

41st Annual William W. Gibson, Jr. Mortgage Lending Institute
September 20-21, 2007 • Four Seasons Hotel • Austin, TX
October 11-12, 2007 • Belo Mansion • Dallas, TX
October 25-26, 2007 • Houston

Thursday Morning, Sep. 20, 2007

Presiding Officers:

In Austin: **David A. Weatherbie**, Cramer Weatherbie Richardson LLP - Dallas, TX

In Dallas: **Edward F. Walker**, Hunton & Williams Attorney - Dallas, TX

8:00 am In Austin Only	Registration Opens Includes continental breakfast.
8:50 am In Austin Only	Welcoming Remarks
9:00 am In Austin, Dallas Only 0.75 hr 0.25 hr ethics	Case Law Update Part I 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, Cramer Weatherbie Richardson LLP - Dallas, TX
9:45 am In Austin, Dallas Only 0.33 hr	Texas Margin Tax Update: 2007 Developments The presentation will explain the application and calculation of the new Texas Margin Tax, including all major amendments resulting from the 80th Legislative Session. Special emphasis will be placed on real estate-related issues such as choice of entity and lease pass-through negotiations. Steven D. Moore, Jackson Walker L.L.P. - Austin, TX
10:05 am In Austin, Dallas Only 0.33 hr	Practice Advice: Margin Tax Issues Facing Mortgage Lenders and Landlords Review of, and suggested revisions to, mortgage and lease terms affected by the margin tax. Thomas M. Whelan, McGuire, Craddock & Strother P.C. - Dallas, TX
10:25 am In Austin Only	Break
10:40 am In Austin, Dallas Only 0.50 hr	The Subprime Mortgage Market: Problems, Responses and a Look to the Future This presentation will cover and overview of the origins of the subprime market downturn. The resultant legal and compliance implications for lenders in that market will also be addressed. Robert A. Cook, Hudson Cook, LLP - Hanover, MD

11:10 am In Austin, Dallas Only 0.33 hr	Locking the Door on Mortgage Fraud Hardening your defenses against the top scams and scammers. Jason Mitchell Little, Scheef & Stone, LLP - Frisco, TX
11:30 am In Austin, Dallas Only 0.33 hr	The Landlords Subordination Agreement Lenders' forms of Landlord Subordination Agreements are often short, which leads many landlords to conclude that they are innocuous. In fact, they are full of traps for the unwary landlord. This presentation will discuss those traps and propose an alternative form. Harriet Anne Tabb, McGuire, Craddock & Strother P.C. - Dallas, TX
11:45 am In Austin Only	Pick up Box Lunch Included in conference registration fee.

Thursday Afternoon, Sep. 20, 2007

Presiding Officers:

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

In Dallas: **Charles W. Spencer**, Law Offices of Charles W. Spencer - Dallas, TX

12:00 pm In Austin, Dallas Only 0.75 hr 0.50 hr ethics	Responding to Emergency Loan Applications and Commitments Tips on what to look for in reviewing and responding to borrower's loan applications and commitments when time is short and tensions are high. J. Cary Barton, Barton, East & Caldwell, L.L.P. - San Antonio, TX
1:00 pm In Austin, Dallas Only 0.33 hr ethics	The Ethics of Multi-Jurisdictional Representation Ethical and practical considerations when representing clients from multiple states. Millard A. Johnson, Johnson Deluca Kennedy & Kurisky PC - Houston, TX
1:20 pm In Austin, Dallas Only 0.50 hr ethics	Disciplinary Rules Update This presentation will present updates on the Disciplinary Rules drafting projects of both the State Bar Committee on Disciplinary Rules of Professional Conduct and the Disciplinary Rules Task Force appointed by the Texas Supreme Court. The presentation will also highlight certain provisions in the Disciplinary Rules, which are of special interest to real estate attorneys, such as the conflict waiver rules. James H. Wallenstein, Hunton & Williams, LLP - Dallas, TX
1:50 pm In Austin, Dallas Only 0.33 hr	Negotiating Mezzanine Loan Intercreditor Agreements from the Lenders' Perspective This presentation reviews the who, what, where, when and how of Intercreditor Agreements. Who needs them? What are they and what do they look like? Where do they occur? When are they implemented? How are they negotiated? Jonathan Thalheimer, McGuire Craddock & Strother PC - Dallas, TX

