

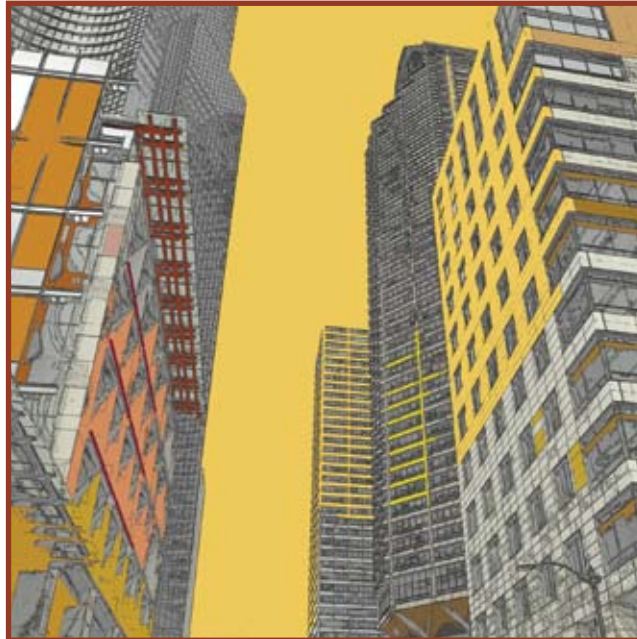
40TH ANNUAL

WILLIAM W. GIBSON, JR.

MORTGAGE LENDING INSTITUTE

Earn up to 13.50 Hours of Credit Including 2.00 Hours of Ethics Credit

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**AUSTIN**

September 14-15, 2006
Hyatt Regency on Town Lake

DALLAS

September 28-29, 2006
Belo Mansion

HOUSTON (Video Replay)

October 12-13, 2006
Crowne Plaza Downtown

40TH ANNUAL WILLIAM W. GIBSON, JR. MORTGAGE LENDING INSTITUTE

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THURSDAY MORNING

Austin Presiding Officer: Rick Triplett
Dallas Presiding Officer: Ann M. Saegert

8:00 a.m. Registration Opens

Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. 1.00 hr including .25 hr ethics

Case Law Update

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.

David A. Weatherbie, Dallas

10:00 a.m. .50 hr

Loan Due Diligence Manual

An overview of the loan due diligence manual procedures addressing documentation for commercial construction and development loans on improved and unimproved property, including loan, organizational, title, property, and financial. A sample manual will be provided.

In Austin: John M. Nolan, Dallas

In Dallas: Jeanne Marie Caruselle, Dallas

10:30 a.m. Break

10:45 a.m. .50 hr

Understanding and Working With Guaranties: Tips for Borrowers and Lenders

A selective discussion of guaranties of payment and performance, with particular attention to commonly overlooked problems created by guaranties of completion.

J. Cary Barton, San Antonio

11:15 a.m. .50 hr

Landowner and Developer Partnerships

This topic reviews some of the significant issues which arise in connection with the negotiation of Landowner Developer Partnerships and Limited Liability Companies, including issues which relate to the formation,

operations, and winding up of the business entity, as well as the capitalization of the business and methods for sharing profits and losses which may arise from the operations of the business.

Frank Z. Ruttenberg, San Antonio

11:45 a.m. .33 hr

Dispositions Under Article 9

How to realize upon security interests under Article 9 of the Uniform Commercial Code.

In Austin: H. Glenn Hall, Austin

In Dallas: Philip D. Weller, Dallas

THURSDAY AFTERNOON

Austin Presiding Officer: Janna R. Melton
Dallas Presiding Officer: David W. Tomek

LUNCHEON PRESENTATION

12:05 p.m. Pick Up Box Lunch

Included in conference registration fee.

12:20 p.m. .50 hr ethics

The Proposed New Conflict of Interest Disciplinary Rules

Learn the latest update on various proposed revisions to the State Bar Disciplinary Rules affecting conflict of interest in a transaction-based law practice.

In Austin: John S. Dzienkowski, Austin

In Dallas: James H. Wallenstein, Dallas

1:10 p.m. .33 hr

Ground Leases

Selected issues in ground leases.

In Austin: Michael Boulden, Dallas

In Dallas: Sanford A. Weiner, Houston

1:30 p.m. .50 hr

The New Texas Franchise (Margin) Tax—An Overview

This presentation will summarize the significant changes made by the Texas Legislature in 2006 in imposing the new franchise (margin tax), with a particular focus on real estate considerations. Topics will include which entities are (and are not) subject to

the tax, how the new tax works, how it differs from the existing system and transitional matters.

Ira A. Lipstet, Austin

2:00 p.m. .33 hr

Fair Notice Standards for Indemnities

An explanation of the law with drafting suggestions on the "Fair Notice Rule for Indemnities and Releases," including the Express Negligence Doctrine and conspicuousness rule.

Walter N. Kuntz III, Dallas

2:20 p.m. .33 hr

Pocketing the Wedding Ring: Knowing When Special Purpose Companies are Truly Unattached?

Consolidation concerns facing special purpose companies and what factors bankruptcy courts look to when determining whether related companies are truly separate.

