

2020 BERNARD O. DOW
LEASING INSTITUTE



November 12, 2020

 Live Webcast

Earn up to 7.25 Hours of Credit (Hours Vary by State)

MCLE Credit Approved in TX, CA, and OK

TX Legal Specialization Credit Approved for Consumer and Commercial Law and Real Estate Law

2020 BERNARD O. DOW LEASING INSTITUTE

November 12, 2020 ■ Live Webcast

Earn up to 7.25 Hours of Credit (Hours Vary by State)

MCLE Credit Approved in TX, CA, and OK

TX Legal Specialization Credit Approved for Consumer and Commercial Law and Real Estate Law

Times listed are Central Standard

THURSDAY MORNING, NOV. 12, 2020

Presiding Officer:

Frank Z. Ruttenberg, Haynes and
Boone, LLP, San Antonio, TX

8:00 a.m. Welcoming Remarks

COMMERCIAL LEASING INDUSTRY - RE-IMAGINED

8:10 a.m. .75 hr

Office Sector - Demand, Density and Flex Space - Systemic Change or a Return to Yesterday?

Review of both the tenants and building owners perspective of "return to work". The healthful and highly productive workspace has always been a focus and this year's challenges are an important part of the journey; while there's not one silver bullet hear about a number of short and long term approaches that will have global validity in the future.

Frank Z. Ruttenberg, Haynes and Boone, LLP,
San Antonio, TX
Rives Taylor, Gensler, Houston, TX

8:55 a.m. Break

9:00 a.m. .50 hr

Updates and Insights into the Retail Sector

The new retail economy, e-commerce, the role of brick and mortar locations and re-purposing of space.

Frank Z. Ruttenberg, Haynes and Boone, LLP,
San Antonio, TX
Steve Williamson, Transwestern, Dallas, TX

9:30 a.m. Break

9:35 a.m. .50 hr

The Retailization of Healthcare

Changes in the healthcare industry have dramatically altered the delivery of healthcare services and the real estate in which those services are provided. Examine the effects of the "retailization" of healthcare (or "medtail" as it is becoming known) on leases, as more medical uses continue their migration to more traditional retail settings.

T. Andrew Dow, Winstead PC, Dallas, TX
Ashlee E. Ross, University of Texas MD Anderson
Cancer Center, Houston, TX

10:05 a.m. Break

10:10 a.m. .50 hr

Industrial Warehouse Sector - Distribution Systems and E-commerce

Hear the latest on Covid-19's impact on the supply chain and industrial sector.

Grant Grubich, Winstead PC, Dallas, TX
Sarah Z. Ozanne, Stream Realty, Dallas, TX

10:40 a.m. Break

CONTRACT PLANNING AND DRAFTING

10:45 a.m. .75 hr

Drafting Considerations for Occurrence Based Loss of Use

Eric A. Johnston, McGinnis Lochridge, Austin, TX
Sophia Makris, McGinnis Lochridge, Austin, TX

11:30 a.m. Break

11:35 a.m. .75 hr

Lease Triage Strategies During the Pandemic

Diagnosing vulnerable lease provisions, lease amendment therapies, and legal remedies for default.

Thomas M. Whelan, McGuire, Craddock & Strother,
P.C., Dallas, TX

THURSDAY AFTERNOON

Presiding Officer:

Ed Walts, The University of Texas
System, Austin, TX

12:20 p.m. Break for Lunch

Presentation resumes at 1:00 p.m.

1:00 p.m. .75 hr

Business Interruption Insurance and Related Coverages in a Pandemic

A discussion of the critical policy language and variations regarding coverage for business loss in the pandemic. Including an update on reported judicial decisions regarding coverage or not for business interruption, lost rental value, civil authority orders, and others. Noting special considerations involving real estate owners, operators and managers.

Michael W. Huddleston, Munsch Hardt Kopf & Harr,
P.C., Dallas, TX

1:45 p.m. Break

1:50 p.m. .75 hr

Trends in Commercial Real Estate Lending

Common issues Lenders and Borrowers are navigating on new loan transactions, loan modifications and work-outs during the COVID-19 pandemic.

