



*Prepare for a new decade – Cutting edge, practical
CLE designed to make you a better lawyer*



21st Annual Spring Symposia

May 6-7, 2010

Philadelphia, Pennsylvania

Philadelphia Marriott Downtown

Stay Connected. Stay Current.

Whether you are specializing in estate planning or real estate law, are a general practitioner with a wide ranging practice or are a seasoned professional looking to refocus your practice, the Spring Symposia gives you the expertise you need to be at the leading edge of your practice.

Attend this comprehensive CLE Symposia and see how RPTE can help you be a better lawyer. Maximize the value you receive from the time and money you invest in your continuing education. Attend the ABA Section of Real Property, Trust and Estate Law 21st Annual Spring Symposia in Philadelphia May 6 & 7, 2010 to:

- Hear leading experts discuss the latest legislative, judicial and regulatory developments, meet in small groups to exchange ideas with your peers
- Learn about today's most important estate planning topics including: Congress and transfer taxes, captive insurance companies, and tips for success in IRS appeals
- Discover practical solutions to the significant real estate issues of the day including: trends and responses to the credit crisis, green buildings and law firm trends in the down economy
- Attend our Young Lawyers Institute: Practice Essentials, which will present two separate tracks for skills training in real property and trust and estate law
- Enjoy social events that will expand your network of valuable professional contacts

Register online today at www.abanet.org/RPTE/2010.



As Chair of the Section on Real Property, Trust and Estate Law, I would like to invite and encourage you to attend our 21st Annual Spring Symposia in Philadelphia. The 2010 Symposia offer an outstanding opportunity to interact with and learn from top national experts and colleagues, as well as to participate in “roundtable” discussions. I am confident that after attending the Symposia you will agree that this forum provides a very unique opportunity to engage in dialogue and network with attorneys from across the country on current legal issues and practice trends that are vital to your practice.

Roger D. Winston
Chair
ABA Section of Real Property, Trust and Estate Law

Spring Symposia Networking Events & Meeting Highlights

Thursday, May 6, 2010

7:00 a.m. – 5:00 p.m.

Hospitality Area

A continental breakfast and refreshments will be available for all meeting registrants.

Trust and Estate Young Lawyers Institute: Practice Essentials

This program track provides a hands-on review of the many phases of estate administration, including sample forms and practice aids. Lawyers of all levels are welcome to attend.

11:45 a.m. – 12:15 p.m.

Section of Real Property Trust and Estate Law Group and Committee Luncheon

Cost: \$15

Open to all attendees, tables will be set up for each Group to provide a forum for discussion of timely issues vital to real property and trust and estate practitioners. This is an excellent opportunity to network with colleagues.

5:30 – 6:30 p.m.

Complimentary Sponsor Reception

Location: Sponsorship Area

Join us for cocktails to thank our 2010 Symposia sponsors for their generosity and support. For a complete list of our sponsors, please see the inside back cover of this brochure.

7:00 – 10:00 p.m.

The National Constitution Center - Symposia Reception

Cost: \$25

The National Constitution Center is one of Philadelphia's highlights and tells the story of the United States of America. Tour the exhibits, including the presentation in the Kimmel Theatre and take time to visit with old and new friends. Join Section Chair Roger D. Winston for what promises to be a very special event. Sponsored by:



Friday, May 7, 2010

7:00 a.m. – 5:00 p.m.

Hospitality Area

A continental breakfast and refreshments will be available for all meeting registrants.

Real Property Young Lawyers Institute: Practice Essentials

Numerous topics will be covered that are useful for a variety of practice levels. Both young lawyers entering the practice and more experienced lawyers looking to retool their practices will benefit from these skill training courses. Focus will be given to the effect of the current economic climate on real estate practice.

11:30 a.m. – 12:45 p.m.

Real Property Luncheon

Cost: \$40

A Philadelphia Story – Re-Development of Center City Philadelphia

Speaker: Paul R. Levy, President & CEO of City Center District

11:30 a.m. – 12:45 p.m.

"Hot Topics for Estate Planners"

Cost: \$40

Speakers: Steve R. Akers, Bessemer Trust, Dallas, TX, and Howard M. Zaritsky, Consulting Counsel, Rapidan, VA
Sponsored by:

BESSEMER TRUST

The Section of Real Property, Trust and Estate Law would like to recognize the following sponsors of our Leadership activities:



HSBC  Private Bank



Schedule At-A-Glance • Spring Symposia

For more detailed information on these events, please visit the corresponding page number(s).

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11:30 a.m. - 12:45 p.m.	Real Property Luncheon	Page 3
11:30 a.m. - 12:45 p.m.	Trust & Estate Luncheon	Page 3
4:00 p.m. - 5:00 p.m.	Reception - Young Lawyers Institute	

CLE Programs At-A-Glance • Real Property Symposium

REAL PROPERTY SYMPOSIUM Thursday, May 6, 2010	
8:30 - 10:00 a.m.	Commerical Real Transactions Group - Reinventing the Wheel: Re-Engineering Existing Shopping Center Projects
8:30 - 10:00 a.m.	Hospitality, Community Recreation & Common Interest Developments Group - Navigating the Rocks and Shoals of a Mixed Use or Hotel Workout
10:15 - 11:45 a.m.	Real Estate Financing Group - Emerging from the Dark? Trends and Responses to the Credit Crisis
10:15 - 11:45 a.m.	Land Use & Environmental Group - PPP-Public Private Partnerships: How the Changing Economy is Creating New Partnerships between the Private and Public Sectors
11:45 a.m. - 1:15 p.m.*	Real Property Group and Committee Luncheon
1:30 - 3:00 p.m.	Special Investors & Investment Structure Group -U.S. Investors, Lenders and Tenants in Troubled Foreign Real Estate: Pitfalls and Opportunities in Getting Out and Getting In
1:30 - 3:00 p.m.	Leasing Group - Turning Your Leases Green: Tips from the Garden
3:15 - 4:45 p.m.	Residential, Multi-Family & Special Use Group - Hot Topics
3:15 - 4:45 p.m.	Practice Management Group Hot Topics: Law Firm Trends in the Down Economy, Using MERS to Defend Residential Foreclosures, and Using Technology to Help Your Bottom Line
REAL PROPERTY SYMPOSIUM Friday, May 7, 2010	
8:00 - 9:00 a.m.	Liability and Property Insurance: The Basics and Hot Issues, Including the Insurance Certificate Problem
8:00 - 9:00 a.m.	HUD, Fannie Mae and Freddie Mac Mortgage Loan Opinions: Do I really have to give that opinion?
9:15 - 10:15 a.m.	Subleasing as an Extreme Sport
9:15 - 10:15 a.m.	Risky Business: Transactional Lawyers and the Gatekeeper Initiative (Joint CLE)
10:30 - 11:30 a.m.	Hot Topics in Uniform Laws (Joint CLE)
10:30 - 11:30 a.m.	Are Ethical Rules Immutable? Transactional Issues Where the Ethical Rules May Change Depending on Your Location (Joint CLE)
11:30 a.m. - 12:45 p.m.*	Real Property Luncheon: A Philadelphia Story - Re-Development of Center City Philadelphia
1:00 - 2:15 p.m.	Green Building Diligence, Risks and Incentives
1:00 - 2:15 p.m.	Erosion of Bankruptcy Remote Structuring by the Courts: What do the Sunwest and General Growth Decisions Mean for your Practice?
1:00 - 2:15 p.m.	Estate Planning for People Living with Chronic Illness (Joint CLE)
2:30 - 4:00 p.m.	In the Aftermath of the Real Estate Bubble: Commercial Real Estate Defaults, Workouts, and Foreclosures
2:30 - 4:00 p.m.	Recent Developments: Law Professors' Report
2:30 - 4:00 p.m.	The New Social Media: Twitter, Facebook, MySpace and LinkedIn - Blessing or Plague? (Joint CLE)

* Not for CLE Credit

Program descriptions begin on Page 8.

