

**2005 Construction Law Conference
October 12-13, 2005 • • Grapevine,
January 26-27, 2006 • Houston**

Day 1 Morning

Presiding Officer:

In Grapevine: **William R. Allensworth**, Allensworth and Porter, L.L.P. - Austin, TX

9:00 am In Grapevine Only 0.50 hr	Construction Law Update A review of recent cases and legislation affecting residential construction. William R. Allensworth, Allensworth and Porter, L.L.P. - Austin, TX
9:30 am In Grapevine Only 0.75 hr	Land Use Planning A municipal attorney's overview of land use issues from a city's perspective. Topics will include zoning, subdivisions and platting, impact fees and a variety of other issues that face builders and developers who deal with Texas cities. The presentation will conclude with practical tips for dealing with Texas local governments. Terrence S. Welch, Brown & Hofmeister, L.L.P. - Richardson, TX
10:30 am In Grapevine Only 0.50 hr	Warehouse Financing 101: A Guide for Homebuilders Many homebuilders have made the transition from mortgage broker to mortgage banker—or are considering such a move—to gain more control over closings, reduce disclosure and compliance burdens, generate higher fees and increase profitability. Warehouse financing provides small and medium-sized builders the liquidity and working capital to close and hold loans—and thus gain the benefits available to mortgage bankers. This session covers the benefits of residential loan warehouse financing, attributes and sources of funding, and best practices relating to collateral and risk management. James Dunkerley, FirstFunding, Inc - Dallas, TX
11:00 am In Grapevine Only 0.32 hr	Home Contracts I An analysis and explanation of the new contracts developed by the Texas Association of Builders to comply with recent legislative changes including fixed price and cost plus mechanic's lien contracts, new construction contract, spec home contract, remodeling contracts and subcontractor agreements. Robert L. R. Bush, Bush & Motes, P.C. - Arlington, TX
11:20 am In Grapevine Only 1.00 hr	Home Contracts II—Custom Home Contracts and More Preparing and negotiating custom home contracts considering owner's and contractor's perspectives. Bruce W. Merwin, Haynes & Boone LLP - Houston, TX

Day 1 Afternoon

Presiding Officer:

In Grapevine: **Michael B. Gerstle**, Gerstle, Minissale & Snelson, L.L.P. - Dallas, TX

12:30 pm In Grapevine Only 1.00 hr	Lunch Presentation: The Successful and Ethical Practice of Construction Law The requirements of the State Bar Rules of Professional Conduct as they relate to the everyday issues faced by the construction lawyer, and some basic concepts to follow. William J. Chriss, Law Office of Willam J. Chriss, P.C. of counsel to Gravely & Pearson, L.L.P. - Austin, TX
1:45 pm In Grapevine Only 0.75 hr	The Importance of Subcontracts in Residential Construction The use of appropriate subcontracts can greatly limit the risk of liability for your general contractor client. This session includes a discussion of best practices including sample forms and provisions. John D. Sloan Jr., Gardere Wynne Sewell PC - Dallas, TX
2:30 pm In Grapevine Only 0.67 hr	Special Issues Arising in Vertical and High-Rise Development Residential development of high-rise buildings involves a blend of residential and commercial legal and development issues. This session outlines common pitfalls and risks involved in vertical construction; in particular condominiums; and covers the use and types of insurance needed and warranties available. Presenters will offer solutions, best practices, and model provisions and forms to deal with these risks. Dale E. Butler, Winstead Sechrest & Minick PC - Dallas, TX Edward A. Peterson, Winstead Sechrest & Minick P.C. - Dallas, TX
3:25 pm In Grapevine Only 1.75 hrs	Insuring the Project—End-to-End A discussion of the various insurance products and the ongoing struggle between policyholders and insurers for defective construction claims. Michael W. Huddleston, Shannon Gracey Ratliff & Miller LLP - Dallas, TX Lee H. Shidlofsky, Nickens Keeton Lawless Farrell & Flack - Austin, TX

Day 2 Morning

Presiding Officer:

In Grapevine: **C. A.(Joe) Davis**, Brown McCarroll, L.L.P. - Austin, TX

9:00 am In Grapevine Only 0.50 hr	Storm Water Compliance: Avoiding Pitfalls and Penalties Reviewing the various types of stormwater rules that apply to different development approaches. Discussion of common pitfalls and interpretive mistakes related to stormwater rules. Identification of enforcement trends. James B. Harris, Thompson & Knight - Dallas, TX
9:30 am In Grapevine Only 0.50 hr	Payments and Liens An overview of issues regarding payment, enforcement of liens, and collection of retainage in residential construction contracts. Daniel K. Craddock, Stumpf Craddock Massey & Farrimond - Austin, TX

10:00 am In Grapevine Only 0.50 hr	Labor Law: Identifying and Handling the Tough Issues A primer addressing the common labor problems faced by the building and construction industry. Edward M. "Ted" Smith, Cornell Smith & Mierl, LLP - Austin, TX
10:45 am In Grapevine Only 0.50 hr	Contract Administration/Inspections—Engineers and Dealing with Them How to maximize benefit and reduce risk in the delivery and receipt of professional services for contract administration. Richard E. Schellhammer, Goins, Underkofler, Crawford & Langdon, L.L.P. - Dallas, TX
11:15 am In Grapevine Only 0.50 hr	Closings, Sales, Bundling and RESPA—What Builders Need to Know to Stay out of Trouble This session discusses key pitfalls and liability exposures to builders engaged in the increasingly common practice of bundling services under RESPA. Chris A. Peirson, Peirson Patterson, LLP - Dallas, TX
11:45 am In Grapevine Only 1.50 hrs	Lunch Presentation: Regional Visioning in Central Texas Join members of the Urban Land Institute and other planning and law professionals for a discussion on emerging land use trends and issues in Central Texas. Presented by the Urban Land Institute and Texas Association of Builders. Sally Campbell, Envision Central Texas - Austin, TX Donald Gatzke, University of Texas at Arlington - Arlington, TX Jeff Taebel, Houston-Galveston Area Council - Houston, TX Karen Walz, Vision North Texas - Dallas, TX

Day 2 Afternoon

Presiding Officer:

In Grapevine: **Chris E. Ryman**, Coats Rose Yale Ryman & Lee PC - Houston, TX

1:45 pm In Grapevine Only 0.50 hr	Construction Warranties A comprehensive discussion of the scope, limitations, defenses, and remedies for express and implied warranties that may apply to commercial and residential projects. Ian P. Faria, Coats, Rose, Yale, Ryman & Lee, P.C. - Houston, TX
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2:15 pm
In Grapevine
Only
2.00 hrs

Texas Residential Construction Liability Act (RCLA) and Texas Residential Construction Commission Act (TRCCA)

A presentation of the homeowner's and the builder's views on the RCLA and TRCCA and practice tips for representing homeowners and builders in construction defect cases. There will be a moderated question-and-answer-discussion designed to update you on how the TRCCA is working, the adoption of the construction standards and new and anticipated developments at the Commission. There will be a significant amount of time for you to ask the panel the questions you want answered. Audience participation is encouraged.

Clayton C. Cannon, Stumpf Craddock Massey & Pulman - Houston, TX
Gregory A. Harwell, Gardere & Wynne - Dallas, TX
John R. Krugh, Houston, TX
Chris E. Ryman, Coats Rose Yale Ryman & Lee PC - Houston, TX