11TH NATIONAL CONFERENCE

ORGANIZATION, REORGANIZATION AND RESTRUCTURING OF THE BUSINESS ENTERPRISE
(FROM AN INTERNAL AND INTERNATIONAL LAW PERSPECTIVE)

Rome, February 14th and 15th, 2020

Roma Tre University
Department of Economics and Business Administration
Via Silvio D’Amico, 77

www.orizzontideldirittocommerciale.it
FRIDAY, FEBRUARY 14th, 2020

09:15 Welcome coffee

Main Room (ground floor)

09:45 The Head of the Dpt. of Economics and Business Administration: *Welcome Greeting*
The Association’s Board of Directors: *Inaugural Speech*

10:30 Parallel Working Sessions begin

Second Floor

<table>
<thead>
<tr>
<th>Room 4</th>
<th>Room 5</th>
<th>Room 6</th>
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<tbody>
<tr>
<td>The Organizational Structures of the Business Enterprise</td>
<td>Insolvency and Restructuring of Business Enterprises I</td>
<td>Banks and the Organization of Business Financing</td>
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<tr>
<td>Chair: Oreste Cagnasso</td>
<td>Chair: Marco Cian</td>
<td>Chair: Francesco Vella</td>
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<td>F. Innocenti/ P. Valensise</td>
<td>I. Donati/G. D’Attorre</td>
<td>G. Marra/ M. Lamandini</td>
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<tr>
<td>A. Palazzolo / P. Sanfilippo</td>
<td>G. Garesio/ A. Paciello</td>
<td>I. Mecatti/ G. Martina</td>
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<td>I. Demuro / F. Ghezzi</td>
<td>F.M. Mucciarelli / G. Strampelli</td>
<td>G.A. Policaro / M. Perrino</td>
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13:00 Light Lunch
**Second Floor**

14:15  Parallel Working Sessions

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<tr>
<th>Room 4</th>
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<tbody>
<tr>
<td><strong>Non-corporate organizations and special-law companies</strong></td>
<td><strong>Insolvency and Restructuring of Business Enterprises II</strong></td>
<td><strong>Business Organization and Financial Regulation</strong></td>
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<tr>
<td>Chair: Giorgio Marasà</td>
<td>Chair: Lorenzo Stanghellini</td>
<td>Chair: Vittorio Santoro</td>
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<td>B. Calabrese / D. Sarti</td>
<td>F. Pasquariello / L.A. Bianchi</td>
<td>F. Annunziata / S. Lombardo</td>
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<tr>
<td>E. Cusa / M. Libertini</td>
<td>A. Santoni / F. Guerrera</td>
<td>A.F. Fornasari / M. Siri</td>
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<td>E. Locascio Aliberti / M. Speranzin</td>
<td>V. Sanna / M. Fabiani</td>
<td>R. Ghetti / M. Cera</td>
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<td>A. Laudonio / A. Cetra</td>
<td>R. Russo / L. Farenga</td>
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16:45  Parallel Working Sessions

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<th>Aula 4</th>
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<tbody>
<tr>
<td><strong>Restructuring and Reorganization of Groups of Companies</strong></td>
<td><strong>CSR and Business Organization</strong></td>
<td><strong>Business Organization and Business Financing</strong></td>
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<tr>
<td>Chair: Giuliana Scognamiglio</td>
<td>Chair: Ruggero Vigo</td>
<td>Chair: Vincenzo Meli</td>
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<tr>
<td>N. Abriani / D. Santosuosso</td>
<td>I. Capelli / P. Fabbio</td>
<td>E. Marchisio / M.S. Spolidoro</td>
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<td>L. Benedetti / M. Cossu</td>
<td>E. Codazzi / G. Meo</td>
<td>M. Palmieri / E. Desana</td>
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<tr>
<td>O. Cagnasso / R. Sacchi</td>
<td>S. Bruno / S. Fortunato</td>
<td>F. Sporta Caputi / N. Rocco di Torrepadula</td>
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19:30  End of the first day
SATURDAY, FEBRUARY 15th, 2020

09:15  Meeting with the Members of the Association
       It will focus on a report on the cultural initiatives that the association intends to adopt and on the progress of the ODC on-line journal.

