

DENTIAL MORTGAG

LITIGATION & REGULATORY ENFORCEMENT

On the One-Year Anniversary of the CFPB Mortgage Rules, This Event Will Set the Stage for Litigation Strategies and Responding to Government Initiatives in the Coming Year

Enforcement & regulatory priorities from: HUD

U.S. Attorney's Office, D.N.J.

Alabama Securities Commission

Arkansas Securities Department

California Housing Finance Agency

California Dept. Business Oversight

Office of the Attorney General of Texas

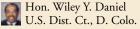
A Truly National View From the Bench:

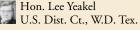
Hear from Calif.

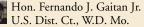
state judges & federal judges from district and

inkruptcy court in 7 Circuits

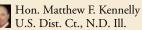
Hon. Helen W. Gillmor U.S. Dist Ct., D. Haw.







Hon. David Hittner U.S. Dist. Ct., S.D. Tex.



Hon. George C. Steeh U.S. Dist. Ct., E.D. Mich.

Hon. Christopher A. Nuechterlein U.S. Dist Ct., N.D. Ind.

Hon. Craig A. Gargotta U.S. Bankr. Ct., W.D. Texas

Hon. Richard S. Schmidt U.S. Bankr. Ct., S.D. Texas

Hon. Elizabeth W. Magner U.S. Bankr. Ct., E.D. La.

Hon. Michael B. Kaplan U.S. Bankr. Ct., D.N.J.

Hon. Robert B. Freedman Calif. Super. Ct., Alameda Co.

Hon. Anthony J. Mohr Lalif. Super. Ct., Los Angeles Co.

Hon. Allan L. Tereshko Pa. Ct. Common Pleas

Hon. Ramy I. Djerassi Pa. Ct. Common Pleas

Hon. Sandra Moss (ret.) Pa. Ct. Common Pleas

January 15-16, 2015 | Omni Los Angeles Hotel at California Plaza | Los Angeles, CA

In-House insights from industry experts, including:

Ken Markison Mortgage Bankers Association

Wendy A. Scholl Bank of America

Gary A. Deutsch PNC Legal Department **Iennifer Peterson** Wells Fargo Law Department

David Chernek Prospect Mortgage, LLC

Ronald M. Morrison Impac Mortgage Holdings, Inc.

Karim Hatata Ocwen Financial Corporation

Stephen B. Fleming Phoenix Capital Inc.

and others to follow

New sessions this year include:

- State of the Industry: CFPB Enforcement, Examinations, Investigations, Administrative Actions and Suits; Issues Involving TILA/RESPA SID Regulation, HMDA, QRM and Rulemaking; and New Risks Involving UDAAP, Ability-to-Repay/QM and RESPA (including QWR)
- The Borrower's Perspective: Insights From the Plaintiffs' Bar and Consumer Advocates
- Government Insights on the Current State of the Residential Mortgage Industry for 2015, Regulatory and Enforcement Priorities at Both the National and State Levels, and How to Prepare for and Respond to Examinations, Supervision, and Investigations in a Multi-Agency Environment
- Fair Lending: Ramped Up Enforcement Including in the UDAAP Context; DOJ and CFPB Involvement; "Disparate Impact" Theory as a Litigation Game Changer; the Shift to New Issues Involving Maternity Leave, Disability Documentation, LGBT, Reverse Discrimination and HMDA; Predatory and Abusive Lending Claims Including Discriminatory Pricing/Steering; and the Latest Settlement Orders, Themes and Implications
- Mortgage Servicing: Litigation and Enforcement Concerns, Defending Against Innovative Borrower Claims Including Under TILA Reg Z Amendments and New RESPA Servicing Rules, and the Latest on Servicer Liability for Credit Reporting Under FCRA and Debt Collection under FDCPA
- Loss Mitigation, Loan Modification and the Home Affordable Modification Program: New Loan Modification Litigation Risks (Including in Conjunction With Evolving Theories of Recovery for HAMP); Modifications and REO; and Continuity of Loss Mitigation for "In-Flight" Loan Mods
- Recent Class Action & Mass Action Developments and New California HBOR Issues Related to Pre-Foreclosure Contact, Dual Tracking, SPOC, Private Rights of Action, Safe Harbor, Duty of Care, and Tender
- MERS and County Fee Litigation and Foreclosure Trends
- The Current Wave of Lender-Placed Insurance and Private Mortgage Insurance Claims

Break Sponsor:



Sponsored by:



Here are just some of the companies and firms already participating:

U.S. Dept. of Housing and Urban Development U.S. Attorney's Office, D.N.J.

