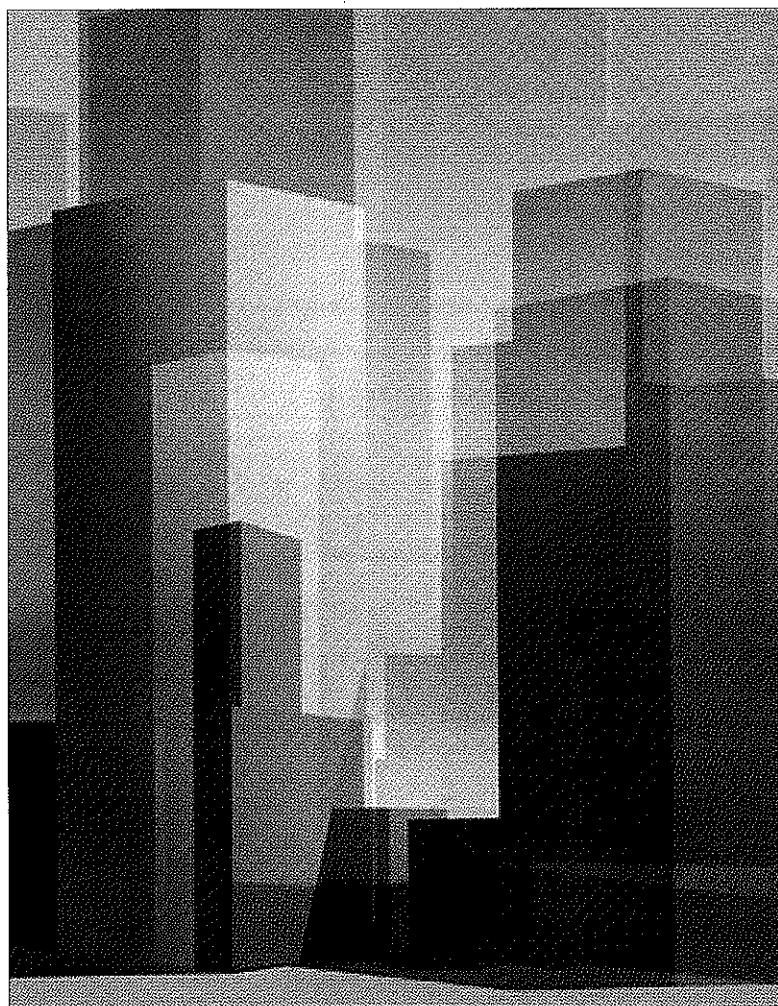


# THE LEASING INSTITUTE

Earn up to 11.75 Hours of Credit Including 1.00 Hours of Ethics Credit

Specialization credit expected for: Real Estate



April 1-2, 2004

Hilton Americas Houston  
Houston, Texas

April 29-30, 2004

Cityplace Conference Center  
Dallas, Texas

# THE LEASING INSTITUTE

April 1-2, 2004 • Hilton Americas Houston • Houston, Texas  
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## THURSDAY MORNING

**Houston Presiding Officer:**  
Richard L. Spencer, Houston

**Dallas Presiding Officer:**  
Reid Wilson, Houston

**8:00 a.m. Registration Opens**

Includes continental breakfast.

**8:50 a.m. Welcoming Remarks**

**9:00 a.m. (0.50 hour)**

### Essence of Lease

What is a lease, and what distinguishes leases from other types of contracts and conveyances?

Philip D. Weller, Houston

**9:30 a.m. (0.75 hour)**

### Landlord Remedies and Tenant Defenses

An overview of the causes of action and remedies available to landlords upon the tenant's default and tenant defenses to those actions.

Robert Harms Bliss, Dallas

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

**10:30 a.m. (0.50 hour)**

### Tenant Exit Strategies

Fifty ways to leave your landlord.

T. Andrew Dow, Dallas

**11:00 a.m. (0.75 hour)**

### Assignment/Subleasing: Legal and Practical Issues

This joint presentation by an attorney and broker (formerly practicing attorney) outlines critical legal and practical issues for landlords, tenants/sublandlords and subtenants. The materials include forms and checklists to assist in assignment/sublease transactions.

