



American Conference Institute's 20th National Forum on

RESIDENTIAL MORTGAGE LITIGATION & REGULATORY ENFORCEMENT

*Expert strategies for in-house and outside counsel on navigating litigation hurdles
and preparing for new and emerging government enforcement initiatives*

April 20 – 21, 2016 | Washington Plaza Hotel | Washington, DC



Enforcement & regulatory priorities from:

Office of the Comptroller of the Currency
Various United States Attorney's Offices
Ohio Department of Commerce
Maryland Department of Labor
Office of the Illinois Attorney General
Office of the Massachusetts Attorney General

Learn from Judges:

-  *Hon. Fernando J. Gaitan Jr.*
U.S. Dist. Ct., W.D. Mo.
-  *Hon. James L. Robert*
U.S. Dist. Ct., W.D. Wash.
-  *Hon. Roslyn O. Silver*
U.S. Dist. Ct., D. Ariz.
-  *Hon. Paul Warner*
U.S. Dist. Ct., D. Utah
-  *Hon. David J. Waxse*
U.S. Dist. Ct., D. Kan.
-  *Hon. Elizabeth T. Hey*
U.S. Dist. Ct., E.D. Pa.
-  *Hon. Lorenzo Garcia*
U.S. Dist. Ct., D.N.M.
-  *Hon. Clifton Newman*
S.C. Jud. Dept.
-  *Hon. John M. Younge*
Pa. Ct. Common Pleas
-  *Hon. Jack Tuter*
17th Jud. Cir. Ct. of Fla.
-  *Hon. Annette M. Rizzo (ret.)*
Pa. Ct. Common Pleas
-  *Hon. Richard A. Kramer (ret.)*
Calif. Super. Ct.

In-house insights from industry experts, including:

- | | | |
|---|--|---|
| <i>Justin T. Bradley, Esq.</i>
Shellpoint Mortgage Servicing | <i>Kevin Willen</i>
U.S. Bank | <i>Scott Murphy</i>
Wells Fargo & Co. |
| <i>Andrew Liput, Esq.</i>
Residential Home Funding | <i>Michael Waldron (invited)</i>
Bayview Loan Servicing | <i>Elizabeth Betta</i>
MERSCORP Holdings, Inc. |
| <i>Joseph Cvelbar</i>
Consolidated Credit Solutions, Inc. | <i>Ken Markison</i>
Mortgage Bankers Association | <i>Alan M. Warfield</i>
BB&T |
| <i>Sarah Alexander Goldfrank</i>
Fannie Mae | <i>Wade Pyun</i>
U.S. Bancorp | |

Sessions include:

- The latest CFPB priorities, including with regard to MSAs and RESPA compliance & new data collection rules and modifications to HMDA regulations: how to adapt your practice as a result of new regulatory burdens
- The evolving TRID landscape, including the latest on liability and enforcement with regard to origination, servicing and assignments
- Front line regulatory and enforcement insights by key governing bodies in the mortgage industry: how to work with the government to prepare for examinations and supervision in a multi-agency environment
- What's now viewed by regulators as a fair lending violation, and the latest disparate impact litigation nuances
- Class action litigation developments specific to the industry
- Borrower's perspective: insights from the plaintiff's bar and consumer advocates
- Mortgage servicing: CFPB complaint data; mortgage servicing transfers; debt collection efforts; servicer duty of care suits; and liability under the TCPA, FDCPA and the FCRA
- Lessons learned from recent reverse mortgage litigation
- Latest developments on Article III Standing including the impact of *Spokeo*
- Enhancing third-party vendor management and diligence standards over service providers in an environment of heightened regulatory expectations

The industry's leading litigators and in-house counsel are meeting in Washington, DC, on April 20–21, 2016. Attend to benchmark your current strategies, learn the latest government enforcement and regulatory priorities, and get judicial insights from top federal and state judges.