Alabama Securities Commission Arkansas Securities Department

California Housing Finance Agency

California Department of Business Oversight

Office of the Attorney General of Texas

Mortgage Bankers Association PMAC Lending Services, Inc.

Bank of America

Prospect Mortgage, LLC PNC Legal Department Ocwen Financial Corporation

Phoenix Capital Inc.

Wells Fargo Stites & Harbison

National Consumer Law Center

Bilzin Sumberg Baena Price & Axelrod

Ice Legal, P.A. Greenberg Traurig Jones Day

LotsteinLegal Lane Powell O'Melveny & Myers

Alston & Bird Severson & Werson Goodwin Procter

Parker, Hudson, Rainer & Dobbs

Pilgrim Christakis

Locke Lord BuckleySandler Pfeifer & de la Mora

Skadden, Arps, Slate, Meagher & Flom

Franzén and Salzano Aldridge Connors

Burke, Warren, MacKay & Serritella

Parker Ibrahim & Berg

Varga Berger Ledsky Hayes & Casey

Doll Amir Eley

Stradley Ronon Stevens & Young

Relman, Dane & Colfax McGlinchey Stafford

Palmer, Lombardi & Donohue

The industry's leading litigators and in-house counsel are meeting in Los Angeles on January 15-16. Attend to benchmark your current strategies, learn the latest government enforcement and regulatory priorities, and get judicial insights from California state judges and federal judges from district and bankruptcy courts located in 7 different Federal Circuits.

In addition to unparalleled networking opportunities, ACI's 16th Residential Mortgage Litigation and Regulatory Enforcement conference will provide attendees with the latest insights and expert advice from our exceptional faculty on defending against lending, servicing and foreclosure litigation, and will keep you ahead of the curve with regard to increased enforcement efforts and the evolving regulatory paradigm at both the federal and state level. Sessions include:

- State of the Industry for Lenders and Servicers One Year After the CFPB Mortgage Rules: Bureau Enforcement, Examinations, Investigations, Administrative Actions and Suits Regarding Originations and Servicing; Overarching Issues Involving TILA/RESPA SID Regulation, HMDA, QRM and Rulemaking; and New Enforcement and Litigation Risks Involving UDAAP, Ability-to-Repay/QM, RESPA (including QWR) and Beyond
- The Borrower's Perspective: Insights From the Plaintiffs' Bar and Consumer Advocates
- · In-House Insights on Litigation Management in this Evolving Regulatory and Enforcement Environment, Preparing for and Managing Lending, Servicing, and Foreclosure Litigation, Enhancing Relationships with Outside Counsel, and Working With Reduced Budgets and Smaller Staffs
- · Government Insights on the Current State of the Residential Mortgage Industry for 2015, Regulatory and Enforcement Priorities at Both the National and State Levels, and How to Prepare for and Respond to Examinations, Supervision, and Investigations in a Multi-Agency Environment
- Fair Lending: Ramped Up Enforcement Including in the UDAAP Context; DOJ and CFPB Involvement; "Disparate Impact" Theory as a Litigation Game Changer; the Shift to New Issues Involving Maternity Leave, Disability Documentation, LGBT, Reverse Discrimination and HMDA; Predatory and Abusive Lending Claims Including Discriminatory Pricing/Steering; and the Latest Settlement Orders, Themes and Implications
- Recent Class Action & Mass Action Developments, Examining Key State Nuances and Developments in Hotbed Jurisdictions Nevada, Florida, New York, Illinois, and Texas, and Dissecting New California HBOR Issues Related to Pre-Foreclosure Contact, Dual Tracking, SPOC, Private Rights of Action, Safe Harbor, Duty of Care, and Tender
- Establishing Standing, Defending Against Persistent Claims Relating to MERS and County Fee Litigation, Foreclosure Trends and Overcoming Contested Foreclosures, and Responding to Borrower Counterclaims and Stall Tactics
- Views from the Bench: Judicial Perspectives on the Latest Plaintiff Theories, Emerging Defense Strategies, Lender-Placed Insurance Litigation, Bankruptcy and Foreclosure Litigation, Heightened Scrutiny of Lenders and Servicers, Case Management, E-Discovery, and More
- The Fallout from the Fallout for Mortgage Servicing: Litigation and Enforcement Concerns, Defending Against Innovative Borrower Claims Including Under TILA Reg Z Amendments and New RESPA Servicing Rules, and the Latest on Servicer Liability for Credit Reporting Under FCRA and Debt Collection under
- · Loss Mitigation, Loan Modification and the Home Affordable Modification Program: New Loan Modification Litigation Risks (Including in Conjunction With Evolving Theories of Recovery for HAMP); Modifications and REO; Continuity of Loss mitigation for "In-Flight" Loan Mods, and More
- The Current Wave of Lender-Placed Insurance and Private Mortgage Insurance Claims: Government Action, Private Lawsuits, Trends of Claims Surviving Early Stages of Litigation, Classwide Settlement Features and More
- Third-Party Vendor Management and Enhanced Diligence Standards Over Service Providers: With Heightened Regulatory Expectations, What Are the Best Practices in Selection and Monitoring, Risk Management, Contracts and Exit Strategy?
- Mortgages in Bankruptcy: Prevailing Against the Latest Bankruptcy Litigation Claims

