

58TH ANNUAL WILLIAM W. GIBSON, JR.

MORTGAGE LENDING INSTITUTE



September 12–13, 2024
AT&T Conference Center ■ Austin, Texas

 Live Webcast September 12–13

Earn up to 11.25 Hours of MCLE Credit Including 2.00 Hours of Ethics Credit

MCLE Credit Approved in TX, CA, OK, and PA (Hours Vary By Jurisdiction)

Specialization Credit Expected for Bankruptcy Law, Consumer Law, and Real Estate Law

Professional Accreditation Approved for TX Accounting CPE, and TX Real Estate Commission (TREC)

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Times listed are in Central Time

THURSDAY MORNING, SEP. 12, 2024

Presiding Officer:

**Amanda R. Grainger, Winstead PC,
Dallas, TX**

8:00 a.m. Registration Opens

Includes continental breakfast.

8:30 a.m. Welcoming Remarks

8:40 a.m. .75 hr

Case Law Update – Part I

Discuss recent and significant Texas cases from the last year, with particular attention paid to cases involving new legal concepts or which materially alter or extend current jurisprudence.

Amanda R. Grainger, Winstead PC, Dallas, TX
J. Richard White, Winstead PC, Dallas, TX

9:25 a.m. .75 hr | .25 hr ethics

Part 1: Workout, Foreclosure, Deed-in-Lieu, Receivership, and Other Judicial and Non-Judicial Remedies. So Many Choices...

The panel will share lessons learned from past cycles and what is different about this one. They will also discuss their general approach to problem loans, and the primary questions that guide the resolution process.

Niles W. Holmes, Niles Holmes, P.C., Dallas, TX
Brian Thompson Morris, Winstead PC, Dallas, TX
Thomas M. Whelan, McGuire, Craddock & Strother, P.C., Dallas, TX

10:10 a.m. 15-Minute Break

10:25 a.m. 1.50 hrs | .50 hr ethics

Part 2: Workout, Foreclosure, Deed-in-Lieu, Receivership, and Other Judicial and Non-Judicial Remedies. So Many Choices...

The panel will share lessons learned from past cycles and what is different about this one. They will also discuss their general approach to problem loans, and the primary questions that guide the resolution process.

Niles W. Holmes, Niles Holmes, P.C., Dallas, TX
Brian Thompson Morris, Winstead PC, Dallas, TX
Thomas M. Whelan, McGuire, Craddock & Strother, P.C., Dallas, TX

11:55 a.m.

Q&A and Wrap: Workout, Foreclosure, Deed-in-Lieu, Receivership, and Other Judicial and Non-Judicial Remedies

Niles W. Holmes, Niles Holmes, P.C., Dallas, TX
Brian Thompson Morris, Winstead PC, Dallas, TX
Thomas M. Whelan, McGuire, Craddock & Strother, P.C., Dallas, TX

12:00 p.m. Pick Up Lunch

Included in registration.

THURSDAY AFTERNOON

Presiding Officer:

**Chris Peirson, PeirsonPatterson, LLP,
Dallas, TX**

LUNCHEON PRESENTATION

12:20 p.m. .75 hr

Interest Rates and the Mortgage Market: What's Next?

The economy, inflation, and interest rates have created much uncertainty in the mortgage markets. Learn where interest rates and the mortgage market are likely headed.

Dr. Will McIntosh, Affinius Capital, San Antonio, TX

1:05 p.m. 15-Minute Break

1:20 p.m. 1.00 hr

Intercreditor Agreements – Avoiding Lender-on-Lender Violence in the Closing Process

An examination of Intercreditor Agreements from the perspective of each of the Borrower, the Senior Lender and the Mezzanine Lender.

Kevin A. Sullivan, Winstead PC, Austin and Dallas, TX

2:20 p.m. .75 hr

Real Estate Bankruptcy

Hear a discussion on Subchapter V, lender and lessor relations, 363 sales, third-party releases, and related market trends affecting lenders in bankruptcy cases, including a review of recent cases decided by the U.S Supreme Court and in the Fifth Circuit.

