

**47<sup>th</sup> Annual William W. Gibson, Jr. Mortgage Lending Institute**  
**September 19-20, 2013 • AT&T Conference Center • Austin, TX**  
**October 10-11, 2013 • Belo Mansion • Dallas, TX**  
**November 6-7, 2013 • Houston**

**Day 1 Morning**

**Presiding Officers:**

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

In Dallas: **Niles W. Holmes**, Niles Holmes, P.C. - Dallas, TX

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| 8:00 am<br>In Austin,<br>Dallas Only                              | <b>Registration Opens</b><br><br>Includes continental breakfast.                                                                                                                                                                                                                                                           |
| 8:50 am<br>In Austin,<br>Dallas Only                              | <b>Welcoming Remarks</b>                                                                                                                                                                                                                                                                                                   |
| 9:00 am<br>In Austin,<br>Dallas Only<br>0.75 hr<br>0.25 hr ethics | <b>Case Law Update, Part I</b><br><br>Overview of recent cases addressing legal and ethical issues in mortgage lending and real estate, including foreclosures, loan agreements, guaranties, leases, conveyances and more.<br><br>David A. Weatherbie, Cramer Weatherbie Richardson Walker LLP - Dallas, TX                |
| 9:45 am<br>In Austin,<br>Dallas Only<br>0.50 hr                   | <b>Developments from the Texas Legislature</b><br><br>A report on laws passed by the 83rd Legislature affecting mortgage lending and the practice of real estate law.<br><br>In Austin:<br>Vytas A. Petrulis, Jackson Walker L.L.P. - Houston, TX<br>In Dallas:<br>Richard A. Crow, Strasburger & Price, LLP - Houston, TX |
| 10:15 am<br>In Austin,<br>Dallas Only                             | <b>Break</b>                                                                                                                                                                                                                                                                                                               |

**Construction Lending**

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| 10:30 am<br>In Austin,<br>Dallas Only<br>0.50 hr | <b>Construction Lending 101</b><br><br>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.<br><br>Michelle M. Moore, Jackson Walker L.L.P. - Austin, TX |
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| 11:00 am<br>In Austin,<br>Dallas Only<br>0.50 hr | <p><b>Mechanics Liens: Safe Harbors and Good Practices</b></p> <p>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.</p> <p>Steven E. Kennedy, McGuire, Craddock &amp; Strother, P.C. - Dallas, TX</p>                                                                                                                           |
| 11:30 am<br>In Austin,<br>Dallas Only<br>0.50 hr | <p><b>Lender's Perspective: Assuring Cooperation between Architects and Contractors, Key Provisions in Architect's and Contractor's Agreements, and Protecting "Green" Benefits</b></p> <p>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.</p> <p>Bruce Merwin, Haynes and Boone, LLP - Houston, TX</p> |
| 12:00 pm<br>In Austin,<br>Dallas Only            | <p><b>Pick Up Lunch</b></p> <p>Included in registration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |

