly advises lenders in consumer finance compliance matters. She also works on commercial real estate transactions, commercial leasing, and assisting clients with the nuances of Hawai'i real estate law. Prior to joining Cades Schutte, she worked for various technology companies as an information technology analyst and project manager. Ms. Ushijima serves as a Director for the Real Property and Financial Services Section of the Hawai'i State Bar Association, and she also serves on the Board of Managers for the Nu'uauu YMCA and on the Board of Directors for Ballet Hawai'i.



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