This event will fill up quickly, so register now by calling 1-888-224-2480, faxing your registration form to 1-877-927-1563, or registering online at www.AmericanConference.com/ResidentialMortgageLA

Who You Will Meet

In-House Counsel from

- Mortgage lenders
- Mortgage brokers
- Banks and thrifts
- Loan servicers
- Loan purchasers
- Investment banks
- Hedge funds
- Private equity

Private practice attorneys specializing in:

- Financial services
- Mortgages
- Bankruptcy
- Securities litigation
- - Consumer finance
 - Regulations and compliance

DAY ONE: THURSDAY, JANUARY 15, 2015

7:15 Registration and Continental Breakfast

8:00 Chairs' Welcome

Wendy A. Scholl Associate General Counsel, Litigation Bank of America

Hunter Eley Partner Doll Amir & Eley LLP

Roland P. Reynolds Partner

Palmer, Lombardi & Donohue LLP

8:05 State of the Industry on the One-Year Anniversary of the CFPB Mortgage Rules: Bureau Enforcement, Examinations, Investigations, Administrative Actions and Suits Regarding Originations and Servicing; Overarching Issues Involving TILA/RESPA SID Regulation, HMDA, QRM and Rulemaking; and New Enforcement and Litigation Risks Involving UDAAP, Ability-to-Repay/QM, RESPA (Including QWR) and Beyond

Ken Markison Vice President, Regulatory Counsel Mortgage Bankers Association

Albert J. Rota Partner Jones Day

Michael R. Pfeifer, Esq. Partner Pfeifer & De La Mora, LLP

Wendy Walter Managing Attorney RCO Legal, P.S

Moderator:

Roland P. Reynolds Partner Palmer, Lombardi & Donohue LLP

- How the servicing rules have impacted the industry so far: Lessons learned and pitfalls to avoid; Best practices for ensuring compliance; Litigation risks arising from the new rules; Practical experiences with litigation to date
- CFPB examinations what to expect: What are examiners looking for?; Practical guidance on how best to prepare; Enforcement and litigation risks arising from an examination
- CFPB enforcement actions: Status and assessment of recent enforcement cases; How companies are responding; What to expect going forward
- Rule specific clarifications and rules on the horizon re HMDA and QRM
- RESPA-TILA Integration and liability
- Enforcement and litigation risk of TILA (including Ability-to Repay and QM) and RESPA (including QWR)
- CFPB enforcement for UDAAP violations
- Gauging the Bureau's approach to UDAAP issues in marketing, advertising and more

- Which acts and practices put lenders and servicers at greatest risk for UDAAP violations?
- Assessing the definition of 'abusive' practices: Potential
 pitfalls for the mortgage industry; What aspects of
 origination and servicing may be 'abusive'?; Lessons learned
 from recent enforcement actions
- The CFPB's mortgage loan complaint process
- Amicus program: analysis of cases filed so far

9:35 The Borrower's Perspective: Insights From the Plaintiffs' Bar and Consumer Advocates

Tara Twomey
Of Counsel
National Consumer Law Center

Amanda Lundergan Attorney Ice Legal, P.A.