CLE Programs At-A-Glance • Trust & Estate Symposium

TRUST & ESTATE SYMPOSIUM Thursday, May 6, 2010	
8:30 - 10:00 a.m.	Income & Transfer Tax Planning: Current Developments in Income & Transfer Tax Planning
8:30 - 10:00 a.m.	Business Planning Group - Part I: Business Planning Group Potpourri
10:15 - 11:30 a.m.	Income & Transfer Tax Planning: Current Developments in Income & Transfer Tax Planning Continued
10:15 - 11:30 a.m.	Business Planning Group - Part II: The Lifecycle of a Family Business Owner: Birth, Midlife Crisis, Death and Beyond!
11:45 a.m. - 1:15 p.m.*	Trust & Estate Group and Committee Luncheon
1:30 - 3:00 p.m.	Non Tax Estate Planning Considerations Group - A Non-Tax Buffet
1:30 - 3:00 p.m.	Charitable Planning & Organizations Group - Charities in Transition: The Updated Status of Private Foundations, Supporting Organizations, and Charitable Planning
3:15 - 4:45 p.m.	Elder Law, Disability Planning & Bioethics Group - Special Needs Trusts: Updates and Issues for Estate Planners
3:15 - 4:45 p.m.	Litigation, Ethics & Malpractice Group - What to Do When the Client Slips the Leash: Real-World Trust Litigation and Ethics, as You Hope You'll Never Have to See Them
TRUST & ESTATE SYMPOSIUM Friday, May 7, 2010	
8:00 - 9:00 a.m.	How to Give Away the Store - Lifetime Transfers of Family Business Interests
8:00 - 9:00 a.m.	Strategic Planning for Roth IRA Conversions, Re-characterizations, and Re-conversions
9:15 - 10:15 a.m.	Appealing to a Higher Authority: Taking Your Case to IRS Appeals
9:15 - 10:15 a.m.	Risky Business: Transactional Lawyers and the Gatekeeper Initiative (Joint CLE)
9:15 - 10:15 a.m.	New Developments in Assisted Reproductive Technology and Their Effects on Estate Planning
10:30 - 11:30 a.m.	Take No Prisoners: Pitfalls and Possibilities with Captive Insurance Companies
10:30 - 11:30 a.m.	Hot Topics in Uniform Laws (Joint CLE)
10:30 - 11:30 a.m.	Are Ethical Rules Immutable? Transactional Issues Where the Ethical Rules May Change Depending on Your Location (Joint CLE)
10:30 - 11:30 a.m.	State Death Taxes in Uncertain Times
11:30 a.m. - 12:45 p.m.	Trust & Estate Hot Topics Luncheon
1:00 - 2:15 p.m.	Gifts Gone Wild: What to Do When Donors and Charities Don't See Eye to Eye
1:00 - 2:15 p.m.	Estate Planning for People Living with Chronic Illness - (Joint CLE)
2:30 - 4:00 p.m.	Escaping Bleak House - How to Select the Best Dispute Resolution Alternatives to Full Scale Litigation
2:30 - 4:00 p.m.	The New Social Media: Twitter, Facebook, MySpace and LinkedIn - Blessing or Plague? - (Joint CLE)

* Not for CLE Credit

Program descriptions begin on Page 13.

Young Lawyers Institute: Practice Essentials



The Young Lawyers Institute: Practice Essentials will feature a full day of continuing legal education programming expressly designed for attorneys who are new to the fields or for those more experienced professionals looking to refresh their skills. Thursday will be dedicated to programming focused on trust and estate and Friday will feature programming for real property practitioners. A joint reception for attendees will be held Friday, May 7, 2010 from 4 - 5 p.m. The registration fee for this a one day event is \$150 and for both days \$225. The fee includes reception and is waived for law students.

Trust and Estate: Young Lawyers Institute: Practice Essentials Thursday, May 6, 2010	
8:30 - 10:00 a.m.	Overview of Estate Administration – From Beginning to End
10:15 - 11:45 a.m.	Select Issues in Estate and Trust Administration
11:45 a.m. - 1:15 p.m.*	Group and Committee Luncheon
1:30 - 3:00 p.m.	Understanding Estate Tax and Its Impact on the Estate
3:15 - 4:45 p.m.	Ethical Issues in Fiduciary Representations
Real Property: Young Lawyers Institute: Practice Essentials Friday, May 7, 2010	
8:00 - 9:00 a.m.	Fundamentals of Purchase and Sale Agreements
9:15 - 10:15 a.m.	What a Real Estate Lawyer Needs to Know About Entities
10:30 - 11:30 a.m.	Distressed Assets and Financing in 2010
11:30 a.m. - 12:45 p.m.*	Real Property Luncheon
1:00 - 2:15 p.m.	Fundamentals of Commercial Leasing in a Depressed Economy
2:30 - 4:00 p.m.	Surveys, Legal Descriptions and Title Insurance



Thursday, May 6, 2010

Group Programs

Group programs are CLE accredited programs presented in an interactive format, designed to foster discussion among practitioners. These programs will feature hot-topic and current development discussions led by experts in the field. The open format is designed to provide attendees with the opportunity to ask questions and share experiences with practitioners throughout the country. The programs will also provide information on committee activities and on how to participate in ongoing projects.

8:30 – 10:00 a.m.

Commercial Real Estate Transactions Group

Reinventing the Wheel: Re-Engineering Existing Shopping Center Projects

- Dealing with the lender (existing financing and refinancing)
- Leasing issues and strategies (including tenant bankruptcies)
- Renovation and related issues
- Landlord workouts
- REA re-structuring: making old use restrictions new again
- “Going condo” and other mixed use strategies

Group and Program Chair: Neil S. Kessler, Troutman Sanders LLP, Richmond, VA

8:30 – 10:00 a.m.

Hospitality, Community Recreation and Common Interest Developments Group

Navigating the Rocks and Shoals of a Mixed Use or Hotel Workout

- Convincing the lender to stay the foreclosure during negotiations
- Negotiating with condo/hotel unit owners, timeshare owners, major tenants and their lenders and the associations
- Coordinating your business solution with municipal development agreements, TIF obligations and other governmental incentive programs
- Keeping the underlying business running during the workout process
- Tax impacts of forgiveness of indebtedness
- Incorporating remedies in case negotiations implode

Group Chair: Julius J. Zschau, Pennington, Moore, Wilkinson, Bell & Dunbar PA, Clearwater, FL

Program Chair and Speaker: Nancy Leary Haggerty, Michael, Best & Friedrich LLP, Milwaukee, WI

Speakers:

Michael Hirschfeld, Dechert LLP, New York, NY
Kenneth Samuelson, Samuelson Law Offices LLC, Washington, DC

10:15 – 11:45 a.m.