Bruce H. White, Dallas

2:40 p.m. .50 hr

E-Mortgages

A discussion of the legal background and current developments to enable the vision of a paperless residential mortgage process. This session will cover ongoing mortgage industry standards efforts aimed at compliance with E-Sign and UETA statutes.

James A. Newell, McLean, VA

3:10 p.m. Break

3:25 p.m. .33 hr

SNDA's from the Lenders Perspective

How to preserve the lender's essential rights and remedies, and accommodate the landlord and tenant's legitimate interests.

Thomas M. Whelan, Dallas

3:45 p.m. .50 hr

Special Districts

Overview of the various types of special districts and their use to facilitate the construction of public infrastructure through the issuance of tax-exempt financing.

Julianne B. Kugle, Houston

4:15 p.m. .50 hr

Tax Credit Finance

This session will focus on the issues that attorneys need to know when representing lenders faced with tax credit transactions as part of the financing for low income housing.

Cynthia N. Bast, Austin

4:45 p.m. .75 hr

Title Insurance: Getting the Coverage You Need on Multi-State Deals

Overview of commonly requested title insurance coverage available in multi-state deals. A review of checklist requests for various commercial transactions.

James L. Gosdin, Houston

5:30 p.m. Adjourn

FRIDAY MORNING

Austin Presiding Officer:
H. Glenn Hall

Dallas Presiding Officer:
Charles W. Spencer

8:40 a.m. .33 hr

Dealing with Defeasance

A defeasance overview: the why, the how, the when, and the cost of defeasing a loan.

Jonathan Thalheimer, Dallas

9:00 a.m. 1.00 hr including .25 hr ethics

Case Law Update Continued

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.

David A. Weatherbie, Dallas

CONDO MORNING

10:00 a.m. .50 hr

Construction Risk and Liability Involving Condominiums

A review of the potential liability of developers, condominium association officers and directors, and contractors in the development. Also addresses the construction and marketing of condominiums, including an analysis of warranties, insurance coverage, indemnities, bonds, mitigation of risk, quality control, "as is" sales contracts, broker misrepresentation and turnover strategy.

Edward A. Peterson, Dallas

10:30 a.m. Break

10:45 a.m. .33 hr

Application of the Interstate Land Sales Act to Condominiums

Condominium developers must either register the project with HUD's office of the Interstate Land Sales or qualify for one or more exemptions from registrations. Use of one or more exemptions requires careful management by the developer and its lender.

Allan S. Katz, Dallas

11:05 a.m. .50 hr

Legal Issues Arising with Mixed-Use Condominiums

Key issues with mixed-use developments from allocations to structure to zoning.

Jennifer B. Farnell, Dallas

11:35 a.m. .33 hr

Fannie Mae's Condominium Project Review Guidelines

An overview of Fannie Mae's condominium project review processes and eligibility criteria by which a loan secured by a condominium unit can be delivered to Fannie Mae.

Sharmila Srivastav, Washington, D.C.

11:55 a.m. .33 hr

Introduction to Timeshares

An overview of the real estate timeshare business and regulation from the developer's perspective. This session covers the major legal issues, including resort and product types, legal decisions critical to the business, registration and disclosure requirements under the dramatically revised Texas Timeshare Act, other regulatory requirements, the federal and state tax issues regarding sales, and the GAAP reporting of sales.

Robert Don Collier, Dallas

12:15 p.m. Lunch on Your Own

FRIDAY AFTERNOON

Austin Presiding Officer:
Brian C. Rider

Dallas Presiding Officer:
Frank A. St. Claire

1:15 p.m. .50 hr

Protecting Against Interest Rate Changes—Contractual and Hedging Tools in Real Estate Lending

A review of contractual terms between lender and borrower and hedging arrangements which can protect against interest rate changes in lending transactions.

Brian C. Rider, Austin

1:45 p.m. .33 hr

Ranchettes

A checklist for developers and lenders.

David Z. Conoly, Corpus Christi

2:05 p.m. .33 hr

A More User-Friendly Survey Certification

What is and isn't in the 2005 ALTA/ACSM land title survey minimum standard detail requirements and accuracy standards.

Charles A. Guerin, Dallas

2:25 p.m. Break

2:40 p.m. 1.00 hr ethics

The Ethical Complications of Fee Attorney Relationships

The ethical complications of closing attorney relationships and title companies.

Charles J. Jacobus, Bellaire
Douglas W. Becker, San Antonio

3:40 p.m. .33 hr

Foreclosures: A Walk Through the New Manual

A walk through the Texas Foreclosure Manual by the authors and State Bar staff. An overview of the book's chapters, forms, and approach will be given. The Manual has been written with both the general practitioner and the mortgage lending expert in mind. Topics range from how to conduct a valid foreclosure sale to environmental law impact on the foreclosing mortgage lender. The Manual lists the designate sale sites, hyperlinked county Web sites, and appraisal district Web sites to all 254 Texas counties.

