

4<sup>th</sup> Annual

# CONSUMER BANKRUPTCY PRACTICE

Practical solutions to the tough problems facing  
consumer bankruptcy practitioners

Earn up to 12.25 Hours of Credit Including 1.75 Hours of Ethics Credit



*Registration includes reception and buffet at the  
Moody Gardens Aquarium—kids welcome!*

**June 19 - 20, 2008**  
**Moody Gardens Hotel • Galveston, Texas**



One of our Hawaiian Shirt Conferences—both informal and informative  
*Reserve early; rooms sell out quickly!*



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CONSUMER BANKRUPTCY PRACTICE

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**THURSDAY MORNING, JUNE 19, 2008**

**Presiding Officer:**

Hon. H. DeWayne "Cooter" Hale, Dallas, TX

**7:45 a.m. Registration Opens**

Includes continental breakfast.

**8:15 a.m. Welcoming Remarks**

**8:30 a.m. 1.25 hrs including .50 hr ethics**

**Consumer Bankruptcy Case Law Update**

A review of the major national and Fifth Circuit consumer cases in the last year, along with highlights of all significant cases issued by bankruptcy courts, including significant Texas decisions.

Prof. Jean Braucher, Tucson, AZ  
Hon. Marvin Isgur, Houston, TX

**9:45 a.m. .75 hr**

**Winning the Car Case—Moot Court Oral Argument Moot Court Drives to Galveston**

Experienced debtor and creditor attorneys will make appellate arguments dealing with major issues involving cars in consumer bankruptcy. The appellate issue will concern adequate protection and plan treatment of a 910-day car claim by a debtor that claims to be using the car for business purposes. Judge Gargotta will pepper the lawyers with questions during the session and render a surprise decision at the conclusion.

Hon. Craig A. Gargotta, San Antonio, TX  
William H. Lively Jr., Tyler, TX  
Eduardo V. Rodriguez, Brownsville, TX

**10:30 a.m. Break**

**10:45 a.m. .50 hr**

**Cars In a BAPCPA World: Case Law Update and Review**

A summary of key car cases with creditor and debtor counsel highlighting some of their favorites. This won't be a simple case overview. Instead, Ridulfo and Rodriguez will provide an in-depth analysis of the most important car cases from Texas and around the nation.

Michael P. Ridulfo, Houston, TX  
Eduardo V. Rodriguez, Brownsville, TX

**11:15 a.m. .33 hr**

**How To Perfect a Direct Appeal from the Bankruptcy Court to the Fifth Circuit**

With BAPCPA came the potential to circumvent the District Court and file an appeal directly with the Fifth Circuit. This program will take you through the step-by-step procedures to obtain the Fifth Circuit's approval to appeal directly from the Bankruptcy Court.

Aaron Power, Houston, TX

**11:35 a.m. .75 hr**

**Chapter 13 Trustee Panel**

One Chapter 13 trustee from each of Texas' four districts will serve on this panel. They will discuss current issues in Chapter 13, and practical problems confronted by their offices. At least one-half of this session will be devoted to questions from the audience.

Moderator: Deborah B. Langehennig, Austin, TX  
David G. Peake, Houston, TX  
Ron Stadtmueller, Tyler, TX  
Tim N. Truman, Fort Worth, TX

**12:20 p.m. Lunch On Your Own**

**THURSDAY AFTERNOON**

**Presiding Officer:**

Hon. Marvin Isgur, Houston, TX

**1:30 p.m. 1.00 hr**

**Top 5 Practical Problems of B 22 Forms**

Form B 22 was revised effective January 1, 2008. However, the revisions have not helped with many of the major problems lawyers confront in completing the form. This session will review the five most common errors found on B 22 Forms and how to avoid the errors.

Michael V. Baumer, Austin, TX  
Dinorah Gonzalez, Houston, TX  
Timothy W. O'Neal, Tyler, TX

**2:30 p.m. .50 hr**

**Exemptions and Exemption Planning**

Debtors need their exemptions. This session will focus on recent exemption decisions by the Fifth

Circuit and by Texas state and federal courts. How can you claim (and keep) exemptions for your client? A trustee's lawyer talks about how he will attack your claimed exemptions.