Real Estate Financing Group

Emerging from the Dark? Trends and Responses to the Credit Crisis

- What are the latest regulatory and caselaw responses to the credit crisis?
- How did the REMIC rules change this past year?
- What are the CMBS Special Servicers doing now?
- How does MERS fit in to the credit markets and how are the courts treating it?
- What have the courts done to “bad boy” recourse carveouts?
- Are regulatory and judicial reactions to the credit crisis helping to return commercial real estate to its feet?

Group, Program Chair and Speaker: John P. McNearney, Husch Blackwell Sanders LLP, St. Louis, MO

Speakers:

Robert S. Chase, II, Sutherland, Washington, DC
Gregory A. Cross, Venable LLP, Baltimore, MD
Christopher L. Peterson, University of Utah, S.J. Quinney College of Law, Salt Lake City, UT

10:15 – 11:45 a.m.

Land Use and Environmental Group

PPP-Public Private Partnerships: How the Changing Economy is Creating New Partnerships between the Private and Public Sectors

- Why governmental agencies are seeking Public Private Partnerships as alternatives to eminent domain
- How public financing is playing an increasing role in real estate development financing
- Address operations of government incentivized development in a difficult marketplace
- Review of recent federal funding programs
- Current real estate tax reductions and incentives
- Blighted property conservatorship and alternatives to eminent domain with PPP

Group Chair: Laurel E. Lockett, Carlton Fields PA, Tampa, FL

Program Chairs: Darius W. Dynkowski, Ackerman Dynkowski & Ackerman, Bloomfield Hills, MI and Richard Michael Price, Nixon Peabody LLP, Washington, DC

Speakers:

Michael J. Novogradac, Novogradac & Company LLP,
San Francisco, CA
Joseph T. Waldo, Waldo & Lyle, Norfolk, VA
Irene Walsh, Deloitte Corporate Finance LLC, New York, NY

1:30 – 3:00 p.m.

Special Investors and Investment Structure Group

U.S. Investors, Lenders and Tenants in Troubled Foreign Real Estate: Pitfalls and Opportunities in Getting Out and Getting In

- Mexican, German and Canadian lawyers will discuss local bankruptcy, workout procedures and tax considerations applicable to U.S. owners, lenders and tenants of distressed real estate and opportunities available to this group for entry into new distressed foreign properties
- Discussion of U.S. laws relating to foreign investments, including the Patriot Act, Foreign Corrupt Practices Act, embargo and anti-boycott laws and investment provisions in bi-lateral treaties and free trade agreements
- U.S. investors, lenders and tenants to include individuals, hotel and retail chains, pension funds, REITs, insurance companies, banks and private equity funds
- Comparison of rights and obligations in foreign jurisdictions with generally understood U.S. rights, with focus on different available collateral structures and foreclosure rights for U.S. persons

Group Chair: Dennis M. Horn, Holland & Knight LLP, Washington, DC

Program Chair and Speaker: Mark Stone, Holland & Knight LLP, New York, NY

Speakers:

Florian Ehrich, Noerr LLP, Berlin, Germany
John Hutmacher, Blake Cassels & Graydon LLP, Toronto, Canada
Dirk Lentfer, Noerr LLP, Berlin, Germany
Luis F. Moreno, Haynes and Boone LLP, Mexico City, Mexico
Sue Snyder, Jackson Walker LLP, Austin, TX

1:30 – 3:00 p.m.

Leasing Group

Turning Your Leases Green: Tips from the Garden

- The current state of affairs of green rating systems and green building requirements
- Negotiating and auditing green lease issues for both new green buildings and existing space
- Variances between green leases for office, retail and industrial properties

- Negotiating the installation of specific green features, such as roof top gardens and solar panels

Group Chair: Jack Fersko, Farer Fersko PA, Westfield, NJ

Program Chair and Speaker: Jon F. Leyens, Jr., Steeg Law Firm LLC, New Orleans, LA

Speakers:

Vicki R. Harding, Pepper Hamilton LLP, Detroit, MI
Marc A. Maiona, CyberLease LLC, Irvine, CA
Theresa B. Shea, LMC Properties Inc., Baltimore, MD
Steven A. Teitelbaum, Jones Day, Washington, DC

3:15 – 4:45 p.m.

Residential, Multi-Family and Special Use Group

Hot Topics in Affordable Housing, Residential, Multi-Family and Special Use

- Benefits of ARRA as it relates to affordable housing transactions and the issues/obstacles it has created
- Benefits of HAMP to eligible borrowers, participating servicers and investors

Group Chair: Mark S. Hartman, Davis Hartman Wright PLLC, New Bern, NC

Program Chairs and Speakers: Jeffrey C. Adams, Arnall Golden Gregory LLP, Atlanta, GA and Chris Christensen, Peirson Patterson LLP, Dallas, TX

Speakers:

Kellye Curtis Clarke, Shreves Schudel Saunders Jackson Clarke & Parello PLLC, Alexandria, VA
Samuel I. Racoosin, Fannie Mae, Washington, DC
Nathan Mize, Reznick Group, Atlanta, GA

3:15 – 4:45 p.m.

Practice Management Group

Practice Management Group Hot Topics: Law Firm Trends in the Down Economy, Using MERS to Defend Residential Foreclosures, and Using Technology to Help Your Bottom Line

- The economy stinks - what effective actions law firms and lawyers can take
- Defending a residential foreclosure (pro bono or for a fee); tips on using the MERS defense
- Using costly software, training and consultant fees can actually improve your bottom line while enhancing the quality of your work product

Group and Program Chair: James Geoffrey Durham, University of Dayton School of Law, Dayton, OH

Speakers:

Ward A. Bower, Altman Weil Inc, Newtown Square, PA
Christopher L. Peterson, University of Utah, S.J. Quinney College of Law, Salt Lake City, UT
Gerald J. Hoenig, Smart Diligence LLC, Alpharetta, GA

Friday, May 7, 2010

Podium Lectures & Panel Discussions

8:00 – 9:00 a.m.

Liability and Property Insurance: The Basics and Hot Issues, Including the Insurance Certificate Problem

- Commercial general liability insurance
- Property insurance, the difference between basic, broad form, special form coverage and additional insured endorsement coverage
- ISO and ACORD forms and insurance company ratings
- Co-insurance and waiver of subrogation
- Why a certificate of insurance is not actually proof of insurance and what should be obtained in addition to this certificate
- Green insurance products
- Landlord and tenant division of risk and the insurance that each should require

Program Chair and Speaker: Marie A. Moore, Sher Garner Cahill Richter Klein & Hilbert, New Orleans, LA

Speakers:

Marilyn C. Maloney, Liskow & Lewis, Houston, TX
Jo-Ann M. Marzullo, Posternak Blankstein & Lund LLP, Boston, MA
Grace H.I. Tate, Butler Snow, Jackson, MS

8:00 – 9:00 a.m.

HUD, Fannie Mae and Freddie Mac Mortgage Loan Opinions: Do I really have to give that opinion?

- The legal opinions required for different mortgage programs
- Whether such opinions can be reconciled with customary opinion practice
- Permitted variations from the prescribed forms

Program Chair and Speaker: Charles L. Menges, McGuireWoods LLP, Richmond, VA

Speakers:

Langhorne Ambrose, Freddie Mac, McLean, VA
LaFonte Nesbitt, Holland & Knight LLP, Washington, DC
Millicent B. Potts, Department of Housing and Urban Development, Washington, DC
Mark D.Yura, DLA Piper, Chicago, IL

9:15 – 10:15 a.m.

Subleasing as an Extreme Sport

- Due Diligence: What do you need to know about the master lease before you enter into a sublease?
- Documentation: How do you handle space-sharing, assignment, insurance and surrender?

