# 47th Annual William W. Gibson, Jr. Mortgage Lending Institute

## Credit Hours

- Earn up to 13.00 Hours of Credit Including 2.00 Hours of Ethics Credit
- Specialization Credit Approved for Real Estate Law and Consumer Law
- Credit Available for TREC (up to 9.00 Hours of General Elective MCE) and TDI (up to 10.00 Hours of CE)
- TX Appraiser CE Credit Pending

## Locations

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<th>Location</th>
<th>Dates</th>
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<td>AUSTIN</td>
<td>September 19–20, 2013</td>
<td>AT&amp;T Conference Center</td>
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<td>DALLAS</td>
<td>October 10–11, 2013</td>
<td>Belo Mansion</td>
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<tr>
<td>Video Replay HOUSTON</td>
<td>November 6–7, 2013</td>
<td>Norris Conference Center – CityCentre</td>
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[www.utcle.org • 512.475.6700]
THURSDAY MORNING

Presiding Officers:
IN AUSTIN: Janna R. Melton, Attorney at Law, Austin, TX
IN DALLAS: Niles W. Holmes, Niles Holmes, P.C., Dallas, TX

8:00 a.m. Registration Opens
Includes continental breakfast.

8:50 a.m. Welcoming Remarks

9:00 a.m. .75 hr | .25 hr ethics
Case Law Update, Part I
Overview of recent cases addressing legal and ethical issues in mortgage lending and real estate, including foreclosures, loan agreements, guaranties, leases, conveyances and more.
David A. Weatherbie, Cramer Weatherbie Richardson Walker LLP, Dallas, TX

9:45 a.m. .50 hr
Developments from the Texas Legislature
A report on laws passed by the 83rd Legislature affecting mortgage lending and the practice of real estate law.
Vytas A. Petrusis, Jackson Walker LLP, Houston, TX
Richard A. Crow, Strasburger & Price, LLP, Houston, TX

10:15 a.m. Break

CONSTRUCTION LENDING

10:30 a.m. .50 hr
Construction Lending 101
The basics of construction lending in the commercial real estate context, including a discussion of the borrower's and lender's objectives plus considerations for documentation.
Michelle M. Moore, Jackson Walker LLP, Austin, TX

11:00 a.m. .50 hr
Mechanics Liens:
Safe Harbors and Good Practices
Analysis and application of procedures available to owners for limiting or eliminating exposure to mechanics lien claims, as well as practical solutions to problems created with the recent changes in the Texas Property Code concerning mechanics lien claims for retainage.
Steven E. Kennedy, McGuire, Craddock & Strother, P.C., Dallas, TX

11:30 a.m. .50 hr
Lender's Perspective: Assuring Cooperation between Architects and Contractors, Key Provisions in Architect’s and Contractor’s Agreements, and Protecting “Green” Benefits
Drafting, reviewing and negotiating Assignment of Architect’s Agreements or Assignment of Construction Contracts from the lender's perspective. Key provisions in loan documents relating to obtaining and maintaining “green building” status as well as other development incentives are discussed.
Bruce Merwin, Haynes and Boone, LLP, Houston, TX

12:00 p.m. Pick Up Lunch
Included in registration.

THURSDAY AFTERNOON

Presiding Officers:
IN AUSTIN: Jane Snoddy Smith, Norton Rose Fulbright LLP, Austin, TX
IN DALLAS: John M. Nolan, Winstead PC, Dallas, TX

12:15 p.m. 1.00 hr
Doing Business with Your Banker and Mortgage Broker: Real Estate Finance in Texas 2013
CREW members discuss the status of the real estate economy in Texas in 2013 and projections for 2014—what deals are being done, who is doing them, what problems and solutions are commonly seen, and how they will impact your practice.

1:15 p.m. Break

1:30 p.m. .50 hr
Annotated SNDA
Subordination, Non-Disturbance and Attornment (SNDA) agreements, though a fixture in commercial real estate transactions, are often overlooked or misunderstood by the parties responsible for their drafting and negotiation. A brief introduction to SNDA in Texas with an annotated form that highlights some of the most commonly negotiated provisions.
Holly E. Magliolo, Winstead PC, Dallas, TX

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 13.00 hours, of which 2.00 credit hours will apply to legal ethics/professional responsibility credit. The University of Texas School of Law is a State Bar of California approved MCLE provider (#1944), and an Oklahoma Bar Association MCLE presumptively-approved provider (#169).