Moderator:

Richard E. Gottlieb Partner BuckleySandler LLP

In this session, you will hear from leading plaintiffs' attorneys and consumer advocates on claims trends, foreclosure litigation, where cases are headed in the coming months, and how lenders and servicers can work with borrowers to minimize the need for litigation. You will obtain key insights into the types of actions plaintiffs' counsel are focusing on and how to prepare for and respond to new and innovative claims, as well as how consumer advocates view the current residential mortgage landscape. Highlights of this session will include:

- How borrowers' counsel are approaching litigation arising from alleged foreclosure documentation errors
- Emerging theories of liability
- How the plaintiff s' bar is continuing to adapt to CAFA
- Consumer advocate perspectives on MERS: Long term viability of MERS
- How the industry can best work with borrowers to pursue loan modifications and avoid foreclosures and litigation
- Recent litigation against property preservation companies

10:35 Morning Coffee Break Sponsored by:



10:50 In-House Insights on Litigation Management in an Evolving Regulatory and Enforcement Environment; Preparing for and Managing Lending, Servicing, and Foreclosure Litigation; Enhancing Relationships with Outside Counsel; and Working With Reduced Budgets and Smaller Staffs

Wendy A. Scholl Associate General Counsel, Litigation Bank of America

David Chernek Senior VP, Associate General Counsel Prospect Mortgage, LLC

Gary A. Deutsch Chief Counsel – Mortgage Litigation PNC Legal Department Karim Hatata Senior Counsel, Originations Compliance Ocwen Financial Corporation

Jennifer Peterson Counsel Wells Fargo Law Department

Ronald M. Morrison Executive Vice President/General Counsel Impac Mortgage Holdings, Inc.

Stephen B. Fleming Senior Vice President Phoenix Capital Inc.

<u>Moderator:</u>

Hunter Eley Partner Doll Amir & Eley LLP

- Perspectives on the CFPB servicing rules and their impact on the industry: Compliance challenges and how to overcome them; Practical guidance regarding CFPB examinations; Litigation trends arising from the new rules
- How are lenders and servicers adapting to new and emerging regulations and case law? What changes have they made?
- What do corporate counsel find to be the most challenging aspects of revamping compliance procedures and policies?
- Where are lenders and servicers turning for guidance?: Developing best practices
- Managing and responding to enforcement actions: Tools that are available when facing an enforcement action; Responding to the action; Jurisdiction hurdles when dealing with multiple state and federal agencies; Assessing the role of state attorneys general versus the role of the CFPB and other federal agencies
- Adapting your litigation strategies and settlement calculations to account for new trends
- Dealing with overzealous discovery requests in litigation and regulatory inquiries
- Managing and defending against claims arising from TILA, HAMP, and RESPA
- Lender-placed insurance claims
- Top 5 concerns of in-house counsel now and in the near-term
- Identifying and minimizing exposure to risk
- Foreclosure mediation: Best practices for maximizing the effectiveness of these programs
- Lessons learned from past litigation: Minimizing your exposure to future litigation and better managing future litigation
- Advising outside counsel on how to better support in-house
- Top 5 issues that in-house counsel wants their outside counsel to be thinking about
- How corporate counsel are responding to internal budgetary
- Exploring the use of alternative fee agreements with outside
- Internal and external cost-cutting: What has worked and what has not
- In-house staffing solutions for stretched legal departments

Government Insights on the Current State of the Residential Mortgage Industry for 2015, Regulatory and Enforcement Priorities at Both the National and State Levels, and How to Prepare for and Respond to Examinations, Supervision, and Investigations in a Multi-Agency Environment

Bryan Greene

1:00

General Deputy Assistant Secretary Office of Fair Housing and Equal Opportunity U.S. Dept. of Housing and Urban Development

R. Stephen Stigall Assistant United States Attorney District of New Jersey

Claire L. Tauriainen Attorney III California Housing Finance Agency

Mary Ann Smith Deputy Commissioner of Enforcement California Department of Business Oversight

Karyn Tierney, J.D. Deputy Commissioner Arkansas Securities Department

Richard L. Bischoff Assistant Attorney General, Consumer Protection and Public Health Division Office of the Attorney General of Texas

Moderator:

Joseph Borg Director

Alabama Securities Commission

- Impact of the CFPB on state enforcement initiatives: States' codification of CFPB standards
- CFPB/DOJ settlement implementation
- Perspectives on the servicing rules and their impact on the mortgage servicing industry: Compliance challenges for the industry; Best practices for ensuring compliance
- CFPB and other federal and state agency examinations: What to expect and how to prepare for an examination; Problems that regulators, especially the CFPB, are finding in examinations; Top 10 violations
- How federal and state agencies and attorneys general are working together
- Increasing focus on fair lending concerns
- Ensuring compliance with UDAAP
- Perspectives on lender-placed insurance
- Assessing the multi-state mortgage examination process
- Cooperating with investigations
- Reaching consent settlements with regulators
- Implementing lessons learned from past enforcement actions