- Foreclosure and Bankruptcy: What happens to your sublease in a foreclosure or bankruptcy?

Program Chair and Speaker: Ruth A. Schoenmeyer, Jenner & Block LLP, Chicago, IL

Speakers:

Andrew L. Herz, Patterson Belknap Webb & Tyler LLP, New York, NY
Karen Samuels Jones, Perkins Coie, Denver, CO
Jack S. Levey, Plunkett Cooney, Columbus, OH

9:15 – 10:15 a.m.

Joint Program

Risky Business: Transactional Lawyers and the Gatekeeper Initiative

- The Gatekeeper Initiative is an effort by governmental authorities to impose anti-money laundering and counter-terrorist financing obligations on “gatekeepers” (including lawyers) to monetary systems
- The legal profession has worked with governmental and quasi-governmental authorities to develop risk-based guidance for legal professionals
- The ABA and specialty bar associations have sought to implement this guidance by developing voluntary good practices guidance
- This program will offer practical insights into this good practices guidance

Program Chair and Speaker: Kevin L. Shepherd, Venable LLP, Baltimore, MD

10:30 – 11:30 a.m.

Joint Program

Hot Topics in Uniform Laws

- The oversight of Charitable Assets Act
- The Business Organizations Act
- The revised Uniform Law on Notarial Acts

Program Chair: Thomas P. Gallanis, University of Iowa Law School, Iowa City, IA

Speakers:

Susan N. Gary, University of Oregon School of Law, Eugene, OR
Barry B. Nekritz, Sonnenschein Nath & Rosenthal LLP, Chicago, IL
James C. Wine, Nyemaster Goode, Des Moines, IA

10:30 – 11:30 a.m.

Joint Program

Are Ethical Rules Immutable? Transactional Issues Where the Ethical Rules May Change Depending on Your Location

- Should the ABA's Model Rules of Professional Conduct constitute a comprehensive set of

universal principles that should govern the practice of law?

- What rules should govern when:
 - The deal is in one state/country and you're in another?
 - If you travel to another state and do the deal there?
 - If you want to move to a law firm in a different state?
 - If the assets you're dealing with are in two different states?
 - If you represent several clients (on your side of the table) and each are in (or formed under the laws of) different states?

Program Chair and Speaker: Michael H. Rubin, McGlinchey Stafford PLLC, Baton Rouge, LA

1:00 – 2:15 p.m.

Green Building Diligence, Risks and Incentives

- The greening of environmental due diligence in real property acquisitions
- Recent litigation developments and how developers, tenants and contractors can mitigate their respective risks through contract negotiations and other practice pointers
- Federal financing options (tax incentives and cash payments) available for projects that incorporate renewable energy technology

Program Chair: Samantha Corson, Greenberg Traurig LLP, Philadelphia, PA

Speakers:

Abbi L. Cohen, Dechert LLP, Philadelphia, PA
Jessica A. Graf, Greenberg Traurig, LLP, Boston, MA
Shari Shapiro, Obermayer Rebmann Maxwell & Hippel LLP, Philadelphia, PA

1:00 – 2:15 p.m.

Erosion of Bankruptcy Remote Structuring by the Courts: What do the *Sunwest* and *General Growth* Decisions Mean for Your Practice?

- Is bankruptcy remoteness an unrealistic expectation?
- How do cases involving multiple related party debtors differ from the “true” single asset real estate case?
- How might these cases change the techniques utilized to achieve bankruptcy remoteness?
- What is the impact of these cases on non-consolidation opinions?

Program Chair: Rodney W. Clement, Brunini, Grantham, Grower & Hewes PLLC, Jackson, MS

Speakers:

Gregory A. Cross, Venable LLP, Baltimore, MD
Cheryl A. Kelly, Thompson Coburn LLP, St. Louis, MO
Gregory W. Ladner, Richards Layton & Finger PA, Wilmington, DE
Teresa H. Pearson, Miller Nash LLP, Portland, OR
Laura J. Walker, Cable Huston Benedict Haagensen & Lloyd LLP, Portland, OR

1:00 – 2:15 p.m.

Joint Program

Estate Planning for People Living with Chronic Illness

- Safeguarding estate plan changes from attack by aggrieved heirs
- Anticipating contest grounds and creating a favorable record
- Discussion of estate planning vehicles
- Circumstances of execution and post-death proceedings
- Drafting modifications
- Charitable planning: applying CLT and CRT bailout with chronic illness
- Financial modeling, disability buy outs and settlements
- Cognitive issues and chronic illness
- Emotional and psychological impact of chronic illness on the planning process

Program Chair: Martin M. Shenkman, Martin M. Shenkman PC, Paramus, NJ

Speakers:

Seth Buchwald, Bernstein Global Wealth Management, New York, NY
Mary Denise Hughes, MD, Department of Medicine University Medical Center, Greenville Hospital System, Greenville, SC
Lakshmi R. Roy, Alan H. Schorr & Associates PC, Cherry Hill, NJ
Joshua S. Rubenstein, Katten Muchin Rosenman LLP, New York, NY

2:30 – 4:00 p.m.

In the Aftermath of the Real Estate Bubble: Commercial Real Estate Defaults, Workouts and Foreclosures

- Defaults from the litigators' perspective
- Workouts and pre-workout agreements
- Title Insurance and foreclosures
- Issues specific to condominium and hotel/condominium workouts and foreclosures

Program Chair: Christopher W. Smart, Carlton Fields PA, Tampa, FL

Speakers:

Gregory G. Gosfield, Klehr Harrison Harvey Branzburg & Eilers LLP, Philadelphia, PA
Robert M. Quinn, Carlton Fields PA, Tampa, FL

2:30 – 4:00 p.m.

Recent Developments: Law Professors' Report

- Teachers of basic and advanced property law report on recent cases of interest to practitioners
- Topics include - adverse possession, easements, covenants, escheat, concurrent estates and property rights

Program Chair and Speaker: John V. Orth, University of North Carolina, Chapel Hill, NC

Speakers:

Paul Babie, University of Adelaide, Adelaide, Australia
Roger Bernhardt, Golden Gate University, San Francisco, CA

Carol N. Brown, University of North Carolina, Chapel Hill, NC

Paula A. Franzese, Seton Hall University, Newark, NJ

2:30 – 4:00 p.m.

Joint Program

The New Social Media: Twitter, Facebook, MySpace and LinkedIn - Blessing or Plague?

- How social media is making company information - be true or false, good or bad - can strengthen or damage a corporation or individual brand
- The role legal counsel should have in managing this information. What can be done to protect an organization?
- Opportunities and challenges of social media and provide practical solutions for legal counsel to assist their clients

Program Chairs: Joseph P. Tylutki, McDonald's Corporation, Oak Brook, IL and Daniel J. Homick, American Surveying & Mapping Inc., Raleigh, NC

Speakers:

Nicole L. Black, Fiandach & Fiandach, Rochester, NY
J. David Duffy, Thompson Coburn Fagel Haber, Chicago, IL
John Lipsey, LexisNexis, Los Angeles, CA



Photo by Black Echo Imager

Thursday, May 6, 2010

Group Programs

Group programs are CLE accredited programs presented in an interactive format, designed to foster discussion among practitioners. These programs will feature hot-topic and current development discussions led by experts in the field. The open format is designed to provide attendees with the opportunity to ask questions and share experiences with practitioners throughout the country. The programs will also provide information on committee activities and on how to participate in ongoing projects.