In Austin: David W. Ashmore, Austin
In Austin: Marty Novak, Austin
In Dallas: William H. Locke, Jr., Austin

4:00 p.m. .33 hr

Foreclosures in Probate: Interaction Between the Probate and Real Estate Property Codes

An analysis of a lienholder's rights and remedies when asserting a claim against an estate, including the steps which must be taken to foreclose a lien and the consequences of this election.

Sara E. Dysart, San Antonio

4:20 p.m. Adjourn

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COMMENTS FROM LAST YEAR'S INSTITUTE

"I have been attending this seminar for 15 years and this one was possibly the best overall version of the seminar. The speakers and topics were exceptional."

"Practical subjects with excellent speakers."

"Thank you for putting on such a fantastic seminar. The short segments were a great idea."

"Every speaker was good; all materials were well-done and thorough."

"Your on-site staff is the most professional and helpful compared with any other seminars I have attended."

"Very good program again."

"This is one of the best seminars I have been to—the materials and topics were excellent. The quality and caliber of the speakers were absolutely unmatched to the speakers I have seen at the other seminars."

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ABOUT THE CONFERENCE

The Mortgage Lending Institute is the essential conference for attorneys who represent borrowers or lenders, developers, mortgage brokers, and others engaged in real estate activities. Loan due diligence procedures, tips for borrowers and lenders, landowner and developer partnerships, the new franchise (margin) tax, title insurance, special districts—it's all here. Also, don't miss a walk through of the new *Texas Foreclosure Manual* by the authors and the Friday morning sessions on condo issues.

Course Binders—The Definitive Resource for Borrowers and Lenders

The Mortgage Lending Institute generates the year's definitive two-volume set of resource materials for borrowers and lenders. Don't miss an encyclopedic guide to current developments, the latest forms, and planning strategies—over 1,000 pages of practical and user-friendly materials.

Audio CD Set

The Mortgage Lending Institute presentations are available on CD. Whether you can't make the conference, or just want to replay a particular presentation—you've got options.

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Get the entire conference binder on CD, in electronic PDF format. Only \$50 if added to a registration or purchase of Course binder or Audio CD Set. \$200 purchased alone.

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AUSTIN—SEPTEMBER 14-15, 2006

- ☐ Early Registration Fee due by Wednesday, Sept. 6, 2006 \$475.00
☐ Registration Fee after Wednesday, Sept. 6, 2006 \$525.00

DALLAS—SEPTEMBER 28-29, 2006

- ☐ Early Registration Fee due by Wednesday, Sept. 20, 2006 \$475.00
☐ Registration Fee after Wednesday, Sept. 20, 2006 \$525.00

HOUSTON VIDEO REPLAY—OCTOBER 12-13, 2006

- ☐ Early Registration Fee due by Wednesday, Oct. 4, 2006 \$385.00
☐ Registration Fee after Wednesday, Oct. 4, 2006 \$435.00

CONFERENCE PUBLICATIONS AND MEDIA

Allow 2-4 weeks from the Dallas conference date for delivery.

- ☐ Two-Volume Course Binder Without Conference Registration \$250.00
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☐ Audio CD Set \$200.00
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AUSTIN

September 14-15, 2006
CONFERENCE LOCATION



Hyatt on Town Lake

208 Barton Springs
Austin, TX 78704
1-800-233-1234

SPECIAL RATE \$129

(subject to availability)
good through August 21, 2006

Parking: \$5 self-parking
(subject to change)

KEY DATES

Registration & Cancellation

Sept. 6, 2006-5 p.m.

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

Sept. 8, 2006-5 p.m.

last day for full refund

Sept. 11, 2006-5 p.m.

last day for partial refunds
\$50 processing fee applied

Sept. 14, 2006-9:00 a.m.

conference begins

M
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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 13.50 hours, of which 2.00 credit hour will apply to legal ethics/professional responsibility credit.

DALLAS

September 28-29, 2006
CONFERENCE LOCATION



Belo Mansion

2101 Ross Avenue
Dallas, TX 75201
214-220-0239

Parking: \$8 self-parking
(self-parking lots also available nearby)

Belo Mansion will serve a buffet lunch on Fri., Sept. 29. The cost is \$20 inclusive. Lunch tickets may be purchased on Thurs., Sept. 28 during the conference (limited availability).

NEARBY ACCOMMODATIONS:

Westin City Center Dallas
214-979-9000

KEY DATES

Registration & Cancellation

Sept. 20, 2006-5 p.m.

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

Sept. 22, 2006-5 p.m.

last day for full refund

Sept. 25, 2006-5 p.m.

last day for partial refunds
\$50 processing fee applied

Sept. 28, 2006-9:00 a.m.

conference begins

HOUSTON

October 12-13, 2006
VIDEO REPLAY LOCATION



Crowne Plaza Downtown

1700 Smith Street
Houston, TX 77002
713-739-8800

Parking: \$6 valet only

KEY DATES

Registration & Cancellation

Oct. 4, 2006-5 p.m.

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

Oct. 6, 2006-5 p.m.

last day for full refund

Oct. 9, 2006-5 p.m.

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Oct. 12, 2006-8:30 a.m.

video replay begins

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