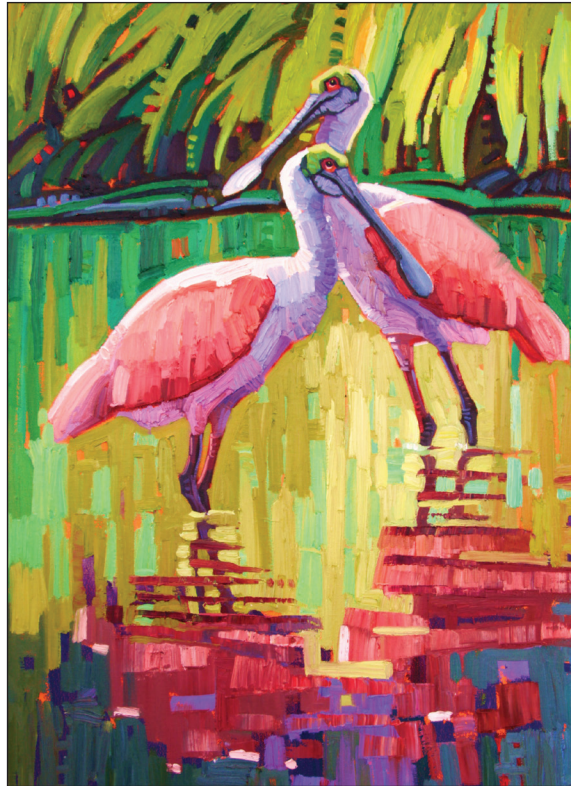


12<sup>TH</sup> ANNUAL  
**CONSUMER BANKRUPTCY  
PRACTICE**



*Spoonbill Duet, René Wiley*

July 14–15, 2016  
Moody Gardens Hotel ■ Galveston, Texas

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12<sup>TH</sup> ANNUAL  
**CONSUMER BANKRUPTCY PRACTICE**

July 14–15, 2016 ■ Moody Gardens Hotel ■ Galveston, Texas

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**THURSDAY MORNING, JULY 14, 2016**

**Presiding Officer:**

**Hon. John C. Akard, U.S. Bankruptcy  
Judge, Retired, Houston, TX**

**7:30 a.m. Registration Opens**

Includes continental breakfast.

**8:15 a.m. Welcoming Remarks**

**8:30 a.m. .50 hr**

**Case Law Update, Part I**

An update on Fifth Circuit consumer bankruptcy cases from the past year.

Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX  
Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

**9:00 a.m. .75 hr**

**Everything You Ever Wanted to Know about the Automatic Stay (But Were Afraid to Ask)**

Get tips, tricks, and practical advice with regard to Motions to Extend the Stay, Motions to Impose the Stay, Motions for Relief from the Stay, Motions to Enforce the Stay, and other matters relating to 11 U.S.C. §§362 and 1301.

Hon. Craig A. Gargotta, U.S. Bankruptcy Court, Western District of Texas, San Antonio, TX  
Regina Vasquez, Vasquez Law Group, PLLC, Houston, TX  
Stephen G. Wilcox, Wilcox Law PLLC, Arlington, TX

**9:45 a.m. .50 hr**

**RESPA's Impact on Chapter 13 and Monthly Escrow Payments**

Attorneys representing debtors and mortgage servicers in Chapter 13 cases frequently must address thorny issues regarding how mortgage payments are calculated and applied, both before and after a Chapter 13 case is filed. See how the Real Estate Settlement Procedures Act may (RESPA) be employed and enforced to help borrowers in bankruptcy obtain loan servicing information and to correct loan servicing errors with respect to their mortgage loans.

Theodore O. "Thad" Bartholow III, Kellett & Bartholow PLLC, Dallas, TX  
Brian S. Engel, Barrett Daffin Frappier Turner & Engel, LLP, Austin, TX

**10:15 a.m. Break**

**10:30 a.m. .75 hr**

**What in the World Have They Done to the Texas Homestead Exemption?**

From changing applications of the Texas Proceeds Rule to conflicting opinions on whether a Texas Homestead is an interest or a right, the Texas Homestead Exemption has been the subject of increasing controversy in recent years. What has become of this once-unassailable exemption?