Seth Eaton, Winstead PC, Dallas, TX

2:35 p.m. Break

THE NEW NEW THINGS - CHANGES IN BUSINESS PRACTICE

2:40 p.m. .50 hr

Legal Issues Related to COVID-19 Entry and Creating a Clean and Safe Work Environment

This presentation will focus on the legal requirements for providing a safe workplace re-entry for your employees while we navigate the ongoing COVID-19 pandemic. The speaker will focus on applicable laws to be mindful of as well as typical leasing provisions that may also apply.

Anthony Barbieri, Kessler Collins, Dallas, TX
John Zogg, Crescent Real Estate, Fort Worth, TX

3:10 p.m. Break

3:15 p.m. .75 hr

The Health of a Building—What is the Landlord's Responsibility Concerning the Operation and Health of Tenants?

A review of commercial landlord obligations and potential liability in Texas with regards to infectious diseases and contaminants.

Cathleen C. Slack, Rigby Slack, Austin, TX

4:00 p.m. Break

4:05 p.m. .75 hr

Rent Relief in the Time of Pandemic

The unprecedented economic pressures brought about by the COVID-19 pandemic have forced tenants to seek rent relief from their landlords, both for the immediate circumstance and for future pandemics. We will discuss the rent relief alternatives being negotiated between tenants and landlords as well as the range of issues involved and provide practical advice on how to navigate this novel environment.

Michael K. Kuhn, Jackson Walker LLP, Austin, TX
Kati Orso, Jackson Walker LLP, Austin, TX

4:50 p.m. Adjourn

REGISTRATION BENEFITS

Comprehensive Course Materials: Access course materials in "Your Briefcase" approximately 48 hours before the live webcast, and enjoy unlimited access to the final, complete course materials – downloadable PDFs of papers and slides.

Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 4–6 weeks after the live webcast.

TX MCLE Credit Reporting: UT Law CLE can report credit on your behalf directly to the State Bar of Texas. Track the Texas MCLE credit reported on your behalf at "Your Account" after you've logged in at www.utcle.org.

TROUBLE LOGGING IN?

A UT Law CLE account is created for conference attendees and product customers with information provided on the order form. An email address will serve as the User Name.

Forget Your Password or Need it Reset? Just select "Forgot Password" under "Sign In or Join" at www.utcle.org.

Still Need Assistance? Contact customer service at 512.475.6700 or service@utcle.org during business hours.

M
C
L
E

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 7.25 hours. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and Oklahoma Bar Association MCLE presumptively approved provider (#169).

REGISTRATION FORM

Online:
www.utcle.org/conferences/LI20/signup

Fax:
512.475.6876

Mail:
The University of Texas School of Law
ATTN. CLE
PO Box 7759
Austin, TX 78713-7759

LI20

PLEASE PRINT CLEARLY

Bar Card # _____ TX Other State: _____ N/A

Name [Mr. / Ms.] _____

Firm _____

Address _____

City _____ State _____ Zip _____

Telephone _____ Fax _____

Registrant's Email (required) _____

Assistant's Email (optional) _____
Invoices, confirmations, and receipts are emailed to these addresses.

LIVE WEBCAST REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase". Special group registration rates available. Call 512.475.6700.

Individual Registration \$345

Printed and Shipped Course Binder – Available for order through Thursday, November 12, 2020
Please note that the printed binder will arrive 2–3 weeks after the scheduled webcast. Delivery to P.O. boxes is not permitted.

Printed and Shipped Course Binder \$59.54 (\$55*)

TOTAL EVENT REGISTRATION \$ _____

FIRST AND SECOND YEAR ATTORNEYS MAY ATTEND FOR JUST \$150! CALL 512.475.6700 TO REGISTER.

POST-CONFERENCE PRODUCTS

eConference – For Texas and California MCLE Credit

Includes Electronic Course Binder Download (PDF) and program video/audio. Available 4-6 weeks after live event. Hours may vary depending on actual event runtime.