2:40 Afternoon Break

12:00 Networking Luncheon for Speakers & Attendees



2:50 Fair Lending: Ramped Up Enforcement Including in the UDAAP Context; DOJ and CFPB Involvement; "Disparate Impact" Theory as a Litigation Game Changer; the Shift to New Issues Involving Maternity Leave, Disability Documentation, LGBT, Reverse Discrimination and HMDA; Predatory and Abusive Lending Claims Including Discriminatory Pricing/Steering; and the Latest Settlement Orders, Themes and Implications

David K. Stein, Esq. Philip R. Stein Member Partner

Bricker & Eckler LLP Bilzin Sumberg Baena Price & Axelrod LLP Darren M. Welch

Partner Glenn Schlactus

Skadden, Arps, Slate, Partner

Relman, Dane & Meagher & Flom LLP Colfax PLLC

- Recent cases and enforcement actions: Recent activity in CA: L.A. City attorney lawsuits against a number of lenders
- How state and federal agencies are approaching fair lending
- Assessing the status of 'disparate impact' in lending litigation and enforcement: HMDA data serving as basis for claims
- Disparate impact in the age of the Qualified Mortgage: Assessing the likelihood that lenders who underwrite QM loans will face fair lending claims because loans meeting the QM standards may result in a disparate impact on certain demographic groups
- New and emerging allegations of discriminatory practices and how to defend against them
- Assessing the evolving definition of and uncertainty relating to fair lending
- Impact of the CFPB on fair lending litigation: CFPB initiatives and enforcement efforts relating to discriminatory lending and 'disparate impact'
- Defending against the latest claims alleging fair lending violations: Early interviews and information gathering; Data analysis
- Impact of recent regulatory and litigation developments on the defense of predatory lending claims
- Public relations concerns
- Settlement considerations and strategies
- 4:05 Recent Class Action & Mass Action Developments, Examining Key State Nuances and Developments in Hotbed Jurisdictions Nevada, Florida, New York, Illinois, and Texas, and Dissecting New California **HBOR** Issues

John J. Calvagna

Jonathan N. Ledsky Partner

Partner

McGlinchey Stafford Varga Berger Ledsky PLLC Hayes & Casey

Sanjay Ibrahim Partner

Parker Ibrahim & Berg LLC

- Which states are driving the litigation nationwide? o CA, NV, FL, NY, IL, TX
- A spotlight on unique California HBOR issues including Pre-Foreclosure Contact, Dual Tracking, SPOC, Private Rights of Action, Safe Harbor, Duty of Care, and Tender

- o California Homeowner's Bill of Rights: update on possible
- o Non traditional lending models originating in California
- Other states' following suit with Homeowner's Bill of Rights o Nevada's modeled after California's
- How these states implicate other states' litigation
- What to be on the lookout for
- Lessons to be learned

Class and Mass

- CAFA developments
- Removability
- Current trends in issue certification
- Heightened scrutiny of all aspects Rule 23
- Class actions and experts
- Recent settlement trends and strategy
- Class action settlements for preliminary and final approval
- Class notice issues
- Release scope
- Attorney Fees
- 5:10 Establishing Standing, Defending Against Persistent Claims Relating to MERS and County Fee Litigation, Foreclosure Trends and Overcoming Contested Foreclosures, and Responding to Borrower Counterclaims and Stall Tactics

Andrew D. LeMar

Joseph W. Guzzetta

Partner

Burke, Warren, MacKay

Attorney Severson & Werson

& Serritella, P.C.

Ronald J. Stay Counsel

Stites & Harbison PLLC

- Conditions precedent to foreclosure
- Assessing borrower attacks on standing
 - o New and emerging claims
 - o How to combat and defeat standing attacks
- Update on MERS litigation
 - o Robinson v. AHMSI: 9th circuit case
 - Borrower claims
 - o Qui tam cases
- o County recorder/AG litigation
- MERS interest as mortgagee or beneficiary
- Transfer of notes via endorsement and delivery rather than assignment
- Assignment of mortgages
- Handling borrower counterclaims in contested foreclosures
- Overcoming commonly raised defenses including TILA, SCRA, fraud, and rescission claims
- Preventing bankruptcy from becoming a tool used by borrowers to stall foreclosures
- Loss mitigation
- Litigation challenges relating to mortgage origination
- Loan modifications and foreclosure: Defending against counterclaims arising from loan modifications and HAMP
- Foreclosure mediation programs
- Responding to challenges to foreclosures in non-judicial foreclosure states