Hon. H. DeWayne "Cooter" Hale, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX  
Behrooz P. Vida, The Vida Law Firm, Bedford, TX

**11:15 a.m. .50 hr**

**New Forms and Rule 3002.1 Notices**

December 1, 2015, brought considerable change to a number of official bankruptcy forms designed to make the creditor process simpler. Review these new forms and their instructions, with particular attention to new Rule 3002.1 forms: Notice of Final Cure Payment (Form 4100N) and the Response to Notice of Final Cure Payment (Form 4100R).

Caroline Neerman, Office of Deborah B. Langehennig, Chapter 13 Trustee, Austin, TX  
Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX

**11:45 a.m. .50 hr**

**The Domestic Support Obligation in Chapter 13 Bankruptcy Cases: The Obligation and Claim the Debtor Must Satisfy**

Explore issues a debtor with a domestic support obligation may encounter from the time he files a Chapter 13 bankruptcy case, up to confirmation, and through obtaining a discharge through a question and answer session between a debtor counsel and an Assistant Attorney General from the Child Support Division.

Ashley B. Carroll, Child Support Division, Office of the Attorney General, Dallas, TX  
Tracie M. Shelby, The Shelby Law Firm, Dallas, TX

**12:15 p.m. Pick Up Lunch**

Included in registration.

**NEW THIS YEAR**

Try Conference Mentoring — see bottom of back panel for details.

**THURSDAY AFTERNOON**

**Presiding Officer:**

**Hon. Craig A. Gargotta, U.S. Bankruptcy  
Court, Western District of Texas,  
San Antonio, TX**

**LUNCHEON PRESENTATION**

**12:35 p.m. .50 hr**

**View from the Fifth Circuit**

Survey recent Fifth Circuit decisions in the area of consumer bankruptcy law and hear tips for practitioners from the bench.

Hon. Jennifer Walker Elrod, U.S. Court of Appeals, Fifth Circuit, Houston, TX

**1:05 p.m. Break**

**1:20 p.m. .50 hr**

**Insights into Discharge, Dischargeability, and Standing Cases**

Sally Henry, Texas Tech University School of Law, Lubbock, TX

**1:50 p.m. 1.00 hr | .25 hr ethics**

**The Importance of Evidence: Mortgage-Related Documents**

The rules of evidence play an important role in the consumer bankruptcy process, most notably in the treatment of mortgage-related documents. Review how the rules apply to the introduction of these documents, objections to their introduction, and how the rules may assist you in overcoming objections.

Hon. David R. Jones, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX  
Veronica A. Polnick, The Polnick Law Firm, PLLC, Houston, TX

2:50 p.m. .50 hr

### Guidelines and Practices for Implementing the 2015 Discovery Amendments to Achieve Proportionality

Explaining the amendments to Federal Rule of Civil Procedure 26(b) that took effect on December 1, 2015, and recommending useful, practical, and concrete procedures and practices for implementation in your practice.

Hon. Jeffrey P. Norman, U.S. Bankruptcy Court, Western District of Louisiana, Shreveport, LA  
Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

3:20 p.m. Break

3:30 p.m. .75 hr

### Chapter 13 Trustee Panel

Explore trends and hot topics in Chapter 13 cases, including what Chapter 13 Trustees are looking for and why.

#### Moderator:

Hon. Jeffrey P. Norman, U.S. Bankruptcy Court, Western District of Louisiana, Shreveport, LA

#### Panelists:

Carey D. Ebert, Office of Carey D. Ebert, Chapter 13 Trustee, Plano, TX  
William E. Heitkamp, Office of William E. Heitkamp, Chapter 13 Trustee, Houston, TX  
Tara S. Tankersley, Office of Tom Powers, Chapter 13 Trustee, Irving, TX  
Mary K. Viegelahn, Office of Mary K. Viegelahn, Chapter 13 Trustee, San Antonio, TX

4:15 p.m. .75 hr | .50 hr ethics

### Conversions and Dismissals under Sections 706 and 707

A primer on recent case developments involving dismissals and conversions for cause under Sections 706 and 707.