## Day 1 Afternoon

### Presiding Officers:

In Austin: **Jane Snoddy Smith**, Norton Rose Fulbright LLP - Austin, TX

In Dallas: **John M. Nolan**, Winstead PC - Dallas, TX

### LUNCHEON PRESENTATION

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| 12:15 pm<br>In Austin,<br>Dallas Only<br>1.00 hr | <p><b>Doing Business with Your Banker and Mortgage Broker: Real Estate Finance in Texas 2013</b></p> <p>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.</p> <p>In Austin:<br/>Laurie Logue, Broadway Bank - San Antonio, TX<br/>Butch West, West Commercial Real Estate Services - Austin, TX<br/>In Dallas:<br/>Andy Scott, HFF - Dallas, TX</p> |
| 1:15 pm<br>In Austin,<br>Dallas Only             | <p><b>Break</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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| 1:30 pm<br>In Austin,<br>Dallas Only<br>0.50 hr        | <p><b>Annotated SNDA</b></p> <p>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 SNDAs in Texas with an annotated form that highlights some of the most commonly negotiated provisions.</p> <p><b>DALLAS ONLY: This session has moved to 4:30 PM.</b></p> <p>Holly E. Magliolo, Winstead PC - Dallas, TX</p> |
| 2:00 pm<br>In Austin,<br>Dallas Only<br>0.50 hr        | <p><b>Mixing Water, Oil, Gas and Wind: Multiple Lenders in One Tract</b></p> <p>Reconciling the conflicting and correlative 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.</p> <p>James M. Summers, Norton Rose Fulbright LLP - San Antonio, TX</p>                                                                                                                                    |
| 2:30 pm<br>In Austin,<br>Dallas Only<br>0.75 hr        | <p><b>Construction Lending to the Condo and Common Interest Community Developer</b></p> <p>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.</p> <p>Lorin Williams Combs, Winstead PC - Dallas, TX<br/>Jeffrey W. Matthews, Winstead PC - Dallas, TX</p>                                                                                                                                       |
| 3:15 pm<br>In Austin,<br>Dallas Only                   | <p><b>Break</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 3:30 pm<br>In Austin,<br>Dallas Only<br>0.50 hr        | <p><b>Ten Commandments of Bankruptcy for the Real Estate Professional</b></p> <p>A close look at <i>TOUSA</i>, 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.</p> <p>Cara S. Kelly, Munsch Hardt Kopf &amp; Harr, P.C. - Austin, TX<br/>Jay H. Ong, Munsch Hardt Kopf &amp; Harr, P.C. - Austin, TX</p>                      |
| 4:00 pm<br>In Austin,<br>Dallas Only<br>0.50 hr        | <p><b>They're Back! CMBS Lending in 2013: Lender and Borrower Pointers</b></p> <p>A practitioner's approach to negotiating CMBS loan transactions for both lenders and borrowers—what is negotiable, non-negotiable, and why.</p> <p>In Austin:<br/>Dan J. Hopper, Thompson &amp; Knight LLP - Dallas, TX<br/>In Dallas:<br/>Benjamin F.S. Herd, Thompson &amp; Knight LLP - Dallas, TX</p>                                                                                                                        |
| 4:30 pm<br>In Austin,<br>Dallas Only<br>0.50 hr ethics | <p><b>Technology and Mortgage Lending: Trends, Tips and the Ethical Overlay</b></p> <p>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.</p> <p><b>DALLAS ONLY: This session has moved to 1:30 PM.</b></p> <p>Keith H. Mullen, Winstead PC - Dallas, TX</p>                                                                                                      |

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| 5:00 pm<br>In Austin,<br>Dallas Only | <b>Adjourn</b> |
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## Day 2 Morning

### Presiding Officers:

In Austin: **Brian C. Rider**, The University of Texas School of Law - Austin, TX

In Dallas: **Brian C. Rider**, The University of Texas School of Law - Austin, TX

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| 8:00 am<br>In Austin,<br>Dallas Only                              | <b>Conference Room Opens</b><br><br>Includes continental breakfast.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| 9:00 am<br>In Austin,<br>Dallas Only<br>0.75 hr<br>0.25 hr ethics | <b>Case Law Update, Part II</b><br><br>A continuation of the Case Law Update.<br><br>David A. Weatherbie, Cramer Weatherbie Richardson Walker LLP - Dallas, TX                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 9:45 am<br>In Austin,<br>Dallas Only<br>0.75 hr                   | <b>Laws Remembered and Laws Forgotten: A Refresher on the Property Code</b><br><br>A survey of selected provisions of the Property Code and other statutes that do not normally apply in the day-to-day practice of law but could have a serious impact if the practitioner is unaware.<br><br>Michael Baucum, Baucum Steed Barker - San Antonio, TX<br>Joe F. Wheat, Attorney at Law - Houston, TX                                                                                                                                                                                                                                                        |
| 10:30 am<br>In Austin,<br>Dallas Only<br>0.33 hr                  | <b>The Texas Real Estate Forms Manual: Not Just for Newbies</b><br><br>The <i>Texas Real Estate Forms Manual</i> has great forms, but also contains valuable practice notes drafted by experienced practitioners to aid in the selection and preparation of documents, and to alert the user to relevant laws and drafting considerations. It also includes a chapter entitled "Laws Affecting Real Estate" which concisely describes numerous federal and state laws pertaining to real estate—some obscure, but many of which may have an important bearing on your practice.<br><br>Denise V. Cheney, Bickerstaff Heath Delgado Acosta LLP - Austin, TX |
| 10:50 am<br>In Austin,<br>Dallas Only<br>0.33 hr                  | <b>Making Vendor Finance SAFE for Client and Lawyer</b><br><br>Are you "SAFE?" An update on the Texas SAFE Act as it relates to seller financing transactions.<br><br>In Austin:<br>Kristen Quinney Porter, Kiesling, Porter, Kiesling & Free, P.C. - New Braunfels, TX<br>In Dallas:<br>C. Bryan Dunklin, Law Offices of Bryan Dunklin - Dallas, TX                                                                                                                                                                                                                                                                                                       |
| 11:10 am<br>In Austin,<br>Dallas Only                             | <b>Break</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