8:30 – 10:00 a.m.

Income and Transfer Tax Planning Group

Current Developments in Income and Transfer Tax Planning

- Practical planning advice under recent and potential legislation and regulations
- Hot topics in estate and gift tax
- Taxation of carried interests: impact on private and family investment partnerships and estate planning
- Preparing and defending transfer tax returns: how the IRS dissects returns during audit and how to prepare and defend returns
- Expatriation and global transparency developments: recent developments and global transparency initiatives, including the IRS global wealth industry group

Group and Program Chair: Edward M. Manigault, JP
Morgan, Atlanta, GA

Speakers:

Steve R. Akers, Bessemer Trust, Dallas, TX
Nicole G. Bard, Internal Revenue Service, Grand Rapids, MI
Stanley A. Barg, Duane Morris LLP, Philadelphia, PA
Keri D. Brown, Baker Botts LLP, Houston, TX
Carol A. Cantrell, Briggs & Veselka Co., Bellaire, TX
Charles E. Hodges II, Chamberlain Hrdlicka, Atlanta, GA
Sasha A. Klein, Comiter Singer Baseman & Braun LLP, Palm Beach Gardens, FL
Bonnie E. Richards, UBS Financial Services Inc., New York, NY
James V. Roberts, Glast Phillips & Murray, Dallas, TX
Michael A. Spielman, Ernst & Young LLP, Cleveland, OH

8:30 – 10:00 a.m.

Business Planning Group Part I: Business Planning Group Potpourri

- 8:30 - 9:00 a.m. - Hot Topics

- 9:00 - 9:30 a.m. - Business and estate planning issues unique to minorities and women, including a discussion of cooperatives, land trusts and limited liability companies

Program, Group Chair and Speaker: William S. Forsberg,
Leonard Street & Deinard, Minneapolis, MN

Speakers:

David J. Dietrich, Dietrich & Associates, Billings, MT
Daniel McCarthy, The Blum Firm PC, Fort Worth, TX
Stephanie M. Smith, USDA Rural Development,
Washington, DC
Douglas W. Stein, Smith Gambrell & Russell LLP, Atlanta, GA

10:15 – 11:45 a.m.

Income and Transfer Tax Planning Group

Current Developments in Income and Transfer Tax Planning Continued

10:15 – 11:45 a.m.

Business Planning Group Part II: The Lifecycle of a Family Business Owner: Birth, Midlife Crisis, Death and Beyond!

- Opening remarks and development of fact pattern
- 9:30 – 10:00 a.m. – The Early Years: Choice of Entity. Which acronym is best for me: C, S, LLC, LP, LLP?
- 10:15 – 10:40 a.m. – The Warring Years: Disputes, Divorce and Disdain. How did I get into this mess and how do I get out!
- 10:40 – 11:05 a.m. – The Retirement Years: Transition Planning and Equalization Issues. What to do with all those kids!
- 11:05 – 11:30 a.m. – The Final Years: Liquidity Issues At and After Death. The tax man cometh!
- 11:30 – 11:45 a.m. - Questions and Discussion

Program and Group Chair: William S. Forsberg, Leonard
Street & Deinard, Minneapolis, MN

Speakers:

Richard E. Barnes, Barnes Law LLC, Valdosta, GA
Hugh F. Drake, Brown Hay & Stephens LLP, Springfield, IL
Steven B. Gorin, Thompson Coburn LLP, St. Louis, MO
Tye J. Klooster, Katten Muchin Rosenman LLP, Chicago, IL
Edward F. Koren, Holland & Knight LLP, Tampa, FL
Daniel McCarthy, The Blum Firm PC, Fort Worth, TX
David M. Naples, Leonard Street & Deinard, Minneapolis, MN
Robert M. Nemzin, Butzel Long, Bloomfield Hills, MI
Lisa M. Rico, McCarter & English LLP, Boston, MA
Douglas W. Stein, Smith Gambrell & Russell LLP, Atlanta, GA
Philip J. Tortorich, Katten Muchin Rosenman LLP, Chicago, IL
Neil Weinberg, Katten Muchin Rosenman LLP, Chicago, IL

1:30 – 3:00 p.m.

Non-Tax Estate Planning Considerations Group

A Non-Tax Buffet

- Is my trust a qualified purchaser? Trustees look to alternative investments in reaction to the Uniform Prudent Investor Act
- Complex securities law rules that govern the eligibility of trusts to make alternative investments
- Family feuds: detecting and defusing potential estate litigation during estate planning and post mortem
- Ways attorneys can help clients avoid or manage estate litigation with a focus on delivering greater financial and emotional value to clients
- Non-tax hot topics

Program and Group Chair: Richard W. Nenzo, Wilmington Trust Company, Wilmington, DE

Speakers:

Anta Cisse-Green, Sullivan & Cromwell LLP, New York, NY
Paul R. Fisher, Fisher Mediation, Los Angeles, CA
Alan J. Mittelman, Spector Gadon & Rosen, Philadelphia, PA
Stacy K. Mullaney, Fiduciary Trust Company, Boston, MA

1:30 – 3:00 p.m.

Charitable Planning and Organizations Group

Charities in Transition: The Updated Status of Private Foundations, Supporting Organizations and Charitable Planning

- Contemporary governance issues for private foundations: mission statements, duties of the board, excise taxes, investments, compensation and grant-making, as well as the current roles of the Service and state attorneys general
- Proposed Treasury regulations governing supporting organizations required by the Pension Protection Act, which the panel will examine in detail
- Hot topics in the charitable sector

Group Chair: Mary Lee Turk, Levin Schreder & Carey Ltd., Chicago, IL

Program Chair: Jason E. Havens, Havens & Miller PLLC, Destin, FL

Speakers:

Grace Allison, Northern Trust Company, Chicago, IL
Stephanie B. Casteel, King & Spalding LLP, Atlanta, GA
Janne G. Gallagher, Council on Foundations, Arlington, VA
Emily Lam, United States Treasury Department, Washington, DC

Ramsay H. Slugg, National Wealth Strategies Group, U.S. Trust Bank of America Private Wealth Management, Fort Worth, TX

Elaine Waterhouse Wilson, Quarles & Brady LLP, Chicago, IL

3:15 – 4:45 p.m.

Elder Law, Disability Planning and Bioethics Group

Special Needs Trusts: Updates and Issues for Estate Planners

- What estate planners need to know about Special Needs Trusts and updates to law
- Considerations in selecting fiduciaries and other issues in drafting
- Effective ways of converting traditional trusts to Special Needs Trusts
- Careful planning in light of the 10th Circuit Hobbs decision

Program and Group Chair: Michael A. Kirtland, Kirtland & Seal LLC, Colorado Springs, CO

Speakers:

Richard E. Davis II, Krugliak Wilkins Griffiths & Dougherty Co LPA, Canton, OH
Kristen M. Lewis, Smith Gambrell & Russell LLP, Atlanta, GA
Patricia F. Stichler, Schoenbaum Curphy & Scanlan PC, San Antonio, TX

3:15 – 4:45 p.m.

Litigation, Ethics and Malpractice Group

What to Do When the Client Slips the Leash: Real-World Trust Litigation and Ethics, as You Hope You'll Never Have to See Them

- Panelists will role-play attorneys at a firm with a trustee client who has breached his duties and is now looking to perpetuate his wrongs – or to pass his liability onto the firm
- Watch the panelists work their way through the complex practical and legal issues as they arise in real life, not the classroom
- Who needs enemies when you have clients like these?