In addition to unparalleled networking opportunities, ACI's 20th **Residential Mortgage Litigation and Regulatory Enforcement** conference will provide attendees with a revamped agenda reflecting the latest insights and expert advice from our exceptional faculty on defending and managing 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:

- CFPB Priorities, Enforcement, Investigations, Examinations, Administrative Actions and Penalties and How to Adapt Your Practice as a Result: UDAAP, MSAs and Loan Officers, Kickbacks, RESPA Compliance, Appeals of CFPB Decisions, and More
- New Data Collection Rules and Modifications to HMDA Regulations: Gearing up for the New Regulatory Burden
- The Evolving TRID Landscape, Including Compliance/Implementation Efforts and Liability and Enforcement with Regard to Origination, Servicing, Assignees; and Lessons Learned from Recent RESPA and TILA Case Law
- Front Line Regulatory and Enforcement Insights by Key Governing Bodies in the Mortgage Industry
- Fair Lending Themes: The Latest Concerns by Enforcers and Regulators including CFPB, New Disparate Impact Litigation Nuances, Using UDAAP Where Other Statutes or Regulations Fail, and Beyond
- Class Actions: New Certification Trends including *Tyson* Implications; Early Resolution and Settlement Strategy; Recent CAFA and Removal Developments; and Reviewing *Campbell-Ewald v. Gomez* on Rule 68, Offering Relief and Whether it Moots a Class Claim
- Borrower's Perspective: Insights from the Plaintiff's Bar and Consumer Advocates
- Latest Developments on Standing Including the Impact of *Spokeo*, Overcoming Contested Foreclosures, and Responding to Borrower Counterclaims and Stall Tactics
- Mortgage Servicing: CFPB Complaint Data Fallout; New Issues Arising from Mortgage Servicing Transfers; Litigation and Enforcement Concerns Related to Debt Collection Efforts; and Servicer Liability Under the TCPA, FDCPA and FCRA
- Enhancing Third-Party Vendor Management and Diligence Standards Over Service Providers in an Environment of Heightened Regulatory Expectations
- Reverse Mortgage Litigation: Latest on the Targeting of Certain Age Groups, Fraud and Confusion, and CFPB Developments

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/ResMortgageDC

Here are just some of the agencies, companies and firms already participating

Office of the Comptroller of the Currency	Pierson Law LLC
U.S. Attorney's Office, Middle District of Fla.	O'Melveny & Myers LLP
U.S. Attorney's Office, Eastern District of N.Y.	Hudson Cook, LLP
U.S. Attorney's Office, District of N.J.	Richard Horn Legal, PLLC
Ohio Department of Commerce	Weiner Brodsky Kider PC
Maryland Department of Labor, Licensing & Regulation	Bryan Cave LLP
Office of the Illinois Attorney General	Stradley Ronon Stevens & Young, LLP
Office of the Massachusetts Attorney General	American Mortgage Law Group, P.C.
Fannie Mae	Stites & Harbison, PLLC
U.S. Bancorp	Goodwin Procter LLP
Shellpoint Mortgage Servicing	Bricker & Eckler LLP
Residential Home Funding	Fabrizio & Brook, P.C.
Consolidated Credit Solutions, Inc.	WilmerHale
U.S. Bank	Locke Lorde LLP
Bayview Loan Servicing	Hunt Leibert Jacobson, PC
Mortgage Bankers Association	Baker, Donelson, Bearman, Caldwell & Berkowitz, PC
Wells Fargo	Public Justice, P.C.
MERSCORP Holdings, Inc.	Nina F. Simon Attorney at Law
Branch Banking and Trust Company (BB&T)	Donovan Axler, LLC
Franzen and Salzano, P.C.	Greenberg Traurig LLP
Jones Day	Severson & Werson
Pilgrim Christakis LLP	Burr & Forman LLP
	Vorys, Sater, Seymour and Pease LLP
	McGlinchey Stafford, PLLC
	Covington & Burling LLP




ACI
American Conference Institute
Business Information in a Global Context

This year marks 30 years since the inception of C5 Group.