Candace S. Baggett, Houston  
Reid Wilson, Houston

**11:45 a.m. (0.75 hour ethics/PR credit)**

### Conflicts in Representation and Dual Agency Issues

A discussion of conflicts and dual agency issues for advisors and agents, including issues faced by lawyers working with real estate or leasing agents representing buyers and sellers.

Michael Sean Quinn, Austin

*In Dallas, this session will be given at 9:15 a.m. Friday, April, 30.*

**12:30 p.m. Lunch on your own**

## THURSDAY AFTERNOON

**1:45 p.m. (0.50 hour)**

### The Dollars and Sense of Leasing

Understanding the basic economic considerations that make or break a deal for the landlord.

Brent R. Somers, Fort Worth

**2:15 p.m. (0.50 hour)**

### Representing the Small Tenant

This presentation will cover a real leasing transaction, starting with the representation letter, letter of intent, and a shopping center lease. The topics will include: entity choice; pre-lease considerations such as permits, building costs, zoning; post-lease issues of start-up.

Kevin M. Kerr, Dallas

**2:45 p.m. (0.50 hour)**

### Checklists and Model Provisions for Lease Transactions

A presentation and discussion of key checklists for various types of leases, along with related model provisions and language, for important lease terms and options.

Gwen M. Eisenstein, Dallas

**3:15 p.m. Break**

**3:30 p.m. (0.75 hour)**

### Office, Retail, and Industrial Leases: Understanding the Unique Aspects of Each

This session compares and contrasts office, retail and industrial leases - with special consideration of the unique aspects of each type of lease - presented from a landlord's perspective and a tenant's perspective.

J. Kent Newsome, Houston

**4:15 p.m. (0.50 hour)**

### Work Letters

A practical look at the elements of a work letter from both the view of counsel and the view of a construction manager.

Clayton G. La Grone, Houston  
Kurt D. Nondorf, Houston

**4:45 p.m. (0.50 hour)**

### Hunting, Grazing, and Agricultural Leases

A brief overall look at leases and licenses of rural property for hunting and agricultural production.

In Houston: Steven Calens Haley, Brenham  
In Dallas: Richard M. Butler, San Antonio

**5:15 p.m. Adjourn**

## FRIDAY MORNING

**8:15 a.m. (0.25 hour ethics/PR credit)**

### Patriot Act - Ethical Quandaries & Practical Concerns

An analysis of the effect of terrorism regulations in connection with real estate transactions.

J. Cary Barton, San Antonio

**8:30 a.m. (0.75 hour)**

### Ground Leases: What, Why and How

This presentation will provide an overview of ground leases (both "development" and "operating" ground leases) and discuss issues common to both and unique to each.

K. Gregory Erwin, Houston

**9:15 a.m. (0.75 hour)**

### Credit Tenant Leases

Leases involving investment grade tenants, including leveraged leases, including financing and structuring issues.

Sanford A. Weiner, Houston

*In Dallas, this session will be given at 11:45 a.m. Thursday, April, 29.*

**10:00 a.m. Break**

**10:15 a.m. (0.50 hour)**

### Knowing if You Are Leaving Money on the Table: The Tax Consequences of Leasing

An overview of federal income tax considerations affecting leases . . . explores the tax treatment of rental inducements, leasehold improvements, lease terminations and other rental arrangements.

William H. Hornberger, Dallas

**10:45 a.m. (0.50 hour)**

### The Use of Letters of Credit in Leasing Transactions

Standby letters of credit to support the tenant's obligations; documentation issues; bankruptcy of tenant.

Robert S. Rendell, Dallas

**11:15 a.m. (0.83 hour)**

### Rent Escalators

Dollar issues in commercial leases including expense pass throughs, CPI, CAM and space measurement. Keeping the cash stream from decreasing.

Ronald M. Shoss, Houston  
Charles W. Spencer, Dallas

12:05 p.m.

(0.42 hour)

**Forced Access Rights of Telecommunication Service Providers**

Texas is one of the few states with statutes providing for forced access by telecommunications service providers to multi-tenant buildings. This topic will address the implications of those statutes on landlords and tenants and review related issues, typical fee structures, and negotiations regarding conduit access for upgrading of IT and telecom infrastructure.