Hon. Tony M. Davis, U.S. Bankruptcy Court, Western District of Texas, Austin, TX  
J. Hector Duran Jr., Office of the U.S. Trustee, U.S. Department of Justice, Houston, TX  
Joshua P. Searcy, Searcy & Searcy PC, Longview, TX

5:00 p.m. .50 hr

### Top Five Ways to Lose Your Discharge

From Section 523 exceptions to discharge to Section 727 objections to discharge, learn about the most common—and most surprising—ways your client can lose her bankruptcy discharge.

Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX  
Megan Price, Price and Price Law, P.C., Dallas, TX

5:30 p.m. Adjourn to Reception

### NETWORKING RECEPTION

5:30 p.m. – 6:30 p.m.

Join us for drinks and hors d'oeuvres with program faculty and attendees.

(RSVP on Registration Form)

FRIDAY MORNING, JULY 15, 2016

### Presiding Officer:

Hon. Brenda T. Rhoades, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

7:15 a.m. Conference Room Opens

Includes continental breakfast.

7:30 a.m. .75 hr

### Breakfast Breakout Sessions with the Judiciary and Chapter 13 Trustees

Judges and trustees from each of Texas's four judicial districts and two from Louisiana meet with attendees and moderate discussion on problems of local concern.

8:15 a.m. .50 hr

### Case Law Update, Part II

A continuation of the Case Law Update.

Hon. Craig A. Gargotta, U.S. Bankruptcy Court, Western District of Texas, San Antonio, TX  
Hon. Eduardo V. Rodriguez, U.S. Bankruptcy Court, Southern District of Texas, McAllen, TX

8:45 a.m. .75 hr | .25 hr ethics

### Limiting the Scope of Representation in Chapter 7 Cases

Overview of the legal and ethical issues involved in limiting the scope of representations ("unbundling") in Chapter 7 cases.

Hon. Robert R. Summerhays, U.S. Bankruptcy Court, Western District of Louisiana, Lafayette, LA

9:30 a.m. .75 hr

### Chapter 7 Trustee Panel

Chapter 7 trustees from each Texas district focus on recent decisions, trends, and issues arising in each district, identifying traps and tips to help you avoid disaster for your client.

#### Moderator:

Ron Satija, Hajjar Peters LLP, Austin, TX

#### Panelists:

Kevin P. Hanna, Office of Kevin P. Hanna, Corpus Christi, TX  
Daniel J. "Corky" Sherman, Sherman & Yaquinto, Dallas, TX  
Mark A. Weisbart, Law Office of Mark A. Weisbart, Dallas, TX

10:15 a.m. Break

### ABOUT THE COVER

*Spoonbill Duet*, 36" x 24", unenhanced giclée on canvas, is by René Wiley. For more information, visit [renewileygallery.com](http://renewileygallery.com).

10:30 a.m. .75 hr

### The Fair Debt Collection Practices Act and the Bankruptcy Claim Process: Debtors' Rights and Remedies under the FDPCA

Explore the developing law governing debtors' ability to sue their creditors in bankruptcy court for violations of the FDPCA.

Hon. Douglas D. Dodd, U.S. Bankruptcy Court, Middle District of Louisiana, Baton Rouge, LA  
Ryan J. Richmond, Stewart Robbins & Brown, LLC, Baton Rouge, LA

11:15 a.m. .75 hr | .50 hr ethics

### Hello from the Other Side: Law Clerk Panel on Ethics and Court Procedures

Highlights of court procedures and preferences and a discussion of ethical issues, including dos and don'ts of communicating with court staff.

#### Moderator:

Sarah Darnell Wood, U.S. Bankruptcy Court, Western District of Texas, Austin, TX

#### Panelists:

Jaimie Fedell, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX  
Nicole L. Hay, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX  
Leslie R. Masterson, U.S. Bankruptcy Court, Eastern District of Texas, Plano, TX

12:00 p.m. .75 hr | .50 hr ethics

### Audience Q&A with the Judges

The judges are ready to take the challenge and tackle some of your toughest questions.