Group Chair: Gerard G. Brew, McCarter & English LLP, Newark, NJ

Program Chair: Matthew P. Matiasovich, Evans Latham & Campisi, San Francisco, CA

Speakers:

Anthony R. LaRatta, Archer & Greiner PC, Haddonfield, NJ
Crystal Patterson, Fedrikson & Byron PA, Minneapolis, MN
John T. Rogers, Jr., Luce Forward Hamilton & Scripps LLP, Los Angeles, CA

Friday, May 7, 2010

Podium Lectures & Panel Discussions

8:00 – 9:00 a.m.

How to Give Away the Store - Lifetime Transfers of Family Business Interests

- Pros and cons of gifts of family business interests qualifying for the gift tax annual exclusion, gifts sheltered by the applicable exclusion amount and taxable gifts
- Application of gift tax Statute of Limitations to lifetime gifts of family business interests
- Valuation issues associated with lifetime gifts of family business interests
- Use of GRATs, sales to intentionally defective grantor trusts, private annuities and SCINs to transfer family business interests

Speakers:

Paige K. Ben-Yaacov, Baker Botts LLP, Houston, TX
Neil H. Weinberg, Katten Muchin Rosenman LLP,
Chicago, IL

8:00 – 9:00 a.m.

Strategic Planning for Roth IRA Conversions, Re-characterizations and Re-conversions

- Strategies to consider in converting to a Roth IRA, as well as a later re-characterization and re-conversion
- Beyond the economic decision to convert, learn Roth IRA implementation strategies that impact the success of the planning - particularly why using separate accounts is critical
- Mechanics of conversion, re-characterization and re-conversion and the traps to guard against

Program Chair: Bonnie Richards, UBS Financial Services Inc., New York, NY

Speakers:

Richard S. Franklin, Pillsbury Winthrop Shaw Pittman LLP,
McLean, VA
Robert S. Keebler, Baker Tilly Virchow Krause LLP,
Appleton, WI

9:15 – 10:15 a.m.

Appealing to a Higher Authority: Taking Your Case to IRS Appeals

- Role of the IRS Appeals officers and tax practitioners
- Mission of IRS Office of Appeals and its independence from other IRS offices
- How and when your case may be heard by Appeals
- Settling your case and avoid trial

Speakers:

Charles E. Hodges II, Chamberlain Hrdlicka, Atlanta, GA
IRS Appeals Officer(s) - TBD
Stephanie Loomis-Price, Baker Botts LLP, Houston, TX

9:15 – 10:15 a.m.

New Developments in Assisted Reproductive Technology and Their Effects on Estate Planning

- New Uniform Laws addressing parentage and inheritance for children born using donated reproductive material and/or a surrogate, or conceived after a parent's death
- Concerns from legislatures and practitioners on adopting these new laws
- Ethical and clinical considerations for doctors using assisted reproduction
- New cases which raise concerns about parentage issues, effects on a grandparent's will or trust and other hot legal topics

Program Chair and Speaker: Professor Kristine Knaplund, Pepperdine University School of Law, Malibu, CA

Speakers:

Dr. Frances Batzer, Thomas Jefferson Hospital, Philadelphia, PA
Professor Judith Daar, Whittier Law School, Costa Mesa
and UC Irvine Medical School, Irvine, CA
Steven H. Snyder, Steven H. Snyder & Associates LLC,
Maple Grove, MN
Laura Twomey, Simpson Thacher & Bartlett LLP, New
York, NY

9:15 – 10:15 a.m.

**Joint Program
Risky Business: Transactional Lawyers and the Gatekeeper Initiative**

- The Gatekeeper Initiative is an effort by governmental authorities to impose anti-money laundering and counter-terrorist financing obligations on "gatekeepers" (including lawyers) to monetary systems
- The legal profession has worked with governmental and quasi-governmental authorities to develop risk-based guidance for legal professionals
- The ABA and specialty bar associations have sought to implement this guidance by developing voluntary good practices guidance
- This program will offer practical insights into this good practices guidance

Program Chair and Speaker: Kevin L. Shepherd, Venable LLP, Baltimore, MD

10:30 – 11:30 a.m.

Take No Prisoners: Pitfalls and Possibilities with Captive Insurance Companies

- How captive insurance company may be the affordable answer to saving a company from ruin in case of a lawsuit, hurricane, earthquake or other tragic or unexpected events
- How to structure, operate and finance future risk in a tax-efficient manner for the company's owners
- What pitfalls to avoid, including how to survive IRS scrutiny

Program Chair and Speaker: Charles E. Hodges II, Chamberlain Hrdlicka, Atlanta, GA

10:30 – 11:30 a.m.

Joint Program Hot Topics in Uniform Laws

- The oversight of Charitable Assets Act
- The Business Organizations Act
- The revised Uniform Law on Notarial Acts

Program Chair: Thomas P. Gallanis, University of Iowa Law School, Iowa City, IA

Speakers:

Susan N. Gary, University of Oregon School of Law, Eugene, OR
Barry B. Nekritz, Sonnenschein Nath & Rosenthal LLP, Chicago, IL
James C. Wine, Nyemaster Goode, Des Moines, IA

10:30 – 11:30 a.m.

Joint Program Are Ethical Rules Immutable? Transactional Issues Where the Ethical Rules May Change Depending on Your Location

- Should the ABA's Model Rules of Professional Conduct constitute a comprehensive set of universal principles that should govern the practice of law
- What rules should govern when:
 - The deal is in one state/country and you're in another?
 - If you travel to another state and do the deal there?
 - If you want to move to a law firm in a different state?
 - If the assets you're dealing with are in two different states?
 - If you represent several clients (on your side of the table) and each are in (or formed under the laws of) different states?

Program Chair and Speaker: Michael H. Rubin, McGlinchey Stafford PLLC, Baton Rouge, LA

10:30 – 11:30 a.m.

State Death Taxes in Uncertain Times

- Common approaches to state death tax legislation and responses to changing federal law
- Recent developments regarding state death taxes
- How state death tax statutes may (or may not) apply, with an emphasis on planning opportunities (e.g., "state only" QTIP elections, TPT credits, death-bed transfers, etc.)

Program Chair: Bonnie E. Richards, UBS Financial Services Inc., New York, NY

Speakers:

Susan K. Dromsky-Reed, Brach Eichler LLC, Roseland, NJ
Ryan M. Harding, McDermott Will & Emery LLP, Chicago, IL
Rebecca Rosenberger Smolen, Stevens & Lee PC, Philadelphia, PA

1:00 – 2:15 p.m.

Gifts Gone Wild: What to Do When Donors and Charities Don't See Eye to Eye

- Donor restrictions on how charities use gifts while charities sometimes prefer the flexibility of unrestricted gifts
- The potential conflicts between donors and charities are readily apparent and have arisen in recent high-profile cases
- Drafting for donor intent, negotiating on behalf of the donor or charity and enforcing restrictions, including the evolving legal concept of standing to sue and the role of state attorneys general

Program Chair: Jason E. Havens, Havens & Miller PLLC, Destin, FL

Speakers:

Dennis I. Belcher, McGuire Woods LLP, Richmond, VA
Steven K. Mignogna, Archer & Greiner PC, Haddonfield, NJ
Mark A. Pacella, Charitable Trusts and Organizations Section Pennsylvania Office of Attorney General, Harrisburg, PA
Lorraine A. Sciarra, Princeton University, Princeton, NJ

1:00 – 2:15 p.m.

