

1. Dates: To be defined.
2. Virtually or in Bogota DC: To be defined.
3. Name of the course: *Structuring security packages in business, commercial and financial transactions: A Comparative Assessment of the Law and Practice in Colombia and the United States / Estructuración de paquetes de garantías en operaciones de negocios, mercantiles y financieras: una perspectiva comparada de regulación y práctica entre Colombia y EEUU.*
4. Brief description of the course:
 - o In many business, commercial and financial transactions (*M&A, leasing, corporate financing, project finance, commercial lending, purchase order finance*) one of the parties requires the other to procure a personal and/or corporate guarantees or to grant a security interest or security package over certain assets and/or rights to secure performance of its contractual obligations.

And among many available options, the selection of the guarantees and securities to be granted, depends on many variables that need to be assessed carefully in order to choose the “best possible guarantee and security package” from a cost-benefit perspective.

To that end, the parties must consider elements such as tax implications, costs associated with granting and maintaining the security package, enforcement costs, efficiency and efficacy of enforcement, effects of insolvency on the security, among other aspects.

Based on the above, this course will focus in analyzing the main types of guarantees and securities used in business, commercial and financial transactions, and with respect to each one of them, a comparative analysis will be made to provide students with practical and legal tools to structure adequate guarantee packages in their own business and transactions.

5. Professor´s CV:
 - o **Daniel Rodríguez Bravo**: Daniel is Partner of the Firm and co-leads the areas of Banking & Finance and Insolvency, Restructuring & Liquidation. Daniel is admitted to practice in Colombia and in the States of New York and California in the United States. With more than 20 years of experience, Daniel has represented sponsors, banks, and other lenders, as well as infrastructure and construction companies, EPC contractors, investors, guarantee issuers, and borrowers in complex infrastructure transactions and project finance matters. He has extensive experience in connection with the social, environmental and land acquisition complexities related to project finance deals and infrastructure projects. Daniel has also advised national and international clients, debtors and creditors in complex processes of local and cross-border insolvency. Daniel has advised both the Colombian government and private companies on regulatory issues and on the structuring, design and implementation of

energy-related projects, particularly oil and gas, mining, electricity and renewable energy projects.

- o **Steven D. Walt:** Percy Brown, Jr., Professor of Law. University of Virginia School of Law.

Steven D. Walt joined the faculty after visiting for one year as a professor of law from the University of San Diego. He teaches contracts, sales/commercial paper, legal philosophy, bankruptcy and secured transactions.

A cum laude graduate of Kalamazoo College, Walt holds an M.A. and Ph.D. in philosophy from the University of Chicago.

He earned his J.D. from Yale in 1988 and was an associate professor at the University of San Diego for three years.

He has received several academic awards, including a Whiting National Fellowship in the Humanities.

In addition, he has been a visiting research scholar at Nuffield College, the University of Oxford, and an Amoco Foundation Term Assistant Professor of Legal Studies at the Wharton School. He is a member of the American Society for Political and Legal Philosophy.

Scholarship Profile: Jurisprudence at the Level of Legal Rules (Virginia Journal 2012)

EDUCATION

J.D. Yale Law School 1988

Ph.D. University of Chicago 1984

M.A. University of Chicago 1978

B.A. Kalamazoo College 1976

6. Course program (course syllabus):

1. **Estados Unidos**

- a. To be defined.

2. **Colombia**

- a. Noción básica de garantía o caución
- b. Tipos de garantías: diferencia entre garantías reales y personales

- c. Principales garantías reales: características, diferencias, ventajas y desventajas, costos asociados, protección en caso de insolvencia del garante
- d. Principales garantías personales: características, diferencias, ventajas y desventajas, costos asociados, protección en caso de insolvencia del garante