Hon. Tony M. Davis, U.S. Bankruptcy Court, Western District of Texas, Austin, TX  
Hon. Douglas D. Dodd, U.S. Bankruptcy Court, Middle District of Louisiana, Baton Rouge, LA  
Hon. H. DeWayne "Cooter" Hale, U.S. Bankruptcy Court, Northern District of Texas, Dallas, TX  
Hon. Jeffrey P. Norman, U.S. Bankruptcy Court, Western District of Louisiana, Shreveport, LA

12:45 p.m. .50 hr

### Return of the Smackdown! Use and Abuse of State Court Receiverships

What happens when the judgment debtor files bankruptcy? How does the automatic stay apply? And just who owns the FDPCA claims? Explore these questions in the long-awaited return of this conference favorite.

Michael V. Baumer, Law Office of Michael Baumer, Austin, TX  
Hon. Marvin Isgur, U.S. Bankruptcy Court, Southern District of Texas, Houston, TX

1:15 p.m. Adjourn

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.50 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and a MCLE presumptively-approved provider by the Supreme Court of the State of Louisiana (#0553) and the Oklahoma Bar Association (#169).

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LAYLA D. MILLIGAN\*  
Office of Deborah B. Langehennig,  
Chapter 13 Trustee  
Austin, TX

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Office of Deborah B. Langehennig,  
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Chapter 13 Trustee  
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**eConference:** Complimentary 180-day access to the eConference—with papers, slides, and audio—for CLE credit (TX and CA) you may have missed at the live conference. Available in *Your Briefcase* 6–8 weeks after the conference.

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July 14–15, 2016

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add \$50 for registrations  
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**July 11, 2016**

*last day for cancellation (partial refund)*  
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**July 14, 2016, 8:15 a.m.**

*Conference begins*

## REASONS TO ATTEND CONSUMER BANKRUPTCY PRACTICE

**Consumer Bankruptcy Practice** is an informative conference presented in a relaxed setting. The conference focuses on current developments and practical tips for bankruptcy attorneys and trustees, offers essential information on the Bankruptcy Code, and provides must-have written materials and resources for practitioners.

2016 highlights include:

- Updates on consumer bankruptcy cases from the Fifth Circuit with **Hon. Marvin Isgur**, **Hon. Brenda T. Rhoades**, **Hon. Craig A. Gargotta**, and **Hon. Eduardo V. Rodriguez**, and deeper insights into key Fifth Circuit and Supreme Court cases with **Sally Henry**, Texas Tech University School of Law
- Practical tips on the bankruptcy process from start to finish, including *Everything You Ever Wanted to Know about the Automatic Stay (But Were Afraid to Ask)* and *Top 5 Ways to Lose Your Discharge*
- An exploration of domestic support obligations in Chapter 13 Bankruptcy with **Ashley Carroll**, Office of the Attorney General and **Tracie M. Shelby**, The Shelby Law Firm
- Updates on the *Homestead Exemption*, *RESPA's Impact on Chapter 13 and Monthly Escrow Payments and New Forms and Rule 3002.1 Notices*
- Audience Q&A with **Hon. Tony M. Davis**, **Hon. Douglas D. Dodd**, **Hon. H. DeWayne "Cooter" Hale**, and **Hon. Jeffrey P. Norman**
- *Hello from the Other Side: Law Clerk Panel on Ethics and Court Procedures*, featuring discussion of court procedures and preferences among clerks from each of Texas' judicial districts
- *The Return of the Smackdown* with **Michael V. Baumer** and **Hon. Marvin Isgur**
- Interaction and networking opportunities with judges, trustees and practitioners throughout the conference, including breakfast breakout sessions on Friday morning

Attendees and faculty are encouraged to dress "beach casual" and bring the family to enjoy Moody Gardens on Galveston Island.

## ENRICH YOUR CONFERENCE EXPERIENCE WITH A CONFERENCE MENTOR/MENTEE

Whether you're new to the practice area, a seasoned pro, or looking for a peer to bounce ideas with, consider conference mentoring. This is a first for UT Law CLE, and we're keeping it casual and unstructured – no scheduled activities or commitments. Simply chat during a break, or set aside time for more substantive conversation.

Make your choice (mentor, mentee, or peer) on the registration form, and we'll match you to a fellow attendee!