

**2005 William W. Gibson, Jr. Mortgage Lending Institute**  
**September 8-9, 2005 • Hyatt Regency Austin • Austin, TX**  
**October 6-7, 2005 • Hilton Americas • Houston, TX**  
**December 1-2, 2005 • Dallas**

**Thursday Morning, Sep. 8, 2005**

**Presiding Officers:**

In Houston: **J. Cary Barton**, Barton, Schneider & East, L.L.P. - San Antonio, TX

In Austin: **J. Cary Barton**, Barton, Schneider & East, L.L.P. - San Antonio, TX

9:00 am In Austin Only 1.00 hr	<p><b>Case Law Update</b></p> <p>A selection of cases covering a number of topics related to real estate and finance, including mortgages and foreclosures, promissory notes, guaranties, usury, vendors and purchasers, DTPA, construction issues, ethical issues and more.</p> <p>David A. Weatherbie, Carrie Cramer &amp; Weatherbie LLP - Dallas, TX</p>
10:00 am In Austin Only 0.50 hr	<p><b>The Bankruptcy Reform Act of 2005 and Its Impact on Real Estate Transactions</b></p> <p>This topic will provide a brief overview of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 and its impact, if any, on real property transactions.</p> <p>Bruce W. Akerly, Dallas, TX Linda D. Thai, Bell Nunnally &amp; Martin - Dallas, TX</p>
10:45 am In Austin Only 0.50 hr	<p><b>Representation of Lenders to Condominium Developers</b></p> <p>A summary of the issues presented to lenders in relation to loans made to condominium developers and converters, including check lists and provisions to be included in loan documents.</p> <p>Allan S. Katz, Winstead Sechrest &amp; Minick P.C. - Dallas, TX Edward A. Peterson, Winstead Sechrest &amp; Minick P.C. - Dallas, TX</p>
11:15 am In Austin Only 0.50 hr	<p><b>Title Insurance—New Endorsements and Dealing with Exceptions</b></p> <p>Discussion of available endorsements in owner's and lender's policies, and practical tips on how to get everything available at the least expense. Comparison of survey deletion with T-19.1 endorsement, and when one, the other, or both should be requested.</p> <p>Douglas W. Becker, San Antonio, TX</p>
11:45 am In Austin Only 0.50 hr	<p><b>Professionalism</b></p> <p>While professional ethics prescribe what a lawyer must do, professionalism deals with what a lawyer should do—a discussion of civility, quality of practice and integrity.</p> <p>Philip D. Weller, DLA Piper Rudnick Gray Cary US LLP - Dallas, TX</p>

## Thursday Afternoon, Sep. 8, 2005

### Presiding Officers:

In Houston: **D. Diane Dillard**, Brownsville, TX

In Austin: **Robert A. Watson**, Fidelity National Title Insurance Company - Dallas, TX

1:30 pm In Austin Only 0.50 hr	<b>Sale-Leaseback and Credit Lease Transactions</b>  A discussion of how sale-leaseback and credit lease transactions work, including the benefits, structures and provisions.  J. S. Hollyfield, Fulbright & Jaworski - Houston, TX
2:00 pm In Austin Only 0.50 hr	<b>Environmental Due Diligence, Risk Management and Contract Drafting Issues after <i>Cooper Industries, Inc. v. Aviall Services, Inc.</i></b>  This session highlights the environmental risks and relevant due diligence procedures, including insurance products and new innocent landowner rules.  Howard L. Gilberg, Guida, Slavich & Flores - Dallas, TX
2:30 pm In Austin Only 0.32 hr	<b>The Recording Statute in Texas</b>  A comprehensive look at the recording statute and related equitable doctrines.  Steven Calens Haley, Moorman Tate Moorman Et Al - Brenham, TX
3:05 pm In Austin Only 0.75 hr	<b>TICS (Tenants in Common)</b>  A lender's counsel and borrower's counsel point/counterpoint discussion of legal issues commonly encountered in tenant in common mortgaging lending transactions, as well as the advantages and disadvantages of utilizing the tenant in common structure.  Charles Mersky, Mastrogiovanni Schorsch & Mersky - Dallas, TX Keith H. Mullen, Winstead, Sechrest & Minick, PC - Dallas, TX
3:50 pm In Austin Only 0.32 hr	<b>Servicemember's Civil Relief Act</b>  A discussion of the rights of mortgagors and tenants versus mortgagees and landlords if a servicemember in the military is called to active duty.  Tommy Bastian, Barrett Burke Wilson Et Al - Addison, TX
4:10 pm In Austin Only 0.50 hr	<b>Document Retention and Destruction</b>  What is legal? What is ethical? What is practical?  D. Diane Dillard, Brownsville, TX
4:40 pm In Austin Only 0.67 hr	<b>Builder's Risk and Commercial Property Insurance: What to Require in Your Forms</b>  An in-depth look at builder's risk insurance and commercial property insurance from the standpoint of lenders.  Aaron Johnston Jr., Munsch Hardt Koph & Harr - Dallas, TX