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2:00 p.m. .50 hr
Mixing Water, Oil, Gas and Wind: Multiple Lenders in One Tract
Reconciling the conflicting and cumulative rights of surface owners, water rights holders, oil and gas producers, and wind energy operators with the rights of their respective lenders when their interests collide.
James M. Summers, Norton Rose Fulbright LLP, San Antonio, TX

2:30 p.m. .75 hr
Construction Lending to the Condo and Common Interest Community Developer
A lender’s attorney and an association attorney square off over proposed terms for a loan secured by a property within a property owners’ or homeowners’ association.
Lorin Williams Combs, Winstead PC, Dallas, TX
Jeffrey W. Matthews, Winstead PC, Dallas, TX

3:15 p.m. Break

3:30 p.m. .50 hr
Ten Commandments of Bankruptcy for the Real Estate Professional
A close look at TOUSA, treatment of collateral assignments under Texas law, single asset real estate (SARE) cases and other major facets of, and developments in, bankruptcy law that creditors and professionals in the real estate industry need to know.
Cara S. Kelly, Munsch Hardt Kopf & Har, PC, Austin, TX
Jay H. Ong, Munsch Hardt Kopf & Har, PC, Austin, TX

4:00 p.m. .50 hr
They’re Back! CMBS Lending in 2013: Lender and Borrower Pointers
A practitioner’s approach to negotiating CMBS loan transactions for both lenders and borrowers—what is negotiable, non-negotiable, and why.
IN AUSTIN
Dan J. Hopper, Thompson & Knight LLP, Dallas, TX
IN DALLAS
Benjamin F. Herd, Thompson & Knight LLP, Dallas, TX

4:30 p.m. .50 hr ethics
Technology and Mortgage Lending: Trends, Tips and the Ethical Overlay
The mortgage industry runs on technology, and now the American Bar Association has amended its model ethics rules to incorporate the use of technology. Learn how both affect you in your practice.
Keith H. Mullen, Winstead PC, Dallas, TX

5:00 p.m. Adjourn
FRIDAY AFTERNOON

Presiding Officer: Brian C. Rider, The University of Texas School of Law, Austin, TX

LUNCHEON PRESENTATION

1:00 p.m. 1.00 hr State of the Financial Markets 2013
An overview of the current state of the financial markets and how it impacts your practice.
IN AUSTIN
Jay C. Hartzell (Invited), The University of Texas at Austin McCombs School of Business Real Estate Finance and Investment Center, Austin, TX
IN DALLAS
Joseph D. Cahoon (Invited), The University of Texas at Austin McCombs School of Business Real Estate Finance and Investment Center, Austin, TX

2:00 p.m. Break

2:15 p.m. .50 hr Hot Tips and Current Events of Interest
Discussion of recent developments and hot topics in mortgage lending and related real estate matters.
Brian C. Rider, The University of Texas School of Law, Austin, TX
Richard L. Spencer, Dow Golub Remels & Beverly, LLP, Houston, TX

2:45 p.m. 1.00 hr ethics
Ethics Racetrack
An interactive game in which the audience can anonymously answer multiple choice ethics questions and compete against each other to “win the race.”
Winners are announced at the end of the game.
Richard Melamed, Richard Melamed, PLLC, Houston, TX

3:45 p.m.  Adjourn

ABOUT THE COVER

Cross Currents (diptych), 96” x 48”, oil on canvas, is by Maxine Price. For more information on this piece, visit www.maxineprice.com. Image acquisition by Sandra Gregor, art consultant, 512.477.2827.

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   - ☐ HOUSTON Video Replay Registration by Wednesday, October 30 ....................................... $450
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1900 University Avenue
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Special Room Rate: $174
good through September 11, 2013
(subject to availability)
Parking:
Free daily self-parking at UT garages. Separate fees apply for valet and overnight parking

KEY DATES
September 11, 2013
last day for early registration
Add $50 for registrations received after this time
September 13, 2013
last day for full refund
September 16, 2013
last day for partial refunds
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September 19, 2013, 8:50 a.m.
Institute begins

DALLAS
October 10–11, 2013
CONFERENCE LOCATION
Belo Mansion
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Parking:
$4 per day for Dallas Bar members
$10 per day for non-Dallas Bar members

KEY DATES
October 2, 2013
last day for early registration
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October 4, 2013
last day for full refund
October 7, 2013
last day for partial refunds
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October 10, 2013, 8:50 a.m.
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HOUSTON
November 6–7, 2013
VIDEO REPLAY LOCATION
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Parking:
Complimentary

KEY DATES
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