6:05 Conference Adjourns

DAY TWO: FRIDAY, JANUARY 16, 2015

Continental Breakfast 7:30

Views from the Bench: Judicial Perspectives 8:00 on the Latest Plaintiff Theories, Emerging Defense Strategies, Lender-Placed Insurance Litigation, Bankruptcy and Foreclosure Litigation, Heightened Scrutiny of Lenders and Servicers, Case Management, E-Discovery, and More

Judges Panel 1 8:00 – 9:35 (break 9:35-9:45)	Judges Panel 2 9:45 – 11:25	
Hon. Helen W. Gillmor U.S. Dist Ct., D. Haw. Hon. Wiley Y. Daniel U.S. Dist. Ct., D. Colo. Hon. Lee Yeakel U.S. Dist. Ct., W.D. Tex. Hon. Fernando J. Gaitan Jr. U.S. Dist. Ct., W.D. Mo.	Hon. Craig A. Gargotta U.S. Bankr. Ct., W.D. Texas Hon. Richard S. Schmidt U.S. Bankr. Ct., S.D. Texas Hon. Elizabeth W. Magner U.S. Bankr. Ct., E.D. La. Hon. Michael B. Kaplan U.S. Bankr. Ct., D.N.J. Hon. Robert B. Freedman Calif. Super. Ct., Alameda Co.	
Hon. David Hittner U.S. Dist. Ct., S.D. Tex. Hon. Matthew F. Kennelly U.S. Dist. Ct., N.D. Ill. Hon. George C. Steeh U.S. Dist. Ct., E.D. Mich. Hon. Christopher A. Nuechterlein U.S. Dist Ct., N.D. Ind	Hon. Anthony J. Mohr Calif. Super. Ct., Alameda Co. Hon. Anthony J. Mohr Calif. Super. Ct., Los Angeles Co. Hon. Allan L. Tereshko Pa. Ct. Common Pleas Hon. Ramy I. Djerassi Pa. Ct. Common Pleas Hon. Sandra Moss (ret.) Pa. Ct. Common Pleas	
Moderator: Andrew K. Stutzman Stradley Ronon Stevens & Young LLP	<u>Moderator:</u> <i>Katrina Christakis</i> Pilgrim Christakis LLP	

- Emerging claims and litigation trends arising from the plaintiffs' bar: How defense counsel are responding
- Insights into new measures lenders and servicers must implement to mitigate future liability
- Lender-placed insurance litigation
- Loan modification litigation
- Navigating through bankruptcy court what lenders and servicers need to know
- Discretionary awards of attorneys' fees
- Determining when sanctions are appropriate
- Insights into foreclosure mediation programs: How effective are these programs?; How to maximize the benefits of foreclosure mediation
- Novel approaches to trial and case management; Pre-trial procedures
- Judicial perspectives on e-discovery: What are the expectations of counsel when dealing with a case involving voluminous discovery requests?

The Fallout from the Fallout for Mortgage Servicing: Litigation and Enforcement Concerns, Defending Against Innovative Borrower Claims Including Under TILA Reg Z Amendments and New RESPA Servicing Rules, and the Latest on Servicer Liability for Credit Reporting Under FCRA and Debt Collection under FDCPA

Frank Hirsch Partner

Alston & Bird LLP

Andrew G. Yates

Partner

Lane Powell PC

Eric Jon Taylor

Partner

Parker, Hudson, Rainer & Dobbs LLP

- Fallout from the servicing rules
 - o Enforcement issues
 - o Compliance hurdles and how best to overcome them
 - o Types of private claims arising from the rules: Practical experiences with such litigation
- Impact of Basel III on loan servicing
- Defending against claims relating to loan servicing
- Debt collection practices claims and servicer liability under the FDCPA
- Assessing when a mortgage servicer may be considered a debt collector
- Credit reporting claims and the FCRA
- Escrow issues
- **RESPA** issues
- Fair lending issues
- Class action issues arising from loan servicing
- What can originators learn from recent litigation involving
- Servicer liability for lack of disclosure: Viability of good faith defense; Sufficient evidence to show adequate disclosure; Conducting due diligence of servicing compliance

