

50th Annual William W. Gibson, Jr. Mortgage Lending Institute
September 29-30, 2016 • AT&T Conference Center • Austin, TX
October 20-21, 2016 • Cityplace Conference Center • Dallas, TX

Thursday Morning, Sep. 29, 2016

Presiding Officer:

Tommy Bastian, Barrett Daffin Frappier Turner & Engel, LLP - Addison, TX

8:00 am	<p>Registration Opens</p> <p>Includes continental breakfast.</p>
8:50 am	<p>Welcoming Remarks</p>
9:00 am 0.75 hr 0.25 hr ethics	<p>Case Law Update, Part I</p> <p>An overview of recent cases addressing legal and ethical issues in mortgage lending and real estate, including foreclosures, loan agreements, guaranties, leases, conveyances, and more.</p> <p>David A. Weatherbie, Cramer Weatherbie Richardson Walker LLP - Dallas, TX</p>
9:45 am 0.50 hr	<p>Federal Regulatory Update</p> <p>Although the Dodd Frank Act was enacted in 2010, the “final” regulations are still taking shape. Review the most recent developments in residential mortgage consumer compliance issues, including small creditor exemptions, HMDA changes, and mortgage loan officer issues.</p> <p>Karen M. Neeley, Kennedy Sutherland LLP - Austin, TX</p>
10:15 am	<p>Break</p>
10:30 am 0.50 hr	<p>The Dawn of CMBS 4.0: Changes and Challenges in a New Regulatory Regime</p> <p>Explore the regulatory framework under Dodd-Frank, Regulation AB and Risk Retention, how it affects the availability and cost of capital, who are the new lender entrants, what are the improvements and challenges, and how these impact borrowers.</p> <p>This session has moved to Thursday, October 20 at 3:30 p.m.</p> <p>Patrick C. Sargent, Alston & Bird LLP - Dallas, TX</p>
11:00 am 0.50 hr	<p>High Volatility Commercial Real Estate Loans: New Federal Rules and the Impact on Loan Availability</p> <p>Explore the new Basel III real estate designation of High Volatility Commercial Real Estate (HVCRE), the related regulatory capital rules, and the effect that these rules have on commercial construction financing.</p> <p>Jonathan Thalheimer, McGuire, Craddock & Strother, P.C. - Dallas, TX</p>

11:30 am 0.50 hr	Local Counsel Real Estate Opinion Report Learn current best practices and market customs for the issuance of local counsel opinions in Texas mortgage lending transactions. Barry E. Putterman, Winstead PC - Houston, TX
12:00 pm	Pick Up Lunch Included in registration.

Thursday Afternoon, Sep. 29, 2016

Presiding Officers:

In Austin: **J. Cary Barton**, Barton, East & Caldwell, P.L.L.C. - San Antonio, TX

In Dallas: **David W. Tomek**, Attorney at Law - Dallas, TX

LUNCHEON PRESENTATION

	Introduction In Austin: Brian C. Rider, The University of Texas School of Law - Austin, TX In Dallas: Tommy Bastian, Barrett Daffin Frappier Turner & Engel, LLP - Addison, TX
12:20 pm 0.75 hr	The Future of Legal Services A look at the shifting paradigm of the delivery of legal services in our ever-changing global and technological age and how familiar practice structures are being altered by a new legal marketplace. Hon. Lora J. Livingston, 261st District Court - Austin, TX
1:05 pm	Break

CONCURRENT SESSIONS

Commercial Lending

Presiding Officers:

In Austin: **J. Cary Barton**, Barton, East & Caldwell, P.L.L.C. - San Antonio, TX