### Developments in Lending

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| 11:25 am<br>In Austin,<br>Dallas Only<br>0.67 hr | <p><b>It's a New World: Impending Rules, Regulations and Mortgage Lending Standards under the Consumer Financial Protection Bureau</b></p> <p>On January 10, 2014, new mortgage servicing rules, regulations and lending standards amending Regulation Z, which implements the Truth in Lending Act, and Regulation X, which implements the Real Estate Settlement Procedures Act, will be implemented by the Consumer Financial Protection Bureau in accordance with Dodd-Frank. Learn what's coming and how it will affect your practice.</p> <p>Misty McCarthy, Attorney at Law - Austin, TX</p>                                                               |
| 12:05 pm<br>In Austin,<br>Dallas Only<br>0.67 hr | <p><b>Business Opportunities and Benefits of PACE Financing for Water and Energy Conservation</b></p> <p>Property Assessed Clean Energy (PACE) financing represents a valuable alternative that is more consistent with free market principles, creates significant opportunities for a broader range of businesses and provides positive net benefits to local governments. Hear from the state's largest business trade association on the opportunities and benefits that property assessment financing may yield in Texas.</p> <p>Stephen Minick, Texas Association of Business - Austin, TX<br/>David M. Robins, Thompson &amp; Knight LLP - Houston, TX</p> |
| 12:45 pm<br>In Austin,<br>Dallas Only            | <p><b>Pick Up Lunch</b></p> <p>Included in registration.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

## Day 2 Afternoon

### Presiding Officers:

In Austin: **Brian C. Rider**, The University of Texas School of Law - Austin, TX

In Dallas: **Brian C. Rider**, The University of Texas School of Law - Austin, TX

### LUNCHEON PRESENTATION

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| 1:00 pm<br>In Austin,<br>Dallas Only<br>1.00 hr | <p><b>State of the Financial Markets 2013</b></p> <p>An overview of the current state of the financial markets and how it impacts your practice.</p> <p>In Austin:<br/>Jay C. Hartzell, The University of Texas at Austin McCombs School of Business Real Estate Finance and Investment Center - Austin, TX<br/>In Dallas:<br/>Joseph D. Cahoon, The University of Texas at Austin McCombs School of Business Real Estate Finance and Investment Center - Austin, TX</p> |
| 2:00 pm<br>In Austin,<br>Dallas Only            | <p><b>Break</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                                      |

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| 2:15 pm<br>In Austin,<br>Dallas Only<br>0.50 hr        | <b>Hot Tips and Current Events of Interest</b><br><br>Discussion of recent developments and hot topics in mortgage lending and related real estate matters.<br><br>Brian C. Rider, The University of Texas School of Law - Austin, TX<br>Richard L. Spencer, Dow Golub Remels & Beverly, LLP - Houston, TX |
| 2:45 pm<br>In Austin,<br>Dallas Only<br>1.00 hr ethics | <b>Ethics Racetrack</b><br><br>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.<br><br>Richard Melamed, Richard Melamed, PLLC - Houston, TX               |
| 3:45 pm<br>In Austin,<br>Dallas Only                   | <b>Adjourn</b>                                                                                                                                                                                                                                                                                             |