30 years hosting more than 6,000 conferences

30 years building a network of industry leaders

30 years expanding across the globe

It is time for a brand, logo and language in keeping with the dynamic strides we have made as a company. It is time for a brand that will take us forward for the next 30 years.

C5 Group, comprising American Conference Institute, The Canadian Institute and C5 in Europe, will unite under one central brand image, appropriately a globe. See how bringing together the power of people and the power of information can accelerate your growth and success.

Our new brand look and language will be fully revealed soon. Stay tuned for more exciting changes.

7:15 Registration and Continental Breakfast

8:00 **Co-Chairs' Opening Remarks**



Andrew Stutzman

Stradley Ronon Stevens & Young LLP



Christy Ames

Stites & Harbison, PLLC

8:05 **In-House Perspectives on Strategies for Managing Litigation and the Cost of Compliance in a Heightened Regulatory Environment, Enhancing Relationships with Outside Counsel, and Working With Reduced Budgets and Smaller Staffs**

Justin T. Bradley, Esq.

Corporate Counsel, Litigation and Compliance

Shellpoint Mortgage Servicing

Joseph Cvelbar

Director of Housing Counseling

Consolidated Credit Solutions, Inc.

Kevin Willen

Senior Vice President & Managing Director,

Regulatory Affairs & Regulatory Services

U.S. Bank

Michael Waldron (invited)

Managing Director and Chief Compliance Officer

Bayview Loan Servicing

Scott Murphy

Senior Counsel

Wells Fargo & Co.

Elizabeth Betta

Counsel

MERSCORP Holdings, Inc.

Alan M. Warfield

Assistant General Counsel

Branch Banking and Trust Company (BB&T)

Andrew Liput, Esq.

Legal, Regulatory & Compliance Advisor

Residential Home Funding

Wade Pyun

Vice President & Senior Corporate Counsel

U.S. Bancorp

Moderator:

Sarah Alexander Goldfrank

Senior Vice President and Deputy General Counsel

Fannie Mae

- How are lenders and servicers adapting to new and emerging regulations and case law? What changes have they made?
 - Responding to regulators guidance and enforcement actions vs. formal rulemaking
 - The federal government's total regulatory surveillance over the industry: how the cost effects smaller shops

- What does 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
- 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 counsel
- Top 5 issues that in-house counsel wants their outside counsel to be thinking about
- How corporate counsel are responding to internal budgetary pressures
- Exploring the use of alternative fee agreements with outside counsel
- Internal and external cost-cutting
 - What has worked and what has not
- In-house staffing solutions for stretched legal departments
- Volume of litigation—declining or is it being outsourced?

9:40

Morning Break

9:50

CFPB Priorities, Enforcement, Investigations, Examinations, Administrative Actions and Penalties and How to Adapt Your Practice as a Result: UDAAP, MSAs and Loan Officers, Kickbacks, RESPA Compliance, Appeals of CFPB Decisions, and More



Ken Markison

Vice President, Regulatory Counsel

Mortgage Bankers Association



Lucy Morris

Hudson Cook, LLP

(Former Deputy Enforcement Director, Division of Supervision, Enforcement and Fair Lending, Consumer Financial Protection Bureau)



Albert J. Rota

Jones Day

- 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
 - *Flagstar* case: formula for financial penalties
 - What to expect going forward
- Trending areas for enforcement actions- UDAAP and Loan Originator Compensation
- The CFPB and UDAAP: why UDAAP violations should be of paramount concern to lenders and servicers

- Which acts and practices put lenders and servicers at greatest risk for UDAAP violations?
- Assessing the definition of 'abusive' practices
- Addressing potential UDAAP concerns
- Loan Origination issues
 - Weaknesses in compliance management systems
- Loan modification issues
 - Error in processing issues or complying with regulations
 - More borrowers asserting damage claims
- RESPA issues
- Interpreting the CFPB's decision in *PHH* for illegal kickbacks from a mortgage lender to an insurer
 - Status of the Appeal
 - Testing the CFPB's scope of enforcement powers
- Recent trend of appealing CFPB decisions
- False and misleading actions by lenders
- CFPB's open investigation on bank rates and mortgage calculators
- E-closing as a new trend in the mortgage industry
 - What does the CFPB have to say about e-closings?
 - Online mortgages related to lending services

11:05 Interpreting the CFPB's Recently Finalized Mortgage Data Collection Rule (HMDA) and How To Gear Up For Compliance



Loretta Salzano
Franzen and Salzano, P.C.