Loss Mitigation, Loan Modification and the Home Affordable Modification Program: New Loan Modification Litigation Risks (Including in Conjunction With Evolving Theories of Recovery for HAMP); Modifications and REO; Continuity of Loss Mitigation for "In-Flight" Loan Mods, and More

Simon Fleischmann

Partner

Locke Lord LLP

Elizabeth L. McKeen Managing Partner O'Melveny & Myers LLP

- Loan modification litigation and HAMP
- Complying with the requirements for a permanent modification: 30-day trial period
- Borrower claims and effective defenses
- The rise in HAMP-related False Claims Act litigation
- Mortgage fraud considerations in relation to HAMP



1:05 The Current Wave of Lender-Placed Insurance and Private Mortgage Insurance Claims: Government Action, Private Lawsuits, Trends of Claims Surviving Early Stages of Litigation, Classwide Settlement Features and More

David L. Permut
Partner
Goodwin Procter LLP

Peter Wahby Shareholder Greenberg Traurig, LLP

- Assessing recent claims alleging that banks engaged in deceptive practices relating to lender-placed insurance: Potential violations of TILA, RICO, and other consumer protection laws; Possible collusion among lenders and insurance companies
- Results of state investigations: NY, CA, IL; NYSDFS regulation of lender-placed insurance
- How lenders can defend against and mitigate operational and reputational risks relating to their lender-placed insurance practices
- 1:50 Networking Luncheon for Speakers & Attendees
- 2:50 Third-Party Vendor Management and Enhanced Diligence Standards Over Service Providers: With Heightened Regulatory Expectations, What Are the Best Practices in Selection and Monitoring, Risk Management, Contracts and Exit Strategy?

Michelle Canter Partner LotsteinLegal PLLC

Loretta Salzano

Partner

Franzén and Salzano, P.C.

- · Impact of enhanced regulatory scrutiny and oversight
- CFPB initiatives
 - o Power to supervise "related persons" and "material service providers"
 - o To what extent are banks liable for lending done through a third-party relationship?
- OCC activity
- Implementing best practices to manage and mitigate the risk of outsourcing
- Third-party vendor products and fees
- Liability for the actions of mortgage brokers
- · Contracting with ethical third parties
- Making the decision to work with a third-party entity
 - o Assessing the decrease in servicing costs vs. the increased risks of litigation and reputational damage

3:40 Mortgages in Bankruptcy: Prevailing Against the Latest Bankruptcy Litigation Claims

John Crane Partner Aldridge Connors LLP

David L. Permut Partner Goodwin Procter LLP

- Litigating in bankruptcy court o Defending against borrower claims
- Class action issues
- Foreclosure litigation standards in bankruptcy court
- Affidavit issues
- Recent bankruptcy class certification decisions
- Latest cases regarding ownership of a debt/note
- Proof of claim issues and litigation update
- Stay relief and avoiding stay violations
- Trustee Office inquiries

4:30 Conference Ends

CONTINUING LEGAL EDUCATION CREDITS



Accreditation will be sought in those jurisdictions requested by the registrants which have continuing education requirements. This course is identified as nontransitional for the purposes of CLE accreditation.

ACI certifies that the activity has been approved for CLE credit by the New York State Continuing Legal Education Board.

ACI certifies that this activity has been approved for CLE credit by the State Bar of California.

You are required to bring your state bar number to complete the appropriate state forms during the conference. CLE credits are processed in 4-8 weeks after a conference is held.

ACI has a dedicated team which processes requests for state approval. Please note that event accreditation varies by state and ACI will make every effort to process your request.

Questions about CLE credits for your state? Visit our online CLE Help Center at www.americanconference.com/CLE

GLOBAL SPONSORSHIP OPPORTUNITIES

With more than 300 conferences in the United States, Europe, Asia Pacific, and Latin America, American Conference Institute (ACI) provides a diverse portfolio devoted to providing business intelligence to senior decision makers who need to respond to challenges spanning various industries in the US and around the world.

As a member of our sponsorship faculty, your organization will be deemed as a partner. We will work closely with your organization to create the perfect business development solution catered exclusively to the needs of your practice group, business line or corporation.