10:00  Round table on "Beyond Borders. Commercial Law and the Challenges of Interdisciplinarity"
       Discussants: Francesco Denozza, Luca Enriques, Maria Rosaria Ferrarese, Antonio Nicita, Francesco Vella, Roberto Weigmann, Silvia Zorzetto
       Chair: Giuliana Scognamiglio

13:00  End of the Conference
AUTHORS AND SUBJECTS:

Niccolò ABRIANI, *Holding and business continuity in the groups’ crisis procedures (arrangements with creditors and debt restructuring agreements)*

Filippo ANNUNZIATA, *The disclosure of inside information, amidst specific legislation and general organization of the corporation*

Luigi ARDIZZONE e Antonio PRINCIPATO, *The role of the bank in the early warning phase*

Lorenzo BENEDETTI, *The new rules dealing with the group in the vicinity of insolvency: some observations*

Sabrina BRUNO, *Climate change and organization of companies further to the newly amended Article 2086 of the Italian Civil Code*

Oreste CAGNASSO, *The claim to enter into a group preventive arrangement with creditors aimed at continuing operations*

Bernardo CALABRESE, *Organizational models for text and data mining in the digital single market: research organization as undertaking and company*

Ilaria CAPELLI, *Sustainability and compensation policies*

Eustachio CARDINALE, *Environmental liability in Italian bankruptcy law*

Elisabetta CODAZZI, *Benefit corporations and purpose balancing: a procedural perspective*

Emanuele CUSA, *The EU Law on Energy Communities and its Transposition into Italian Law*

Ivan DEMURO, *The “self cleaning”*

Vincenzo DI CATALDO e Davide ARCIDIACONO, *Organizational measures, size of the enterprise and business judgment rule*
Iacopo DONATI, Business distress and property rights. From debt enforcement to the no creditor worse off principle

Federico FORNASARI, The organization of money market funds

Giulia GARESIO, The predominance of financial perspective in timely detection of company crisis

Riccardo GHETTI, The organization of investment companies specializing in financial advice and of financial advisory firms under Italian law

Paolo GIUDICI, Peter AGSTNER e Antonio CAPIZZI, Financing start-ups: Angels, Venture Capital and the new Italian limited liability company (s.r.l.)

Federica INNOCENTI, Composition and new duties of the internal auditor in the Ltd companies after the Italian Insolvency Law reform

Aldo LAUDONIO, Sound organizational structure and crisis prevention in nonprofit entities (questions on the adequacy of the legislator when faced with the crisis)

Enrico LOCASCIO ALIBERTI, New (possible?) organizational forms of professional football clubs

Emiliano MARCHISIO, The current polisemia of the word "contribution" and the "atypical" contributions.

Giorgia MARRA, Group financial support agreement: outstanding issues

Irene MECATTI, The governance structure of Deposit Guarantee Schemes and its impact on the use of alternative interventions in banking crisis

Federico M. MUCCIARELLI, Director duties in the vicinity of insolvency: which law is to be applied

Andrea PALAZZOLO, The “governance” of companies in judicial administration between institutional interest and the “trans-typical” model
Marco Palmieri, *The shareholder loans in the light of the new Italian code of enterprises crisis and of insolvency*

Federica Pasquarello, *Company reorganization in cross-border insolvency proceedings: protocols and other voluntary commitments within European Insolvency Regulation*

Giuseppe Antonio Policaro, *The organization of lending-based crowdfunding platforms in light of the changes made to Consob Regulation no. 18592 of June 26th, 2013 following the approval of resolution no. 21110 of 10th October 2019*

Riccardo Russo, *Moments of dialogue between the board of statutory auditors and the judicial commissioner in the company subject to composition with creditors (“concordato preventivo”).*

Valentino Sanna, *Executory Contracts in Reorganization Cases after the “Codice della crisi d’impresa e dell’insolvenza”: Problematic Points*

Armando Santoni, *Strategic Bankruptcy and Corporate Reorganization*

Ferruccio Maria Sbarbaro, *The prevention of crisis in corporate groups through appropriate structural settings and financial support. A possible systematic reading of the Italian Banking Code in the light of the new Italian Insolvency Code*

Francesco Sporta Caputi, *Certified recovery plan versus shareholder loans. Between the exemption from the revocatory bankruptcy action and the legal ineffectiveness of the infraannual loan repayment*