Steven R. Smith
Bryan Cave LLP

- Purpose and effect of HMDA
 - Collection of information on borrowers including race, gender, and analyzed by the government
 - CFPB enforcement actions resulting from collection of information submitted by lenders as a result of HMDA
- Implementation dates:
 - Collection of data, January 1, 2018
 - Reporting of data, March 1, 2019
- Requirements dropped from proposed rule
- Loosened requirements for small banks and credit unions
- What data will be required to be reported
- Other requirements set forth by the final rule
- How to best prepare for compliance in advance

11:55 The Evolving TRID Landscape, Including Compliance/ Implementation Efforts and Liability and Enforcement with Regard to Origination, Servicing, and Assignees; and Lessons Learned from Recent RESPA and TILA Case Law



Richard Horn
Richard Horn Legal, PLLC
(Former CFPB Senior Counsel & Special Advisor who led TRID rule)



David Stein
Bricker & Eckler LLP



Christy Ames
Stites & Harbison, PLLC

- TRID effective date: October 3, 2015
 - Takeaways from compliance and implementation efforts
- Measures taken for timely compliance
- Costs associated with compliance
- Opinions on consumer friendliness
- Situations not addressed by the regulation that still require additional guidance
- The scope and effect of TILA and RESPA's liability provisions given the integration of the two sets of disclosures
- Restrained enforcement liability/grace period?
- Avoiding RESPA kickbacks (Sec. 8), especially in the social media age
- RESPA (Reg. X) litigation: QWR litigation
- TILA litigation

1:05 Networking Lunch for Speakers and Attendees

2:05 Front-Line Regulatory and Enforcement Insights by Key Governing Bodies in the Mortgage Industry: Federal and State Agencies and Attorneys General Speak on Recent Developments and How to Work with the Government to Prepare for Examinations and Supervision in a Multi-Agency Environment

Donna M. Murphy
Director of Community and Consumer Law
Office of the Comptroller of the Currency

Christopher P. Tuite
Economic Crimes Assistant U.S. Attorney
Criminal Division, Florida – Middle District,
United States Department of Justice

Richard Hayes
Assistant United States Attorney
United States Attorney's Office for the Eastern District of NY

R. Stephen Stigall
Attorney-in-Charge
Camden Branch Office
United States Attorney's Office for the District of New Jersey

Robert S. Niemi
Deputy Superintendent for Consumer Finance
Ohio Department of Commerce
Division of Financial Institutions

Jedd Bellman
Assistant Commissioner
Office of the Commissioner of Financial Regulation
Maryland Department of Labor, Licensing & Regulation

Thomas James
Senior Assistant Attorney General
Office of the Illinois Attorney General

Michael Lecaroz
Assistant Attorney General, HomeCorps Division
Office of the Massachusetts Attorney General

Matthew Van Hise
Assistant Attorney General & Consumer Privacy Counsel
Office of the Illinois Attorney General

Gary Klein
Senior Trial Counsel, Public Protection & Advocacy Bureau
Office of the Massachusetts Attorney General

**Moderator:***Holly Pierson*

Pierson Law LLC

3:55 Afternoon Break

4:05 **Fair Lending Themes: The Latest Concerns by Enforcers and Regulators including CFPB, New Disparate Impact Litigation Nuances, Using UDAAP Where Other Statutes or Regulations Fail, and Beyond***Thomas M. Hefferon*