David R. Jones, Houston, TX

**3:00 p.m. Break**

**3:15 p.m. .75 hr**

**Discharge**

Why file bankruptcy and not get a discharge? This session will discuss the new requirements for obtaining a Chapter 13 discharge, problems with the new § 524 reaffirmation agreements and more.

Pamela Arnold Bassel, Fort Worth, TX  
Hon. H. DeWayne "Cooter" Hale, Dallas, TX  
Alva Wesley-Thomas, Houston, TX

**4:00 p.m. .50 hr**

**Bankruptcy Practice for New Lawyers: Expectations, Surprises, Pitfalls and Successes**

This is a great, new session for great, new lawyers. What should a neophyte bankruptcy lawyer expect? Learn from a very capable panel of attorneys, each of whom has practiced bankruptcy for less than five years.

Moderator: Hon. Bill Parker, Tyler, TX  
Robert P. Colwell, Dallas, TX  
Layla Elzner-Sislen, Austin, TX  
Yolanda Gutierrez, Houston, TX  
Timothy A. Million, Houston, TX  
Joshua P. Searcy, Longview, TX

**4:30 p.m. 1.00 hr ethics**

**Bohm's Players on Ethical Issues in Bankruptcy Practice**

A perennial favorite, Judge Bohm, and his summer interns, Jennifer Bell, Shayla Friesen, Zena Habal, Cameron Hatzel-Treat, Miesha Haynes, Marc Kaplan, Taylor Landry, John Strohmeier, William Teten Jr., Lytch Turnow, and Lyndsay Weber highlight various ethical issues in skit format that practitioners in the trenches actually confront. Always the top review of any seminar in the state!

Hon. Jeff Bohm, Houston, TX

**5:30 p.m. Break**

6:00 p.m. Aquarium Reception & Buffet



## Reception and Buffet at Moody Gardens Aquarium

All registrants and their families (kids welcome) are invited to a special reception and light buffet dinner with bankruptcy judges and other faculty members.

Don't miss the unique opportunity to visit the spectacular Moody Gardens Aquarium without the large crowds of summer: the Aquarium will be closed to the public for this special private reception and buffet.

This event is casual, fun, and flexible: come for a half hour and quick drink, or stay on for two hours and enjoy the aquarium and light buffet dinner.

### RSVP REQUIRED:

*No additional charge, but you MUST RSVP on the registration form for yourself and guests.*

8:00 p.m. Reception and Buffet Ends

## FRIDAY MORNING, JUNE 20, 2008

### Presiding Officer:

Hon. Craig G. Gargotta, San Antonio, TX

8:30 a.m. 1.00 hr including .25 hr ethics

### Breakfast Breakout Sessions with the Judiciary

One or more judges from each of Texas' four judicial districts will meet with attendees and discuss problems of local concern.

Northern District: Hon. H. DeWayne "Cooter" Hale, Dallas, TX

Eastern District: Hon. Bill Parker, Tyler, TX

Southern District: Hon. Wesley W. Steen, Houston, TX, with Hon. Marvin Isgur, Houston, TX and Hon. Jeff Bohm, Houston, TX

Western District: Hon. Craig G. Gargotta, San Antonio, TX

9:30 a.m. Break

9:45 a.m. .75 hr

### Houses: Unscrambling Mortgage Lenders and Servicers

Judge Clark and Tommy Bastian discuss how the pooling and syndication of mortgage securities have made it more difficult to find the "holder in due course" of note obligations and to work with servicers who are reluctant to make modifications in loan terms – as well as the ways practitioners and courts have attempted to deal with these problems. The session concludes with a discussion of the duties of creditors' counsel after the *Parsley* decision, including obligation of servicers to establish which months were default months, the correct use or application of suspense accounts and the like, the explanation for "additional charges" and the proper maintenance and application of escrow accounts.