Joint Program Estate Planning for People Living with Chronic Illness

- Safeguarding estate plan changes from attack by aggrieved heirs
- Anticipating contest grounds and create a favorable record
- Discussion of estate planning vehicles
- Circumstances of execution and post-death proceedings
- Drafting modifications

- Charitable planning: applying CLT and CRT bailout with chronic illness
- Financial modeling, disability buy outs and settlements
- Cognitive issues and chronic illness
- Emotional and psychological impact of chronic illness on the planning process

Program Chair: Martin M. Shenkman, Martin M. Shenkman PC, Paramus, NJ

Speakers:

Seth Buchwald, Bernstein Global Wealth Management, New York, NY

Mary Denise Hughes, MD, Department of Medicine University Medical Center, Greenville Hospital System, Greenville, SC

Lakshmi R. Roy, Alan H. Schorr & Associates PC, Cherry Hill, NJ

Joshua S. Rubenstein, Katten Muchin Rosenman LLP, New York, NY

2:30 – 4:00 p.m.

Escaping Bleak House - How to Select the Best Dispute Resolution Alternatives to Full Scale Litigation

- Multi-State analysis of arbitration in will and trust disputes
- Legal underpinnings/constitutionality
- Model Acts and sample clauses for drafting
- Types of mechanisms: mediation, arbitration, neutral evaluation, mini-trials, mandatory arbitration based on investment contract provisions and other agreements
- Court based mandatory arbitration programs
- Arbitration and mediation in practice
- Discussion of selecting the appropriate mechanism

Program Chair and Speaker: Gerard G. Brew, McCarter & English LLP, Newark, NJ

Speakers:

Dominic J. Campisi, Evans Latham Campisi, San Francisco, CA
Robert N. Sacks, Sacks Glazier Franklin & Lodise, Los Angeles, CA

Margaret E. Sager, Heckscher Teillon Terrill Sager, West Conshohocken, PA

2:30 – 4:00 p.m.

Joint Program

The new Social Media: Twitter, Facebook, MySpace and LinkedIn - Blessing or Plague?

- How social media is making company information - be true or false, good or bad - can strengthen or damage a corporation or individual brand
- The role legal counsel should have in managing this information. What can be done to protect an organization?
- Opportunities and challenges of social media and provide practical solutions for legal counsel to assist their clients

Program Chairs: Joseph P. Tylutki, McDonald's Corporation, Oak Brook, IL and Daniel J. Hornick, American Surveying & Mapping Inc., Raleigh, NC

Speakers:

Nicole L. Black, Fiandach & Fiandach, Rochester, NY

J. David Duffy, Thompson Coburn Fagel Haber, Chicago, IL

John Lipsey, LexisNexis, Los Angeles, CA



Trust and Estate

Young Lawyers Institute: Practice Essentials

Thursday, May 6, 2010

8:30 – 10:00 a.m.

Overview of Estate Administration – From Beginning to End

Opening Remarks - A warm welcome from Alan F. Rothschild, Jr., Section Chair-Elect and a brief overview of the day's events.

This program is a soup-to-nuts introduction to estate administration:

- Roadmap of the probate process and exploration of alternatives to probate
- Discussion of steps from opening to closing a probate estate:
 - Gathering information and commencement of proceedings
 - Marshaling assets
 - Appointing the personal representative
 - Preparing the inventory and valuing assets
 - Defending the estate from claims
- Making distributions and closing the estate
- Practical checklist of the estate administration process

Speakers:

David J. Arcella, Bessemer Trust, New York, NY
Thomas O. Hiscott, Heckscher Teillon Terrill & Sager PC,
West Conshohocken, PA

10:15 – 11:45 a.m.

Select Issues in Estate and Trust Administration

This session will delve into more detail on some of the challenging or unique issues in estate and trust administration, including:

- Creditor claims
- Addressing funding and liquidity issues
- Identifying opportunities for post-mortem estate planning
- Handling special assets (e.g., real estate, retirement assets and interests in an operating business or in limited partnerships or limited liability companies)
- Duty to preserve vs. duty to invest

Speakers:

John A. Terrill, II, Heckscher Teillon Terrill & Sager PC,
West Conshohocken, PA
Rebecca Wallenfels, Chapman & Cutler LLP, C

1:30 - 3:00 p.m.

Understanding Estate Tax and Its Impact on the Estate

This session will provide an overview of the basic rules governing estate taxation:

- Determining the assets includible in the gross estate
- Valuing assets
- Identifying deductions and credits
- Considering elections available to the estate
- Calculating estate tax due
- Addressing gift tax and its impact on estate tax
- Addressing generation-skipping transfer tax
- Considering issues in preparing and filing the estate tax return
- Discussing fundamental state death tax considerations

Speakers:

Marc S. Bekerman, Woodbury, NY
Thomas M. Featherston, Baylor University School of Law,
Waco, TX

3:15 - 4:45 p.m.

Ethical Issues in Fiduciary Representations

This program will identify various ethical issues an attorney involved in estate planning or trust and estate administration will encounter and offer practical suggestions on how they can be handled. Includes discussion on:

- Who is the client – the estate, the executor or the beneficiaries?
- Disputes between fiduciaries, fiduciaries and beneficiaries and among beneficiaries
- Impact of existing ethical obligations in current attorney-client relationships
- When and how can conflicts be waived?

Closing remarks: Benetta Park Jenson, Coordinator of
2010 Trust & Estate Young Lawyers Institute

Speakers:

Ryan M. Harding, McDermott Will & Emery LLP, Chicago, IL
Benetta Park Jenson, Bessemer Trust, Chicago, IL
Neil T. Kawashima, McDermott Will & Emery LLP,
Chicago, IL

Real Property

Young Lawyers Institute: Practice Essentials

Friday, May 7, 2010

Numerous essentials will be covered that are useful for a variety of practice levels - lawyers in the early stages of their careers, more experienced lawyers looking to retool their practices and experienced real estate lawyers who desire to broaden their knowledge on a particular subject. A particular focus will be the effect of the current economic climate on real estate practice.

8:00 - 9:00 a.m.

Fundamentals of Purchase and Sale Agreements

- Nuts and bolts of a “typical” purchase contract for a commercial real estate transaction
- Due diligence to be undertaken for the transaction
- Changes in strategy in contracts as a result of the current economic climate

Speakers:

Nancy Appleby, Appleby Law PLLC, Alexandria, VA
Kellye Curtis Clarke, Shreves Schudel Devol Saunders Jackson & Clark, Alexandria, VA

9:15 - 10:15 a.m.

What a Real Estate Lawyer Needs to Know About Entities

- Selection and formation of entities
- Differences between various entity types, such as corporations, limited liability companies and partnership structures
- Authority to act and “entity twisting” (mergers, name changes and acquisitions)

Speakers:

Kenneth M. Jacobson, Katten Muchin Rosenman LLP, Chicago, IL
Sterling S. Willis, Fishman Haygood Phelps Walmsley Willis & Swanson, LLP, New Orleans, LA

10:30 - 11:30 a.m.

Distressed Assets and Financing in 2010

- Problems encountered with distressed projects in the present economic climate
- Loan modifications, forbearance agreements, remedies upon default, workouts and potential foreclosure actions
- Operational issues, management problems, successor liabilities and related matters

Speakers:

Robert S. Freedman, Carlton Fields PA, Tampa, FL
Joseph E. Lubinski, Ballard Spahr LLP, Denver, CO
John P. McNearney, Husch Blackwell Sanders LLP, St. Louis, MO
Richard A. Sundquist, Clark Hill PLC, Detroit, MI

1:00 - 2:15 p.m.