Goodwin Procter LLP

*Elizabeth L. McKeen*

O'Melveny & Myers LLP

*D. Jean Veta*

Covington & Burling LLP

- Landmark Supreme Court case law on the Disparate Impact Rule
 - Recent decision on *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project, Inc.*
 - Determining whether tax credits were allocated in predominately minority area or sufficiently allocated in non-minority areas
 - Disparate impact can be shown by perpetuating segregating and liability can be found under the Fair Housing Act
 - Disparate impact standard: 1) plaintiff has to establish neutral policy that has discriminatory impact and establish prima facie claim 2) defendant puts forward defense as to business justification to the policy 3) Under the HUD rule, plaintiff has to prove there is a less discriminatory policy
- How state and federal agencies are approaching fair lending issues
- Proposed HMDA changes and proposals
- CFPB's HMDA data serving as basis for fair lending claims
- Impact of the CFPB on fair lending litigation
- Defending against the latest claims alleging fair lending violations
 - Early interviews and information gathering
 - Data analysis
- UDAAP in Fair Lending
- Disparate impact in the age of the Qualified Mortgage
- 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 recent regulatory and litigation developments on the defense of predatory lending claims
- Public relations concerns
- Settlement considerations and strategies

5:10 **Class Actions: New Certification and Commonality Trends including *Tyson* Implications; Early Resolution and Settlement Strategy; Recent CAFA, Venue and Removal Developments; and Reviewing *Campbell-Ewald v. Gomez*'s Impact on Rule 68 and Offers of Judgment to a Named Plaintiff Mooting a Class Action***Jennifer Gray*

Greenberg Traurig, LLP

*Marcel C. Duhamel*

Vorys, Sater, Seymour and Pease LLP

*Leah M. Nicholls*

Public Justice, P.C.

- Heightened standards of commonality and predominance
- Class definition and ascertainability; superiority/adequacy
- CAFA developments
- Removability
- Current trends in issue certification
- Current trends in class certification
 - *Tyson* case: whether differences among individual class members may be ignored, and a class certified, when plaintiffs use statistical techniques that presume that all class members are identical; and whether a class may be certified that contains hundreds of members who were not injured and have no legal right to damages
- Rule 23
- Use of experts
- Recent settlement trends and strategies
- Settlements for preliminary and final approval
- Class Notice Issues
- Release scope
- Attorney's fees
- Class action reform
- Split in circuit courts on treading certification of classes
- Recent trend in difficulty of settling class action cases
 - The need to show that the class members will have a real value from class action settlement
 - More scrutiny from the appellate courts on settling class action lawsuits
- *Campbell-Ewald v. Gomez*: US Supreme Court case on whether offering complete relief on a claim moots the relief to bring case under class action

6:15 Conference Adjourns

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

ABOUT THE VENUE

Discover the fresh new feel of the **Washington Plaza**. Designed in 1962 by world-famous architect Morris Lapidus, this recently renovated Washington DC hotel near the White House offers an engaging balance of cosmopolitan ambiance and unpretentious hospitality. **American Conference Institute** is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. Please contact the hotel directly at (202) 842-1300 or (800) 424-1140 and mention the "ACI Residential Mortgage conference" to receive this rate. You can also book your room online at: <http://tinyurl.com/ResMortgage2016>.

7:30 Continental Breakfast

8:00 **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**

Panel 1 • 8:00 – 9:30 am (break 9:30 – 9:40)



Hon. Fernando J. Gaitan Jr.
U.S. Dist. Ct., W.D. Mo.



Hon. James L. Robart
U.S. Dist. Ct., W.D. Wash.



Hon. Roslyn O. Silver
U.S. Dist. Ct., D. Ariz.



Hon. Paul Warner
U.S. Dist. Ct., D. Utah



Hon. Elizabeth T. Hey
U.S. Dist. Ct., E.D. Pa.



Hon. David J. Waxse
U.S. Dist. Ct., D. Kan.

Panel 2 • 9:40 – 11:10 a.m



Hon. Lorenzo Garcia (ret.)
U.S. Dist. Ct., D.N.M.



Hon. Jack Tuter
17th Jud. Cir. Ct. Fla.



Hon. Clifton Newman
S.C. Jud. Dept.