C. Brian Cassidy, Austin

12:30 p.m.

Lunch on your own

**FRIDAY AFTERNOON**

1:30 p.m.

(0.67 hour)

**Landlord and Tenant Rights in Bankruptcy**

A practical, plain-English guide for real property and commercial lawyers on understanding and dealing as effectively as possible with the alternative universe of bankruptcy. What are your options? How do you best exercise them?

Evelyn H. Biery, Houston

2:10 p.m.

(0.50 hour)

**Commercial Brokers Liens: Much Ado About Nothing?**

Three years later, commercial brokers liens are part of the leasing landscape. But are they a major issue, or just a blip on the attorney due diligence screen?

Charles Fiscus, Addison

2:40 p.m.

(1.00 hour)

**Insurance and Indemnity in Lease Transactions**

The relationship of insurance, indemnity, waiver, repair and casualty provisions in commercial leases, and a brief description of available insurance coverages.

Aaron Johnston, Jr., Dallas

3:40 p.m. Adjourn

**E-materials on CD!**

Add electronic versions of conference materials for only \$50 to your registration or purchase of printed materials, audio CDs, or In-House CLE packages. E-materials are distributed 2-3 weeks after the conference and include searchable versions of printed materials in PDF format. Order yours today!

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**REGISTRATION - Includes printed materials in course binder.****★ Houston - April 1-2, 2004**

☐ Early Registration Fee due by Wed., March 24, 2004 ..... \$395.00  
Add E-materials on CD (PDF files of printed materials) for \$50. See below.\*

☐ Registration Fee after Wed., March 24, 2004 ..... \$425.00  
Add E-materials on CD (PDF files of printed materials) for \$50. See below.\*

**★ Dallas - April 29-30, 2004**

☐ Early Registration Fee due by Wed., April 21, 2004 ..... \$395.00  
Add E-materials on CD (PDF files of printed materials) for \$50. See below.\*

☐ Registration Fee after Wed., April 21, 2004 ..... \$425.00  
Add E-materials on CD (PDF files of printed materials) for \$50. See below.\*

**ALSO AVAILABLE - Allow 2-3 weeks from conference date for delivery.**

☐ Printed materials in course binder \* ..... \$175.00  
Printed materials are **automatically included** with Registration.

☐ Audio CD Set \* ..... \$160.00

☐ In-House CLE for 2 - Includes audio CD + printed materials \* ..... \$750.00

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★ **Houston - April 1-2, 2004**  
**Conference Location**



**Hilton Americas Houston**  
 1600 Lamar  
 Houston, TX 77010  
 (713) 739-8000

\$129 single or double special group rate good through **March 1, 2004**

**Key dates:**

Cancellations & last-minute registrations

**March 24, 2004, 5 p.m.**

- last day for early registration
- add \$50 for registrations received after this time

**March 26, 2004, 5 p.m.**

- last day for full refund

**March 29, 2004, 5 p.m.**

- (Monday before conference)
- last day for partial refunds (\$50 processing fee applied)

**April 1, 2004, 1:30 p.m.**

- conference begins

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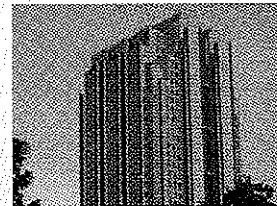
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★ **Dallas - April 29-30, 2004**  
**Conference Location**



**Cityplace Conference Center**  
 2711 N. Haskell St.  
 Dallas, TX 75204  
 (214) 828-7050

Nearby Hotels in the Downtown area  
 with Free Shuttle Access: The Melrose  
 Hotel, Embassy Suites, Bradford Suites

**Key dates:**

Cancellations & last-minute registrations

**April 21, 2004, 5 p.m.**

- last day for early registration
- add \$50 for registrations received after this time

**April 23, 2004, 5 p.m.**

- last day for full refund

**April 26, 2004, 5 p.m.**

- (Monday before conference)
- last day for partial refunds (\$50 processing fee applied)

**April 29, 2004, 1:30 p.m.**

- conference begins

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