2:10 pm In Austin, Dallas Only 0.33 hr	<p>A Practitioner's Guide to Wire Transfers</p> <p>This session covers the best practices for utilizing wire transfers, looks at how funds actually flow between financial institutions, and explains when funds are (temporarily) in transit.</p> <p>Ronald J. Mann, Columbia University School of Law - New York, NY</p>
2:30 pm In Austin, Dallas Only 0.33 hr	<p>De-Cluttering Deeds</p> <p>This presentation will address the elements of a deed, as well as the significance of the elements and factors to consider before drafting a deed. This understanding of the function of the elements of a deed can provide the structure for a drafting technique that is precise, "clutter free," and sufficiently detailed to satisfy the purpose and intent of the parties in a direct and efficient manner.</p> <p>Stephen A. Mitchell, Stephen A. Mitchell, Attorney At Law - Austin, TX</p>
2:50 pm In Austin Only	<p>Break</p>
3:05 pm In Austin, Dallas Only 0.50 hr	<p>Foreclosure Issues of 2007 in an Economic Environment</p> <p>Although the economy is generally strong, the number of foreclosures is on the rise, and several forecasters are predicting it is only a matter of time before there will be a downturn in the Texas economy. The purpose of our presentation is to arm you with a step-by-step guide to conducting both real and personal property foreclosures.</p> <p>Douglas A. Yeager, Locke Lord Bissell & Liddell LLP - Houston, TX</p>
3:35 pm In Austin, Dallas Only 0.33 hr	<p>The Role and Application of Usury Law in Rescue Lending</p> <p>A brief overview of Texas usury law followed by a discussion of various fees, charges, and other amounts or interests granted by borrowers in connection with loan workouts, restructures, and short-term bridge financing.</p> <p>Scott Gordon Night, Haynes and Boone, LLP - Dallas, TX</p>
3:55 pm In Austin, Dallas Only 0.75 hr 0.25 hr ethics	<p>A Due Diligence Handbook for Developers</p> <p>An overview of developments and entitlement issues commonly encountered in Texas Development transactions.</p> <p>In Austin: John M. Nolan, Winstead PC - Dallas, TX In Dallas: Michael F. Alessio, Winstead PC - Dallas, TX</p>
4:40 pm In Austin, Dallas Only 0.75 hr	<p>Environmentally Impaired Real Property: Management and Closing</p> <p>Urban and suburban core redevelopment efforts have put environmentally impaired real estate more and more into play. This session will focus on current environmental due diligence requirements, as well as environmental risk allocation strategies for getting these real estate deals closed.</p> <p>Howard L. Gilberg, Guida, Slavich & Flores - Dallas, TX</p>
5:25 pm In Austin Only	<p>Adjourn</p>

Friday Morning, Sep. 21, 2007

Presiding Officers:

In Austin: **Janna R. Melton**, Attorney At Law - Austin, TX

In Dallas: **Jonathan Thalheimer**, McGuire Craddock & Strother PC - Dallas, TX

8:30 am In Austin, Dallas Only 0.75 hr 0.25 hr ethics	Case Law Update Part II Continuation of the case law update. David A. Weatherbie, Cramer Weatherbie Richardson LLP - Dallas, TX
9:15 am In Austin, Dallas Only 1.00 hr 0.25 hr ethics	From the Pink Dome to Your Office: Legislative Update on the 80th Legislature Overview of the 80th Legislature's effect on real estate, lending, and other commercial matters. Mark McPherson, McPherson & Associates PC - Dallas, TX
10:15 am	Break
10:30 am In Austin, Dallas Only 0.50 hr	Post Legislative Forms Update This presentation will identify legislation of the 80th Texas Legislature that directly affects commonly used real estate and lending documents. We'll discuss what changes you must make to your forms, and some changes you might want to make. Justin V. Switzer, Haynes And Boone, LLP - Houston, TX
11:00 am In Austin, Dallas Only 0.50 hr	Pitfalls in Condo Development The session will focus on a lawyer's review of a condominium map in light of the requirements contained in the Texas Condominium Act. Jeanne Marie Caruselle, Winstead PC - Dallas, TX
11:30 am In Austin, Dallas Only 0.33 hr	E-Signing, Electronic Mortgages, and Contract Formation: Back to Basics The mortgage lending industry is transitioning to the use of electronic records and processes for mortgage origination. The legal foundation for this paradigm shift is the adoption of the Uniform Electronic Transaction Act ("UETA") and passage of the federal Electronic Signatures in Global and National Commerce Act ("ESIGN"). This presentation will examine how these legislative vehicles for electronic commerce interface with extant real estate and contract law. Chris Alexander Peirson, Peirson Patterson LLP - Dallas, TX
11:50 am In Austin, Dallas Only 0.33 hr	Severed Minerals—A Surface Lender's Perspective Oil and gas exploration is taking place in increasingly urban settings. This session will focus upon some of the considerations posed to prospective surface lenders by severed minerals. William M. Kerr Jr., Kelly Hart & Hallman LLP - Austin, TX

Friday Afternoon, Sep. 21, 2007

Presiding Officers:

In Austin: **Mark S. Biskamp**, Mayer Brown Rowe & Maw - Houston, TX

In Dallas: **Paula L. Beasley**, Scheef & Stone LLP - Dallas, TX

12:10 pm In Austin, Dallas Only 0.00 hr ethics	Lunch on your Own
1:15 pm In Austin, Dallas Only 0.33 hr	Easements Issues relating to easements are of particular concern to a lender when accepting a deed of trust lien as collateral for its loan, and the subsequent enforcement of the deed of trust lien. Louis Frank Oliver, Oliver & Oliver , P.C. - Austin, TX
1:35 pm In Austin, Dallas Only 0.50 hr	Pitfalls and Hidden Costs of Conduit Loans An examination of unwelcome costs and requirements that a borrower of borrower's counsel might encounter when involved in a conduit loan transaction. Brian C. Rider, The University of Texas School of Law - Austin, TX
2:05 pm In Austin, Dallas Only 0.50 hr	The New ALTA Policies: The Old is New and The New Texas Title Insurance Endorsements An analysis and comparison of changes in the 2006 ALTA Title Policies and a review of the new Texas Title Insurance Endorsements. Robert A. Watson, Fidelity National Title Insurance Company - Dallas, TX
2:35 pm In Austin, Dallas Only 0.67 hr	Insurance Provisions - Fact or Fiction? This session explores some of the insurance myths upon which many standard loan document provisions are based. Does "contractual liability" actually cover liabilities in your contracts? Is a lender really entitled to receive all insurance proceeds after destruction of the mortgage property? Are casualties actually covered by casualty insurance? Aaron Johnston Jr., Munsch Hardt Kopf & Harr, PC - Dallas, TX
3:15 pm	Adjourn