Hon. John M. Younge
Pa. Ct. C.P.



Hon. Annette M. Rizzo (ret.)
Pa. Ct C.P.



Hon. Richard Kramer (ret.)
Calif. Super. Ct.

Panel 1 and 2 Moderator:



Andrew K. Stutzman
Stradley Ronon Stevens & Young, LLP

11:10 **The Borrower's Perspective: Insights From the Plaintiffs' Bar and Consumer Advocates**



Nina F. Simon
Nina F. Simon Attorney at Law



Noah Axler
Donovan Axler, LLC

Moderator:



Katrina Christakis
Pilgrim Christakis 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 plaintiffs' bar is continuing to adapt to CAFE
- How the industry can best work with borrowers to pursue loan modifications and avoid foreclosures and litigation
- Recent litigation against property preservation companies

12:00 **Latest Developments on Article III Standing Including the Impact of *Spokeo*, Overcoming Contested Foreclosures, and Responding to Borrower Counterclaims and Stall Tactics**



Robert Mowrey
Locke Lorde LLP



Rose Marie Brook
Fabrizio & Brook, P.C.



Geoffrey K. Milne
Hunt Leibert Jacobson, PC



Mark New
McGlinchey Stafford, PLLC

- Conditions precedent to foreclosure
- Assessing borrower attacks on standing
 - New and emerging claims
 - How to combat and defeat standing attacks
- 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
- How the *Spokeo* case on standing affects TILA actions
 - Consumers do not have to suffer injury but can still bring a suit under Article III
- Reviewing the *First American* case and whether the consumer has to show she suffered injury after discovering illegal kickbacks related to insurance company's services violating RESPA

1:10 **Networking Lunch for Speakers and Attendees**

2:10 **Mortgage Servicing: CFPB Complaint Data Fallout; New Issues Arising from Mortgage Servicing Transfers; New Servicer Duty of Care Lawsuits; Litigation and Enforcement Concerns Related to Debt Collection Efforts; and Servicer Liability Under the TCPA, FDCPA and FCRA**



Jonathan Green
Baker, Donelson Bearman, Caldwell & Berkowitz, PC



Sunny S. Huo
Severson & Werson

- Fallout from the servicing rules
 - Enforcement issues
 - Compliance hurdles and how best to overcome them
 - Types of private claims arising from the rules
- Impact of Basel III on loan servicing
- Mortgage Servicing Transfer Issues
 - CFPB preventative bulletin
 - Admissibility of prior servicer records as evidence
- Defending against claims relating to loan servicing, including how servicers must now address TCPA risks
- Class action issues arising from loan servicing
- What can originators learn from recent litigation involving servicers?
- Servicer liability under the FDCPA
- Assessing when a mortgage servicer may be considered a debt collector
- Servicer liability for lack of disclosure
- Loss mitigation programs

3:00 Afternoon Break

3:10 Enhancing Third-Party Vendor Management and Diligence Standards over Service Providers in an Environment of Heightened Regulatory Expectations: A Practical Guide for Selection, Monitoring, Risk Management, Contracts and Exit Strategy



James W. Brody
American Mortgage Law Group, P.C.



Jonathan McKernan
WilmerHale

- Impact of enhanced regulatory scrutiny and oversight
- CFPB initiatives
 - Power to supervise “related persons” and “material service providers”
 - 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
 - Assessing the decrease in servicing costs vs. the increased risks of litigation and reputational damage

4:00 Reverse Mortgage Litigation: Latest on the Targeting of Certain Age Groups, Fraud and Confusion, and CFPB Developments



Jason McElroy
Weiner Brodsky Kider PC



Joshua Threadcraft
Burr & Forman LLP

- Recent uptick in the reverse mortgage product
- What are the exposures in reverse mortgages?
- How and why the reverse mortgage product lends to fraud and confusion