Individual eConference \$345

Post-Course Binder – For Research and Self-Study

Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

Electronic Post-Course Download (PDF) \$156.96 (\$145*)

Printed Post-Course Binder \$211.09 (\$195*)

Annual eLibrary Subscription – For Research and Self-Study

Extensive resources including audio, video, papers, and slides from UT Law CLE programs.

eLibrary 12-Month Subscription \$319.34 (\$295*)

TOTAL POST-CONFERENCE PRODUCTS \$ _____

METHOD OF PAYMENT

Check (make check payable to The University of Texas at Austin)

VISA MasterCard American Express P.O. (include a copy of the purchase order upon submission)

Card / P.O. # _____ Exp. Date _____ / _____
(mm/yy)

Authorized Signature _____

** Tax-exempt rate for, e.g., government employees and nonprofits. Include a Texas Sales and Use Tax Exemption Certificate with order.*

Visit

www.utcle.org

Email

service@utcle.org

Call

512.475.6700

 Facebook

UT Law CLE

 LinkedIn

UT-Law-CLE

 Twitter

@UTLawCLE

LIVE WEBCAST

November 12, 2020

KEY DATES

November 6, 2020

Last day for full refund cancellation

November 9, 2020

Last day for partial refund cancellation

\$50 processing fee applied

November 12, 2020, 8:10 a.m. CST

Webcast begins

November 12, 2020

Last day to order printed and shipped binder at conference pricing

INSTITUTE FACULTY AND PLANNING COMMITTEE

FRANK Z. RUTTENBERG*—CHAIR
Haynes and Boone, LLP
San Antonio, TX

CANDACE S. BAGGETT*
The Calibre Group, Inc.
Houston, TX

ANTHONY J. BARBIERI
Kessler Collins
Dallas, TX

T. ANDREW DOW
Winstead PC
Dallas, TX

SETH EATON
Winstead PC
Dallas, TX

K. GREGORY ERWIN*
Winstead PC
Houston, TX

GRANT GRUBICH
Winstead PC
Dallas, TX

MICHAEL W. HUDDLESTON
Munsch Hardt Kopf & Harr, P.C.
Dallas, TX

ERIC A. JOHNSTON
McGinnis Lochridge
Austin, TX

MICHAEL K. KUHN
Jackson Walker LLP
Austin, TX

SOPHIA MAKRIS
McGinnis Lochridge
Austin, TX

KENT NEWSOME*
Greenberg Traurig, LLP
Houston, TX

KATI ORSO
Jackson Walker LLP
Austin, TX

SARAH Z. OZANNE
Stream Realty
Dallas, TX

ASHLEE E ROSS
University of Texas MD Anderson
Cancer Center
Houston, TX

CATHLEEN C. SLACK
Rigby Slack
Austin, TX

RIVES TAYLOR
Gensler
Houston, TX

ED WALTZ*
The University of Texas System
Austin, TX

THOMAS M. WHELAN*
McGuire, Craddock & Strother, P.C.
Dallas, TX

STEVE WILLIAMSON
Transwestern
Houston, TX

JOHN ZOGG
Crescent Real Estate
Fort Worth, TX

ACTION THROUGH EDUCATION

Our efforts for real change against racism.

Learn how we as lawyers can join the fight against racial injustice.

Visit www.utcle.org for more.

UT Law CLE is committed to Practice Excellence.

We are here to support our community while we navigate the coronavirus pandemic together. Information and updates regarding our in-person conferences and live webcasts will be posted at www.utcle.org.

In addition, we continue to offer multiple educational opportunities online—both live and on-demand—by bringing practitioners together virtually. We are fortunate to serve so many of you who strive for excellence in the practice of law.

BERNARD O. DOW



The Leasing Institute is named in honor of Bernard O. Dow, a leading scholar, authority, and practitioner in the fields of real estate law, mortgage lending and leasing. A longtime Houston attorney, Bernard Dow passed away on December 26, 2004 at age 72. "Bernie" as he was known to many, served as a mentor, teacher and educator to real estate practitioners, both in Texas and nationally. His contributions have been long recognized by members of his professional community, including the lifetime achievement award in real estate law from the State Bar's Real Estate, Probate and Trust Law Section and the lifetime achievement award from The University of Texas School of Law.