

**43<sup>rd</sup> Annual Mortgage Lending Institute**  
**September 24-25, 2009 • Four Seasons Hotel • Austin, TX**  
**October 8-9, 2009 • Belo Mansion • Dallas, TX**  
**November 12-13, 2009 • Houston**

**Thursday Morning, Sep. 24, 2009**

**Presiding Officers:**

In Austin: **Richard L. Spencer**, Houston, TX

In Dallas: **Richard L. Spencer**, Houston, TX

8:00 am In Austin Only	<b>Registration Opens</b>  Includes continental breakfast.
8:50 am In Austin Only	<b>Welcoming Remarks</b>
9:00 am In Austin, Dallas Only 0.75 hr 0.25 hr ethics	<b>Case Law Update: Part I</b>  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 Walker LLP - Dallas, TX
9:45 am In Austin, Dallas Only 0.75 hr	<b>Conventional Loan Workouts</b>  A dialogue about the perspectives of lenders and borrowers with respect to some issues that are usually encountered in a loan workout transaction. This session covers the "dance" involved between lenders and borrowers in negotiating a successful workout. Key issues include paydown/more collateral, higher interest (and a floor), and shorter extension terms.  IN DALLAS: This session has moved to 12:30 p.m.  J. Cary Barton, Barton, East & Caldwell, L.L.P. - San Antonio, TX Reid Carroll Wilson, Wilson, Cribbs & Goren, P.C. - Houston, TX
10:30 am In Austin Only	<b>Break</b>
10:45 am In Austin, Dallas Only 0.75 hr	<b>Securitized Loan Workouts</b>  This session explores issues surrounding the restructuring of commercial real estate loans owned by a commercial mortgage backed securities (CMBS) trust.  Craig Barton Anderson, DLA Piper US LLP - Dallas, TX Allen J. Dickey, Munsch Hardt Kopf & Harr, PC - Dallas, TX

11:30 am In Austin, Dallas Only 0.75 hr	<b>Legislative Update</b>  Significant bills of the 81st Texas Legislature affecting real estate, lending, and other commercial matters.  In Austin: Justin V. Switzer, Haynes and Boone, LLP - Houston, TX In Dallas: Anne Newtown, Vinson & Elkins LLP - Houston, TX
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## Thursday Afternoon, Sep. 24, 2009

### Presiding Officers:

In Austin: **Brian C. Rider**, Austin, TX

In Dallas: **Kevin M. Kerr**, Dallas, TX

In Austin Only	<b>LUNCHEON PRESENTATION</b>
12:15 pm In Austin Only	<b>Pick up Lunch</b>  Included in conference registration fee.
12:30 pm In Austin, Dallas Only 0.75 hr	<b>State of the Real Estate Financial Market</b>  This session provides an overview of the current state of the real estate capital markets. Topics include debt and equity markets, a discussion of recent activities of various capital providers, and the effects on commercial real estate.  IN DALLAS: This session has moved to 9:45 a.m.  Jay C. Hartzell, Real Estate Finance and Investment Center, McCombs School of Business - Austin, TX
1:15 pm In Austin Only	<b>Break</b>
1:30 pm In Austin, Dallas Only 0.50 hr	<b>Enforcement of Completion Guaranties</b>  Issues in the drafting and enforcement of guaranties of completion for construction projects.  Robert S. Ladd, Haynes and Boone, LLP - Houston, TX
2:00 pm In Austin, Dallas Only 0.75 hr	<b>Negotiating Liability Limitation Provisions for Promissory Notes and Guaranties</b>  This presentation reviews commonly used liability limitation concepts in mortgage loans, such as non-recourse provisions (with carve-out exceptions) and so-called "top percent" guaranties, and offers suggestions for negotiating the loan documents that include those concepts.  James H. Wallenstein, Hunton & Williams LLP - Dallas, TX
2:45 pm In Austin, Dallas Only 0.50 hr	<b>Lender Remedies (Other Than Foreclosure)</b>  Extraordinary remedies for extraordinary times—receivership, injunction, garnishment, eviction and ...  Thomas M. Whelan, McGuire, Craddock & Strother P.C. - Dallas, TX

3:15 pm In Austin Only	<b>Break</b>
3:30 pm In Austin, Dallas Only 0.75 hr 0.25 hr ethics	<b>Foreclosure Changes 2009</b>  Coverage of the <i>Tex. R. Civ. P. 735</i> and <i>736</i> home equity, home equity line of credit, reverse mortgage and property tax lien foreclosure rules and recent federal and state law affecting the foreclosure process.  Tommy Bastian, Barrett Daffin Frappier Turner & Engel, LLP - Addison, TX
4:15 pm In Austin, Dallas Only 0.50 hr	<b>Personal Property Foreclosures</b>  This session reviews the impact of Rev. Ch. 9 on garnishment and other actions to realize on a debtor's deposit account, and presents an overview of the default and enforcement provisions in Subchapter F, Rev. Section 9.601-9.628.  David P. Derber, Attorney at Law - Benbrook, TX
4:45 pm In Austin, Dallas Only 0.50 hr	<b>Acquisitions of Distressed Debt</b>  Whether you are buying mortgage loans to hold with the expectation of repayment, as a means of investing in the borrower, or in order to foreclose and take title to the underlying real estate, there are certain legal and business risks you need to understand and either accept or avoid through third party assurances. This presentation discusses these risks and suggests strategies for mitigating them.  Ann M. Saegert, Haynes and Boone, LLP - Richardson, TX
5:15 pm In Austin Only	<b>Adjourn</b>