- Issues when consumers don't understand obligation to pay for insurance and taxes
- Children/heirs who hope to inherit estate accusing lenders of defrauding parents
- CFPB's criticism of reverse mortgages
- How reverse mortgages target a certain age (60s and over) and what happens when the non-qualifying spouse who is much younger and lives in the same house with the qualifying spouse is faced with foreclosure action for failing to pay off the note when the qualifying spouse whose name is on the deed passes away
- Class action lawsuits resulting from reverse mortgages
- HUD's limit of how borrowers can use the money in the first year
- Financial assessment of borrowers: willingness to repay and whether borrowers can actually repay

4:50 Conference Ends

MEDIA PARTNER:

Asset-Backed ALERT
www.ABAlert.com

CONTINUING LEGAL EDUCATION CREDITS



EARN CLE 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.

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.

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

RESIDENTIAL MORTGAGE LITIGATION & REGULATORY ENFORCEMENT

April 20 – 21, 2016 | Washington Plaza Hotel | Washington, DC

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



ONLINE
[www.AmericanConference.com/
ResMortgageDC](http://www.AmericanConference.com/ResMortgageDC)



EMAIL
[CustomerService@
AmericanConference.com](mailto:CustomerService@AmericanConference.com)

REGISTRATION FORM

REGISTRATION CODE

892L16.E

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

CONFERENCE CODE: 892L16-WAS

☐ YES! Please register the following delegate for Residential Mortgage Litigation & Regulatory Enforcement

CONTACT DETAILS

NAME	JOB TITLE	
APPROVING MANAGER		
ORGANIZATION		
ADDRESS		
CITY	STATE	ZIP CODE
TELEPHONE	FAX	
EMAIL	TYPE OF BUSINESS	

☐ I would like to receive CLE accreditation for the following states: _____. See CLE details inside.

FEE PER DELEGATE	Register & Pay by Feb 19, 2016	Register & Pay by Mar 18, 2016	Register after Mar 18, 2016
<input type="checkbox"/> Conference	\$1995	\$2095	\$2295
<input type="checkbox"/> Please reserve ____ additional copies of the Conference Materials at \$199 per copy.			
<input type="checkbox"/> I cannot attend but would like information on accessing the ACI publication library and archive .			

PAYMENT

Please charge my
☐ VISA ☐ MasterCard ☐ AMEX ☐ Discover Card ☐ Please invoice me
NUMBER EXP. DATE
CARDHOLDER

☐ I have enclosed my check for \$_____ made payable to
American Conference Institute (T.I.N.—98-0116207)

☐ ACH Payment (\$USD)
Please quote the name of the attendee(s) and
the event code 892L16 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

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.

Delegate Substitutions and Cancellations

You must notify us by email at least 48 hrs in advance of the conference if you wish to send a substitute participant. If you are unable to find a substitute, please notify us in writing no later than 10 days prior to the conference date and a credit voucher will be issued to you for the full amount paid, redeemable against any other American Conference Institute conference in the next 12 months.

Delegates may not "share" a pass between multiple attendees without prior authorization.

All cancelled registrations will be subject to a cancellation fee of \$350.

If you prefer, you may request a refund of fees paid less the applicable cancellation fee. No credits or refunds will be given for cancellations received within 10 days of the conference start date. No liability is assumed by American Conference Institute for changes in program date, content, speakers or venue. American Conference Institute reserves the right to cancel any conference it deems necessary and will, in such event, make a full refund of any registration fee, but will not be responsible for airfare, hotel or other costs incurred by registrants.

Hotel Information

American Conference Institute is pleased to offer our delegates a limited number of hotel rooms at a preferential rate. To book a room at the discounted rate please call the number below and mention "ACI Residential Mortgage Conference".

Venue: Washington Plaza Hotel
Address: 10 Thomas Circle NW, Washington, DC 20005
Reservations: 202-842-1300 or 800-424-1140
Online reservations: <http://tinyurl.com/ResMortgage2016>

Registration Fee

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

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.

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: www.americanconference.com/conference_papers

GROUP PRICING

1-2	No Discount
3-4	10% Discount
5-6	15% Discount
7	20% Discount
More than 7	Call 888-224-2480

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.