Fundamentals of Commercial Leasing in a Depressed Economy

- Fundamental concepts of commercial leasing
- Problems and pitfalls most often encountered with commercial leases
- Trends and issues that have resulted from the current economic climate

Speakers:

Marie A. Moore, Sher Garner Cahill Richter Klein & Hilbert LLC, New Orleans, LA
William R. Sylvester, Baker Donelson Bearman Caldwell & Berkowitz, PC, Birmingham, AL

2:30 - 4:00 p.m.

Surveys, Legal Descriptions and Title Insurance

- Concepts of legal descriptions and surveys
- Title insurance coverages and exclusions from coverage, from the perspective of both owner and lender
- Interrelationship between surveys and title insurance

Speakers:

Alan D. Keiser, Commonwealth Lawyers Title Commercial Services, Philadelphia, PA
Orlando Lucero, Stewart Title of Albuquerque, Albuquerque, NM
Tanya Marsh, Frost Brown Todd LLC, Indianapolis, IN



Photo by Anthony Sinagoga

Spring Symposia General Information

Symposia Registration Fee

The registration fee includes access to all programs and meetings. In addition, the fee includes one CD or flash drive with all the Real Property, Trust and Estate Law CLE program materials, continental breakfast (both days) and refreshments during the breaks.

Rates:

- General Attendee - \$625
- ABA Member - \$575
- RPTE Member - \$485 (Register by March 26, 2010); \$525 (After March 26, 2010)
- One Day Symposia Admission - \$315
- First Time Attendee - \$350
- Academic/Government Attendee - \$325
- Speaker: \$325
- Young Lawyers Institute: Practice Essentials – One Day - \$150
- Young Lawyers Institute: Practice Essentials – Two Day - \$225
- Law Students - No Charge
- First Time Minority Bar Association Members – No Charge
- Program Materials Only - \$95

Ticketed Events

- Thursday, May 6 - Symposia Reception - \$25
- Thursday, May 6 - Group and Committee Luncheon - \$15
- Friday, May 7 - Trust and Estate Hot Topics Luncheon - \$40
- Friday, May 7 - Real Property Luncheon - \$40

A \$100 fee will entitle your spouse/guest to attend the Symposia Reception and two breakfasts. (Children under the age of 12 may attend these functions free of charge).

Registering

Online

Register online at www.abanet.org/rppte/2010. Members will need their ABA ID number, located on the ABA membership card or on the mailing label above your name on this brochure. Non-ABA Members may register online by creating a new customer account. You can also join the section to take advantage of the discounted member rates. Please contact (800) 285-2221 for help with the online system.

On-site

On-site registration will take place at the Philadelphia Marriott Downtown during the following hours:

Wednesday, May 5 1:00 p.m. – 5:00 p.m.
Thursday, May 6 7:00 a.m. – 5:00 p.m.
Friday, May 7 7:00 a.m. – 5:00 p.m.

PLEASE NOTE: On-site registration will include an additional \$50 administrative fee.

For information regarding registration please contact Hillary Clark at (312) 988-5683.

Cancellation Policy

Requests for refunds must be made in writing and faxed to Hillary Clark (312) 988-5262 by April 22, 2010. There will be a \$75 administrative fee deducted from the refund. The Section will gladly accept substitute registrants for cancellations received after April 22, 2010; however, refunds will not be given after that date.

Program Materials

In the event that you are unable to attend the symposia, a CD or flash drive of the program materials is available for \$95. CD or flash drives can be purchased through the online registration system, www.abanet.org/rppte/2010 and choosing the Materials Only option.

Airline Information

The ABA offers discounted fares on selected airlines. Contact Orbitz for Business, the ABA's official travel management company at 1-877-222-4185 or visit the ABA travel website at www.abanet.org/travel.

Hotel Reservations

All Symposia meetings and events will take place at the Philadelphia Marriott Downtown, 1201 Market Street, Philadelphia, PA 19107. A block of sleeping rooms has been reserved at the Marriott from Wednesday, May 5, 2010 through Sunday, May 9, 2010 at a group rate of \$219 per night for a single or double room. The group rates are guaranteed until 5:00 p.m. ET, Tuesday April 13, 2010. Reservations received after 5 p.m. ET on April 13, 2010 will be based on availability. Be sure to mention that you are attending the ABA Section of Real Property Trust & Estate Law Symposia when making your hotel reservations.

For reservations:

Philadelphia Marriott Downtown
(800) 228-9290 or go online at
<http://resweb.passkey.com/go/ABARPTE>.

Services for the Disabled

If services for the disabled are required, please contact the Section Office at (312) 988-5683 by April 22, 2010.

Continuing Legal Education Credit

Accreditation has been requested for this program from every state with mandatory continuing legal education (MCLE) requirements for lawyers. Please be aware that each state has its own rules and regulations, including its own definition of CLE. Attorneys seeking to obtain MCLE credit in Pennsylvania are required to pay state accreditation fees directly to the

Pennsylvania CLE Board (PACLE) and pick up a Pennsylvania registration form at the meeting. Certificates of Attendance will be available at the conclusion of the program for both attendees and speakers.

Conference Attire

Business casual is recommended for Symposia attendees.

To Reach Us Through The Web

For more information on the Spring Symposia and to register online, log on to the RPTE web site at www.abanet.org/rpte/2010.

Reap the Many Benefits of Being a Real Property, Trust & Estate Law (RPTE) Member...

Group or Committee Participation – Get Involved!

Join a group or committee and collaborate with colleagues across the country at ABA and Section meetings, committee conference calls and list serve discussions. Groups and committees are FREE of charge to Section members, and there is no limit to which you can belong.

- Choose from a wide variety of groups and committees covering the most important areas of Trust and Estate and Real Property practice
- Work on legislative issues for a particular law specialty on a national and/or state level
- Join **free** member conference calls about current issues affecting your practice
- Find out the latest case law legislative and regulatory developments
- Discover practical planning, drafting and business development strategies
- Prepare comments to the government on current policy and pending legislation in your area of expertise
- Get Published! Group and committee work provides much of the basis for the Section's high quality educational programs and content for the Section's publications

Continuing Legal Education

Easily fulfill your MCLE requirements by attending CLE programs face-to-face at conferences, or by participating in low cost eCLE programs by telephone at your desk.

Up-to-date Practice Information

Tap into a wealth of industry information and practical tips and tools for your practice via the Section's publications:

- *RPTE eReport* – A bi-monthly electronic publication featuring news articles, Section events and activities, and resources for young lawyers and law students
- *Probate & Property* – The Section's bi-monthly flagship magazine providing lawyers with practical information on real property and trust and estate planning
- *Real Property, Trust and Estate Law Journal* – A quarterly journal providing in depth articles of interest to real property, and trust and estate law lawyers
- *Real Estate Quarterly Reports* – A summary and commentary on prominent real estate law cases

Be sure to take advantage of all RPTE member benefits. Stay in touch and stay current! See our website at www.abanet.org/rpte for more Section information and practice resources.

Thank you to the Division CLE Committees with a special thank you to the 2010 Spring Symposia Education Planning Committee and Host Committee.

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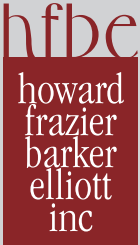
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