In Dallas: **David W. Tomek**, Attorney at Law - Dallas, TX

1:20 pm 0.50 hr	The Ins and Outs of E-Signatures and Authentication What is E-Signature and how will the mortgage industry be impacted by the E-SIGN Act? Regina M. Uhl, Black, Mann & Graham L.L.P. - Dallas, TX
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1:50 pm 0.50 hr	Using Auctions to Sell and Market Real Estate Explore the various types of auctions, common legal issues, and the use of title insurance. In Austin: James L. Gosdin, Stewart Title Guaranty Company - Houston, TX In Dallas: Denise V. Cheney, Bickerstaff Heath Delgado Acosta LLP - Austin, TX
2:20 pm 0.50 hr	Borrowing Entities—Dos and Don'ts of Using Series LLCs or Delaware Statutory Trusts Allen Sparkman, Sparkman + Foote LLP - Houston, TX
2:50 pm 0.50 hr	Special Issues in Drafting a Contract with a CMBS Loan Assumption The process of closing a property secured by a CMBS loan is unique and a real mine field for the uninitiated lawyer. Learn about the special clauses for a contract and gain tips and tricks to help you navigate through the process from application to closing. Kevin M. Kerr, Attorney at Law - Dallas, TX
3:20 pm	Break

Residential Lending

Presiding Officers:

In Austin: **Sara E. Dysart**, Attorney at Law - San Antonio, TX

In Dallas: **Christopher W. Christensen**, PeirsonPatterson, LLP - Dallas, TX

1:20 pm 0.50 hr	TRID/Residential Disclosures Hear an overview of the TRID forms, including a discussion on avoiding investor stipulations on Closing Disclosures. Christopher W. Christensen, PeirsonPatterson, LLP - Dallas, TX
1:50 pm 0.50 hr	CFPB Loss Mitigation Update An overview of current rules, proposed revisions, and expanding responsibility. Theodore J. Riney, Riney Packard PLLC - Dallas, TX
2:20 pm 0.50 hr	Residential Bankruptcy Issues and Bankruptcy Forms—Conduit and Claims (When Worlds Collide) Learn about important forms for filing a residential mortgage proof of claim and what “conduit” means in the residential loan market. Pam Bassel, Standing Chapter 13 Trustee - Fort Worth, TX
2:50 pm 0.50 hr	Residential Evictions Issues Learn best practices for often-encountered issues surrounding residential evictions in Texas. In Austin: John "Jack" O'Boyle, Jack O'Boyle & Associates - Dallas, TX In Dallas: Travis H. Gray, Jack O'Boyle & Associates - Dallas, TX

3:20 pm	Break
3:30 pm 0.50 hr 0.25 hr ethics	<p>Side Letter Agreements: The Real Estate Lawyer's BFF (or Worst Enemy?)</p> <p>Side Letter Agreements (SLAs) can be integral to a successful transactional closing, especially when a inventory and personal property transfer is involved or special logistical arrangements are needed prior to or simultaneously with closing. A transactional lawyer should understand the helpful but limited function of a properly drafted SLA so as to not vary or impinge details of the sales contract or closing protocol.</p> <p>This session has moved to Thursday, October 20 at 10:30 a.m.</p> <p>Charles Fiscus, Shackelford, Melton, McKinley & Norton, LLP - Dallas, TX</p>
4:00 pm 0.50 hr	<p>Thirty Tech Tips for Your CREF Practice</p> <p>Get tips on using technology, both existing and soon to arrive, that will help you enhance—or simply keep—your real estate finance practice.</p> <p>Keith H. Mullen, Higier Allen & Lautin, P.C. - Dallas, TX</p>
4:30 pm 0.50 hr 0.25 hr ethics	<p>Managing Cyber Liability: Protecting Records and Financial Information</p> <p>Learn how to manage cyber liability by protecting sensitive data from unauthorized disclosure.</p> <p>In Austin: Emily Westridge Black, Haynes and Boone, LLP - Austin, TX In Dallas: Timothy A. Newman, Haynes and Boone, LLP - Dallas, TX</p>
5:00 pm 0.50 hr ethics	<p>Detecting and Preventing Fraud in Closings</p> <p>Learn what to look for in order to avoid fraudulent conduct prior to and at a real estate closing.</p> <p>William A. Kramer, Republic Title of Texas, Inc. - Dallas, TX</p>
5:30 pm	Adjourn

Friday Morning, Sep. 30, 2016

Presiding Officers:

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

In Dallas: **Laura L. McClellan**, K&L Gates LLP - Dallas, TX

7:30 am	<p>Conference Room Opens</p> <p>Includes continental breakfast.</p>
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8:30 am 0.75 hr 0.25 hr ethics	Case Law Update, Part II A continuation of the Case Law Update. David A. Weatherbie, Cramer Weatherbie Richardson Walker LLP - Dallas, TX
9:15 am 0.50 hr	Title Insurance Update: Implications and Interpretations of Key Cases Review key Texas cases concerning title insurance, including lessons learned from <i>Doubletree</i> . Paul D. Pruitt, Fidelity National Title Group - Austin, TX
9:45 am	Break
10:00 am 0.50 hr	Water Is Not Just for Diluting the Banker's Good Scotch: Mortgage Lending on Collateral Dependent on Water Explore your options for collateral that is dependent on the value or supply of water, identifying due diligence and regulation landmines and learning documentation best practices and tricks of the trade for valuing, securing, and the foreclosure of water rights. In Austin: Grady B. Jolley, Branscomb PC - San Antonio, TX In Dallas: Ed McCarthy, Jackson, Sjoberg, McCarthy & Townsend, L.L.P. - Austin, TX
10:30 am 0.75 hr	Workouts and Restructurings Analyze key issues and documents in real estate workouts from both the transactional and litigation perspectives. Brian T. Morris, Winstead PC - Dallas, TX John M. Nolan, Winstead PC - Dallas, TX
11:15 am 0.50 hr	Phantom Income: The 1099-C and How You Can Protect Yourself Trick or treat? Learn how to successfully navigate the treacherous maze of ever-changing rules implemented by the Internal Revenue Service as they relate to your law practice. Robert D. Forster II, Barrett Daffin Frappier Turner & Engel, LLP - Addison, TX
11:45 am	Pick Up Lunch Included in registration.

Friday Afternoon, Sep. 30, 2016

Presiding Officer:

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

LUNCHEON PRESENTATION

12:05 pm	Recognition and Retrospective: 50th Anniversary of the William W. Gibson Mortgage Lending Institute
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12:15 pm 0.75 hr	The Future of Retail In Austin: John Kirk, USAA Real Estate - San Antonio, TX In Dallas: Clay Hallman, Simon - Indianapolis, IN
1:00 pm	Break
1:15 pm 0.75 hr	Bankruptcy in the Real Estate Sector Consulting its specially-fabricated “Bankruptcy Crystal Ball,” the panel offers insight into the issues that will dominate the next real estate crash (and there will be one!), and discusses strategies to protect today's deals from the ravages of those issues. Plus, explore some of the more significant recommendations from the ABI Commission on proposed changes to the Bankruptcy Code, with insights and observations on the Commission's work and its chances of success. In Austin: Moderator: Hon. Jeff Bohm, U.S. Bankruptcy Court, Southern District of Texas - Houston, TX Panelists: Mark E. Andrews, Dykema Cox Smith - Dallas, TX Berry D. Spears, Locke Lord LLP - Austin, TX In Dallas: Berry D. Spears, Locke Lord LLP - Austin, TX Deborah D. Williamson, Dykema Cox Smith - San Antonio, TX
2:00 pm 0.75 hr 0.25 hr ethics	Environmental Law Confidential: Useful Tips and Urban Myths in Real Estate Transactions Pick up practical and timely tips to successfully navigate through real estate transactions involving environmental issues. This frank discussion includes statutory and contractual legal protections available to lenders and borrowers, the importance of due diligence and how to manage environmental consultants, environmental insurance, and the emerging focus on vapor intrusion. Steve Morton, K&L Gates LLP - Austin, TX
2:45 pm	Break
3:00 pm 0.50 hr	Hot Topics Hear about recent developments and hot topics in mortgage lending and related real estate matters. In Austin: Brian C. Rider, The University of Texas School of Law - Austin, TX Travis J. Siebeneicher, DuBois, Bryant & Campbell, L.L.P. - Austin, TX In Dallas: Brian C. Rider, The University of Texas School of Law - Austin, TX
3:30 pm 0.75 hr ethics	Here But for the Grace of God Go You: Why the Texas Lawyer's Creed Matters Learn how to be the opposing counsel your profession needs without compromising your ethical duties to your client—an autobiography of four family deaths in eleven months. Mark McPherson, Attorney at Law - Dallas, TX
4:15 pm	Adjourn