Tommy Bastian, Addison, TX  
Hon. Leif M. Clark, San Antonio, TX

10:30 a.m. Break

10:45 a.m. 1.00 hr

### Houses: Key Issues and Case Law Developments In Bankruptcy

This session provides an outline, analysis and commentary on key issues in case law developments involving houses in Chapter 13. Issues addressed include: § 522 litigation involving capping the homestead exemption, state law and foreclosure, adjustable rate issues, fee collection by lenders, remedies and discovery. This session provides practical advice and strategies for effective discovery.

Moderator: Hon. Douglas D. Dodd, Baton Rouge, LA

Gwendolyn E. Hunt, Dallas, TX

Brendetta Anthony Scott, Houston, TX

11:45 a.m. .75 hr

### The Burden of Proof and Proof of Claim

Just how prima facie is it? Developing case law and practical tips on what needs to be in a proof of claim to avoid challenges. What is the presumptive validity of an improperly filed proof of claim? How do you introduce the proof of claim into evidence?

- a. New Form
- b. Documents to Attach
- c. Fees
- d. Who Signs?
- e. Payment Histories

Kelly Gill, Abilene, TX  
Tim Stapleford, New York, NY  
Behrooz P. Vida, Bedford, TX

## FRIDAY AFTERNOON

### Presiding Officer:

Hon. H. DeWayne "Cooter" Hale, Dallas, TX

## LUNCHEON PRESENTATION

12:30 p.m. Pick Up Box Lunch

Included in conference registration fee.

12:45 p.m. .50 hr

### View From the Bench: Effective Practice in Bankruptcy Court, What I See and What I'd Like to See

Newly appointed Bankruptcy Judge, who practiced for 17 years before his 2007 appointment as United States Bankruptcy Judge for the Western District of Texas, shares his insights on the behavior, strategies, and practices of lawyers who appear before him and what types of practices are effective in his courtroom.

Hon. Craig A. Gargotta, San Antonio, TX

1:15 p.m. Break

1:30 p.m. .75 hr

### Representing and Dealing with Chapter 7 Trustees

A panel of experienced Chapter 7 trustees discuss how to navigate through a Chapter 7. Discussion will include how to prepare for the § 341 meeting of creditors, how to obtain a Chapter 7 discharge, and how to preserve your exemptions.

Moderator: Rick Carter, Houston, TX

Rhonda R. Chandler, Houston, TX

Kent Ries, Amarillo, TX

Jason R. Searcy, Longview, TX

2:15 p.m. Adjourn





## UTCLE eLibrary for Bankruptcy Practitioners

*Cutting-edge research at your fingertips—papers, PPTs, and podcasts.*

If you practice consumer bankruptcy law, you don't want to be without the latest papers, PPTs, and podcasts from the UTCLE eLibrary. From the intricacies of B 22 forms, to the latest consumer issues involving homes, cars, and plans—it's all here. The University of Texas offers a stellar portfolio of bankruptcy programs for consumer and litigation practitioners, and regularly gathers leading experts and judges to present the latest developments.

### Papers, PPTs, and Podcasts in Related Practice Areas

The eLibrary also includes thousands of materials from related fields, such as consumer law, insurance law, real estate, ethics, and family law.

### Easy Search of the Best Resources by Leading Bankruptcy Experts

Put the latest resources at your fingertips—from leading judges, practitioners, and academics, such as Hon. Eugene Wedoff and Prof. Jean Braucher.

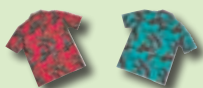
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Your one-year subscription provides access to all the materials in the eLibrary—papers, PPTs and podcasts. Search and download them whenever, wherever and as often as you want! See the registration form or go to

[www.utcle.org/eLibrary](http://www.utcle.org/eLibrary)



### HAWAIIAN SHIRT SERIES

Consumer Bankruptcy Practice is part of UT Law's Hawaiian Shirt Series, both informal and informative—participants are all invited to dress "beach casual." Bring shorts, a Hawaiian shirt, and the family—reserve early, as hotel rooms sell out quickly!