## Friday Morning, Sep. 25, 2009

### Presiding Officers:

In Austin: **Paul D. Pruitt**, Fidelity National Title Group - Austin, TX

In Dallas: **Robert A. Watson**, Dallas, TX

8:00 am	<b>Conference Room Opens</b>  Includes continental breakfast.
8:30 am In Austin, Dallas Only 0.75 hr 0.25 hr ethics	<b>Case Law Update: Part II</b>  Continuation of the Case Law Update.  David A. Weatherbie, Cramer Weatherbie Richardson Walker LLP - Dallas, TX
9:15 am In Austin, Dallas Only 0.50 hr	<b>RESPA Big Changes</b>  This presentation provides an overview of the new RESPA provisions with annotated forms to facilitate implementation.  Chris Alexander Peirson, Peirson Patterson LLP - Dallas, TX

9:45 am In Austin, Dallas Only 0.50 hr 0.25 hr ethics	<b>Where Is the Note?</b>  Review of requirement of possession of original negotiable instrument.  Paul D. Pruitt, Fidelity National Title Group - Austin, TX
10:15 am	<b>Break</b>
10:30 am In Austin, Dallas Only 0.50 hr	<b>Residential Mortgage Suitability Standards: An Idea Whose Time Has Come Or Has Come Too Far?</b>  The residential mortgage crisis has spurred efforts by legislatures and regulatory agencies to regulate mortgage loan product offerings by mortgage loan originators, particularly mortgage brokers. This topic discusses how investment product suitability standards which originated in the securities industry are morphing into the residential mortgage loan business. The topic also surveys federal and state developments, including legislation introduced in the 2009 legislative session.  John Charles Fleming, Hays & Owens L.L.P. - Austin, TX
11:00 am In Austin, Dallas Only 0.50 hr	<b>"Short Sales," Deeds in Lieu, and Other Alternatives to Foreclosure</b>  Includes modifications, renewals, and extensions, as well as the new TREC form.  Sara Eileen Dysart, Sara E. Dysart, P.C. - San Antonio, TX
11:30 am In Austin, Dallas Only 0.75 hr	<b>Bankruptcy Issues in Workouts and Foreclosures</b>  A panel discussion among real estate and bankruptcy lawyers demonstrate the interplay between real estate, finance and bankruptcy laws in loan workouts and foreclosure scenarios in this latest downturn.  Moderator: Edward F. Walker, Cramer Weatherbie Richardson Walker LLP - Dallas, TX Panelists: Gregory G. Hesse, Hunton & Williams LLP - Dallas, TX Panelists: Lynnette R. Warman, Hunton & Williams LLP - Dallas, TX

## Friday Afternoon, Sep. 25, 2009

### Presiding Officers:

In Austin: **Glenn Hall**, Austin, TX

In Dallas: **Harriet Anne Tabb**, Dallas, TX

	<b>LUNCHEON PRESENTATION</b>
12:15 pm	<b>Pick up Lunch</b>  Included in conference registration fee.

12:30 pm In Austin, Dallas Only 0.75 hr	<p><b>Making Alphabet Soup in Washington: TARP, TALF, and PIPP</b></p> <p>An overview focused on the practical application of the programs related to the Emergency Economic Stabilization Act of 2008, and how those programs relate to the commercial lending and servicing communities.</p> <p>Jan Sternin, Mortgage Bankers Association - Washington, DC</p>
1:15 pm	<b>Break</b>
1:30 pm In Austin, Dallas Only 1.00 hr ethics	<p><b>What Would Lincoln Do?</b></p> <p>Competence, diligence, and getting paid: Lincoln's lessons for today's ethical lawyer.</p> <p>Billie J. Ellis Jr., Locke Lord Bissell &amp; Liddell LLP - Dallas, TX Co-Author: William T. Ellis, Harvard Divinity School - Cambridge, MA</p>
2:30 pm In Austin, Dallas Only 0.50 hr	<p><b>Will There Still Be a <i>There</i> There After Foreclosure?</b></p> <p>A checklist of insurance issues arising prior to and during foreclosure.</p> <p>Aaron Johnston Jr., Munsch Hardt Kopf &amp; Harr, PC - Dallas, TX</p>
3:00 pm In Austin, Dallas Only 0.50 hr	<p><b>Proposed Title Insurance Rules Regarding Minerals Coverage</b></p> <p>The history and status of rule changes on minerals coverage available in title insurance policies pending before the Texas Department of Insurance.</p> <p>Frederick J. Biel, Atlas &amp; Hall, L.L.P. - McAllen, TX</p>
3:30 pm	<b>Adjourn</b>