## Friday Morning, Sep. 9, 2005

### Presiding Officers:

In Houston: **J. Alton Alsup Jr.**, Brown Fowler & Alsup PC - Houston, TX

In Austin: **Rick Triplett**, Graves Dougherty Hearon & Moody - Austin, TX

8:30 am In Austin Only 1.00 hr	<b>Case Law Update - Cont. (Audio)</b>  David A. Weatherbie, Carrie Cramer & Weatherbie LLP - Dallas, TX
9:30 am In Austin Only 0.50 hr	<b>A Practical Guide to Documenting and Closing a Real Estate Loan</b>  A practical discussion of the legal and business issues involved in the due diligence and loan documentation process.  Brad Lowry, Haynes and Boone, L.L.P. - Dallas, TX
10:15 am In Austin Only 0.50 hr	<b>Top 11 List of Things about Syndicated Loans That May Surprise You</b>  Live from New York (or any other big-name-financial-institution selling your financial-institution-client a piece of a loan), the top 11 aspects of syndicated loan sellers, purchasers, and their agreements and actions that may seem counterintuitive.  Charles A. Guerin, Bracewell & Giuliani, LLP - Dallas, TX
10:45 am In Austin Only 0.50 hr	<b>What Every Real Estate Lawyer Needs to Know about the New Business Organizations Code</b>  An overview and discussion of new possibilities, options and changes of interest to real estate lawyers under the new Texas Business Organizations Code.  Daniel L. Mark, Fullbright & Jaworski L.L.P. - Houston, TX
11:15 am In Austin Only 0.50 hr	<b>Deeds: Fitting the Deed to the Deal—Annotated Deed Form &amp; Commentary</b>  A primer on conveyancing with annotated forms for the deed generally, and how to make the deed fit the various sales agreement forms used in the market place.  David Z. Conoly, Corpus Christi, TX
11:45 am In Austin Only 0.50 hr	<b>Special Districts</b>  A review of special purpose districts available in Texas and how real estate lawyers can use them to assist in financing their clients' real estate projects.  Bebb Francis, The Francis Law Firm, P.C. - San Antonio, TX Brian C. Rider, The University of Texas School of Law - Austin, TX

## Friday Afternoon, Sep. 9, 2005

### Presiding Officers:

In Houston: **Rueben C. Casarez**, Wells Fargo Bank - Houston, TX

In Austin: **Glenn Hall**, Attorney at Law - Austin, TX

1:30 pm In Austin Only 0.32 hr	<b>Ad Valorem Tax Liens</b>  Rights of assignees, subrogees, and mortgagees.  Thomas M. Whelan, McGuire, Craddock & Strother P.C. - Dallas, TX
1:50 pm In Austin Only 0.75 hr	<b>Legislative Update</b>  A review of significant bills enacted by the Texas legislature affecting real estate, lending and other commercial matters.  Burt R. Solomons, Carrollton, TX
2:50 pm In Austin Only 0.50 hr	<b>Construction Liens, Mechanics Liens, and Bonds: A Guide for Lenders and Developers</b>  What real estate lawyers, developers and lenders need to know about construction liens, mechanic liens and construction bonds.  Daniel K. Craddock, Stumpf Craddock Massey & Farrimond - West Lake Hills, TX
3:20 pm In Austin Only 0.50 hr	<b>Practical Tips for Dealing with Property Owners Associations</b>  Everyone knows dealing with property owners associations and neighborhood disputes can be a challenge. This topic provides some practical tips to assist the practitioner.  Roy D. Hailey, Butler & Hailey PC - Houston, TX