Victoria N. Argeroplos, Jackson Walker LLP, Houston, TX
Beau Butler, Jackson Walker LLP, Austin, TX
Maha Ghyas, Jackson Walker LLP, Houston, TX

3:05 p.m. .50 hr

Title Insurance: Common Title Issues & Fixes

Hear a title insurance update including common title issues that arise in a transaction and how to clean up a title after a project as gone wrong.

Heidi E. Junge, Stewart Title Guaranty Company, San Antonio, TX

3:35 p.m. 10-Minute Break

MCLE

This course has been approved for Minimum Continuing Legal Education credit by the State Bar of Texas Committee on MCLE in the amount of 11.25 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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Call 512.475.6700 to register.

3:45 p.m. .75 hr | .25 hr ethics

Transactional Lessons Learned at the Courthouse

Litigation is a popularity contest. This presentation provides lodestars for creating winning paper trails, focusing on the transactional documents presented to trial courts at temporary-restraining-order hearings, temporary-injunction hearings, summary-judgment hearings, pretrial evidentiary hearings, bench trials, and jury trials.

J. Edwin Martin, J. Edwin Martin Attorney and Counselor at Law, Dallas, TX

4:30 p.m. .75 hr

FinCEN Developments

FinCEN is a federal government level regulatory activity which involves real estate transactions, requiring filing of disclosures of ownership of corporations, LLCs and other entities. This is the Corporate Transparency Act, but, more important to real estate and real estate lending, is a second set of proposed regulations which would require attorneys and others involved in residential real estate closings to "turn in" clients and client information for the purposes of tracking illegal activity.

John P. Bruce, Heritage Title Company of Austin, Inc., Austin, TX

5:15 p.m. Adjourn

FRIDAY MORNING, SEP. 13, 2024

Presiding Officer:
Michelle Moore Smith, Jackson Walker LLP, Austin, TX

8:00 a.m. Conference Room Opens
Includes continental breakfast.

8:30 a.m. .75 hr

Case Law Update – Part II

Discuss recent and significant Texas cases for the last year, with particular attention paid to cases involving new legal concepts or which materially alter or extend current jurisprudence.

Amanda R. Grainger, Winstead PC, Dallas, TX
J. Richard White, Winstead PC, Dallas, TX

9:15 a.m. 1.00 hr

Hot Topics

Hear about recent developments and hot topics in mortgage lending and related real estate matters.

Robert F. DuBois III, DuBois, Bryant & Campbell, L.L.P. / Adjunct Professor Texas Law, Austin, TX
Brian C. Rider, The University of Texas School of Law, Austin, TX

10:30 a.m. .50 hr

Give Me a (Tax) Break: Considerations for Affordable and Workforce Housing Transactions Utilizing Public Facility Corporations (PFCs)

In recent years housing has become increasingly difficult to develop due to rising interest rates and construction costs, but innovative financing strategies that leverage property tax exemptions available to public facility corporations (PFCs) and other similar entities have allowed communities in Texas to continue growing. This session covers the basics of PFCs, including their formation, legal requirements and recent legislative changes, and some of the pitfalls and best practices when considering a public-private partnership with a PFC.

Summer Greathouse, Bracewell, San Antonio, TX

11:00 a.m. .50 hr

How it Works: C-PACE Financing

Hear about the building blocks of the Commercial Property Assessed Clean Energy program in Texas. Gain valuable insights on the mechanics of C-PACE financing and how it can be leveraged to fill gaps in the capital stack.

Mansoor Ghori, Petros PACE Finance, Austin, TX
Glenn Silva, Lone Star PACE, Frisco, TX

11:30 a.m. 1.00 hr ethics

AI: Friend or Foe?