### Mail this registration form to:

The University of Texas School of Law, Attn. CK08  
P.O. Box 7759, Austin, TX 78713-7759 **or fax a copy to: (512) 475-6876**  
Online registration available at [www.utcle.org](http://www.utcle.org)

PLEASE PRINT CLEARLY

Bar Card# \_\_\_\_\_  TX  Other State: \_\_\_\_\_  N/A

Name [ Mr. / Ms. ] \_\_\_\_\_

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Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_ Fax \_\_\_\_\_

Registrant's Email (required) \_\_\_\_\_

Assistant's Email (optional) \_\_\_\_\_

Invoices, confirmations and receipts are emailed to these addresses.

### REGISTRATION:

*Registration includes Course Binder, Aquarium Reception, and Friday Box Lunch Presentation*

Early Registration Fee due by Wed., June 11, 2008 ..... \$495.00

Registration Fee after Wed., June 11, 2008 ..... \$545.00

### THURSDAY RECEPTION AND BUFFET AT AQUARIUM: RSVP REQUIRED

All registrants and families (kids welcome) are invited to a special reception and light buffet dinner with bankruptcy judges and other faculty members at the Moody Gardens Aquarium. No additional charge; but RSVP is required.

Please RSVP for yourself, and circle the number of guests:

[ ] I will attend, along with 0 1 2 3 4 5 guests.

### CONFERENCE PUBLICATIONS AND MEDIA

*Allow 2-4 weeks from the conference date for delivery.*

Course Binder WITHOUT Conference Registration ..... \$200.00

*Note: Conference registration includes Course Binder.*

Audio CD Set ..... \$175.00

eBinder on CD (PDF format) ..... \$200.00/\$50.00

*(\$200 purchased alone, \$50 with registration or purchase of Course Binder or Audio CD Set)*

### IN-HOUSE CLE: Bring the conference in-house and learn at your convenience.

*Allow 2-4 weeks from the conference date for delivery.*

In-House CLE for 2—Includes Audio CD Set and Course Binder ..... \$750.00

\_\_\_\_\_ Add participants (includes Course Binder) for \$200 each ..... \$ \_\_\_\_\_

### UTCLE eLibrary: Papers, PPTs, and Podcasts

One-year subscription for UTCLE eLibrary ..... \$295.00

Discounts available for multiple subscriptions: call 512-475-6700 for more information.

### METHOD OF PAYMENT

Check (make checks payable to: The University of Texas at Austin)

VISA or  Mastercard (sorry, no AMEX or Discover)

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X \_\_\_\_\_ Exp. Date (mm/yy)   /

Authorized Signature

TOTAL ENCLOSED ..... \$ \_\_\_\_\_

**GALVESTON**  
June 19-20, 2008  
CONFERENCE LOCATION



**Moody Gardens Hotel**  
Seven Hope Blvd.  
Galveston, TX 77554  
888-388-8484

**Special Room Rate** \$168  
good through May 28, 2008  
(subject to availability)

**Parking:** Free Self-Parking

**Rooms sell out quickly—please  
reserve early!**

.....  
**KEY DATES**

**Registration & Cancellation**

June 11, 2008—5 p.m.  
*last day for early registration*  
add \$50 for registrations  
received after this time

June 13, 2008—5 p.m.  
*last day for full refund*

June 16, 2008 —5 p.m.  
*last day for partial refunds*  
\$50 processing fee applied

June 19, 2008—8:30 a.m.  
*conference begins*

June 19, 2008—6:00 p.m.  
*reception and buffet at Aquarium*

# MOODY GARDENS AND GALVESTON

*Bring the family—reserve early,  
as hotel rooms sell out quickly!*



**Private Aquarium Reception and Buffet**

All conference registrants have the unique opportunity to visit the spectacular Moody Gardens Aquarium without the large crowds of summer: the Aquarium will be closed to the public for a special reception and light buffet on Thursday evening.

And, enjoy the many other attractions of Moody Gardens and Galveston Island: the Discovery and Rainforest pyramids, IMAX 3D theater, the Strand, Schlitterbahn Water Park, and great seafood restaurants.

## UTCLE

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P.O. Box 7759 • Austin, TX 78713-7759

*This program is not printed or mailed at state expense.*

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This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 12.25 hours of which 1.75 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 (sponsor #1944).

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for more information