For more information about this program or our global portfolio of events, please contact:

Wendy Tyler, Head of Sales, American Conference Institute
Tel: 212-352-3220 x5242 | w.tyler@AmericanConference.com



On the One-Year Anniversary of the CFPB Mortgage Rules, This Event Will Set the Stage for Litigation Strategies and Responding to Government Initiatives in the Coming Year



January 15-16, 2015 | Omni Los Angeles Hotel at California Plaza | Los Angeles, CA

REGISTRATION FORM

PRIORITY SERVICE CODE

695L15.E

ATTENTION MAILROOM: If undeliverable to addressee, please forward to:
Corporate Counsel, Litigation/Legal Department, Mortgage Attorney, Foreclosure Attorney



Can be recycle

CONFERENCE CODE: 695L15-LAN

☐ YES! Please register the following delegate for 16th National Forum on

Residential Mortgage Litigation & Regulatory Enforcement

CONTACT DETAILS

NAME	POSITION	
APPROVING MANAGER	POSITION	
ORGANIZATION		
ADDRESS		
CITY	STATE	ZIP CODE
TELEPHONE	FAX	
EMAIL	TYPE OF BUSINESS	
□ I would like to receive CLE accreditation for the following st	. See CLE details inside.	

FEE PER DELEGATE	Register & Pay by	Register & Pay by	Register after
	November 7, 2014	December 18, 2014	December 18, 2014
□ Conference	\$1995	\$2095	\$2295

 $\ \square$ I cannot attend but would like information on accessing the ACI publication library and archive

PAYMENT

FATIVILI	N I			
	harge my □ MasterCard	□ AMEX	☐ Discover Card	□ Please invoice me
NUMBER	}			EXP. DATE
CARDHO	LDER			
□ I have	enclosed my ch	eck for \$	made pay	able to

American Conference Institute (T.I.N.—98-0116207)

☐ ACH Payment (\$USD)

Please quote the name of the attendee(s) and the event code 695L15 as a reference.

For US registrants:

Bank Name: HSBC USA

Address: 800 6th Avenue, New York, NY 10001 Account Name: American Conference Institute UPIC Routing and Transit Number: 021-05205-3 UPIC Account Number: 74952405

Non-US residents please contact Customer Service for Wire Payment information

Hear from senior in-house counsel and federal & state regulatory and enforcement officials, and get judicial insights from California state judges and federal judges from district and bankruptcy courts located in 7 different Federal Circuits.

Registration Fee

The fee includes the conference, all program materials, continental breakfasts lunches and refreshments.

Payment Policy

Payment must be received in full by the conference date. All discounts will be applied to the Conference Only fee (excluding add—ons), cannot be combined with any other offer, and must be paid in full at time of order. Group discounts available to individuals employed by the same organization.

Cancellation and Refund Policy

You must notify us by email at least 48 hrs in advance if you wish to send a substitute participant. Delegates may not "share" a pass between multiple attendees without prior authorization. If you are unable to find a substitute, please notify American Conference Institute (ACI) in writing up to 10 days prior to the conference date and a credit voucher valid for 1 year will be issued to you for the full amount paid, redeemable against any other ACI conference. If you prefer, you may request a refund of fees paid less a 25% service charge. No credits or refunds will be given for cancellations received after 10 days prior to the conference date. ACI reserves the right to cancel any conference it deems necessary and will not be responsible for airfare, hotel or other costs incurred by registrants. No liability is assumed by ACI for changes in program date, content, speakers, or venue.

Hotel Information

American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly and mention the "ACI Residential Mortgage" conference to receive this rate.

Venue: Omni Los Angeles Hotel at California Plaza Address: 251 S Olive St, Los Angeles, CA 90012 Reservations: 800-843-6664

Incorrect Mailing Information

If you would like us to change any of your details please fax the label on this brochure to our Database Administrator at 1–877–927–1563, or email data@AmericanConference.com.

ACI reserves the right to deny admission to anyone, at any time, for any reason

5 Easy Ways to Register



MAIL

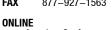
American Conference Institute 45 West 25th Street, 11th Floor

New York, NY 10010



PHONE 888–224–2480

FAX 877–927–1563





www.AmericanConference.com/ ResidentialMortgageLA



FΜΔΙΙ

CustomerService@AmericanConference.com

MISSED A CONFERENCE – ORDER THE CONFERENCE MATERIALS NOW!

If you missed the chance to attend an ACI event, you can still benefit from the conference presentation materials. To order the Conference Materials, please call +1-888-224-2480 or visit: http://www.americanconference.com/conference_papers

SPECIAL DISCOUNT

We offer special pricing for groups and government employees.

Please email or call for details.

Promotional discounts may not be combined. **ACI** offers financial scholarships for government employees, judges, law students, non-profit entities and others. For more information, please email or call customer service.