Has Judgment Day come? Is Skynet about to destroy humanity? Nah...not yet. Until our computer overlords take charge, Generative AI can be a helpful new tool for sorting through the vast amounts of data and knowledge on the Internet. Walk through the basics of using Generative AI and hear some pointers on how you can make it work for you and your practice.

Daniel C. Wood, Pillsbury Winthrop Shaw Pittman LLP, Austin, TX

12:30 p.m. Adjourn

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Austin, TX 78711

Fax:

512.475.6876

Questions? 512.475.6700

If you have dietary requirements or would like to request accommodations under the ADA, please contact Customer Service at 512.475.6700 or service@utcle.org at least 10 days prior to the conference.

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Accredited eConference: Complimentary access to the eConference – with papers, slides, and video – accredited for one year in both TX and CA are available in "Your Briefcase" 6–8 weeks after the event.

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ML24

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Assistant's Email (optional) _____

Invoices, confirmations, and receipts are emailed to these addresses.

EVENT REGISTRATION

Includes Electronic Course Binder Download (PDF) in "Your Briefcase." Special group registration rates available. Call 512.475.6700.

Live, In-Person Event Registration \$645 | \$745 after August 28

Live Webcast Registration \$645 | \$745 after August 28

Printed and Shipped Binder with Registration (Shipping Included) – Available for order through Friday, September 13, 2024

Please note that the printed binder will arrive 2–3 weeks after the conclusion of the live event. Delivery to P.O. boxes is not permitted. Binders will not be distributed on-site.

Printed and Shipped Course Binder \$81.19 (\$75*)

Webcast Add-on

Register for the in-person conference and add on the webcast format for attendance flexibility.

Webcast Add-on \$75

TOTAL EVENT REGISTRATION \$ _____

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Individual eConference \$745

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Comprehensive binder with papers and slides, available for delivery 4–6 weeks after live event.

Electronic Post-Course Download (PDF) \$297.69 (\$275*)

Printed Post-Course Binder \$351.81 (\$325*)

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AUSTIN

September 12–13, 2024

CONFERENCE LOCATION



AT&T Conference Center

The University of Texas at Austin
1900 University Avenue
Austin, TX 78705
877.744.8822 (reservations)

Parking:

Visit www.utcle.org/conferences/ML24/#venue
for daily and overnight rates

KEY DATES

August 28, 2024

Last day for early registration rates

September 6, 2024

Last day for full refund cancellation

September 9, 2024

Last day for partial refund cancellation
\$50 processing fee applied

September 12, 2024 8:30 a.m., CT

Institute begins

September 13, 2024

*Last day to order a printed and shipped course binder
with in-person or webcast conference registration.*

REASONS TO ATTEND

UT Law's **58th Annual William W. Gibson, Jr. Mortgage Lending and Servicing Institute** presents current developments and industry trends, offers practical information on real estate lending, financing and title issues, and provides a must-have set of materials and resources.

This year's highlights include:

- The popular two-part *Case Law Update*, presented by Amanda Granger and Richard White, provides updates on recent and significant Texas cases involving new legal concepts which materially alter or extend current jurisdiction.
- Niles Holmes, Brian Morris, and Tom Whelan provide a two-part session exploring the many options to workouts, foreclosure, deed-in-lieu, receivership and judicial and non-judicial remedies.
- Dr. Will McIntosh from Affinius Capital delivers insights on where interest rates and mortgage marking are likely heading, in Thursday's Luncheon presentation, *Interest Rates and The Mortgage Market: What's Next?*
- *Transaction Lessons Learned at the Courthouse*, presented by J. Edwin Martin, introduces creative ways to create winning paper trails focusing on the transactional documents presented to trial courts.
- John Bruce in *FinCEN Developments* explores the government regulatory activity of FinCEN as it relates to real estate and real estate lending.

Don't miss the chance to hear these great sessions and many more presentations presented by recognized experts in the mortgage lending and servicing community.