



PO Box 523 • Vashon, WA 98070  
 18305 Vashon Hwy. SW  
 206-463-4400 • Fax: 866-435-3444  
 info@TheSeminarGroup.net

09.MORTWA

**Real Estate Mortgage Market Litigation**  
 Feb. 11, 2010 • Renaissance Seattle Hotel • Seattle, WA

**YES!** Please register the following:

Name: \_\_\_\_\_  
 Firm: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
 Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
 Email: \_\_\_\_\_

**I cannot attend. Please send me:**  Course Materials Only  
 Homestudy:  Video DVD & Materials  Audio CD & Materials

Conference Fees

Payment Method

- Single Registration \$495
- 2 or more (one company) \$470
- Real Estate Professional \$395
- Government Employee \$395
- New Assoc./Paralegal \$360
- Student \$297
- Course Materials \$100
- Homestudy \$505

- Payment of \$ \_\_\_\_\_  
 Check  Purchase Order  
**Or Charge my:**  
 VISA  MC  AMEX  
 Exp. Date: \_\_\_\_\_

*\*Multiple discounts do not apply*

Card No: \_\_\_\_\_

Signature: \_\_\_\_\_

**February 11, 2010 ~ Seattle, WA**  
 Renaissance Seattle Hotel

# Real Estate Mortgage Market Litigation

**CREDITS:**

**WA CLE:** 5.25 Gen. & 1.0 Ethics Credits  
**WA RE:** 7.5 Clock Hours

**Register Today!**

[www.TheSeminarGroup.net](http://www.TheSeminarGroup.net)



Raising the Bar of Continuing Legal Education

## ACCREDITATION

*Washington CLE:*  
*5.25 Gen. &*  
*1.0 Ethics credits*

*Washington RE:*  
*7.5 Clock Hours*

### Who Should Attend:

- Attorneys
- Real Estate Brokers
- Real Estate Agents
- Appraisers
- Bankers
- Lenders
- Developers
- Contractors and Subcontractors
- Anyone with a Stake in the Real Estate Industry

# Real Estate Mortgage Market Litigation

FEB. 11, 2010 ♦ RENAISSANCE SEATTLE HOTEL ♦ SEATTLE, WA

## *Don't Miss This Conference!*

*The Mortgage Meltdown is at the forefront of market troubles in the U.S. today. There will be a tremendous amount of subsequent litigation, including Borrowers suing Lenders, Brokers and Title Companies and Investors Suing Lenders. This will effect a lot of people!*

*If you are involved in the real estate industry, this could not be a more timely program. Anyone involved in real estate development will need to know how to protect themselves and their clients moving forward.*

*Please plan to join us and gain valuable insight in such a volatile market.*

[www.TheSeminarGroup.net](http://www.TheSeminarGroup.net)

**5 EASY  
WAYS TO  
REGISTER**

- ① ONLINE: [www.TheSeminarGroup.net](http://www.TheSeminarGroup.net)
- ② FAX: 866-435-3444
- ③ EMAIL: [info@TheSeminarGroup.net](mailto:info@TheSeminarGroup.net)
- ④ PHONE: 206-463-4400 / 800-574-4852
- ⑤ MAIL: PO Box 523, Vashon, WA 98070

**CONFERENCE  
SCHEDULE  
INSIDE**





# Real Estate Mortgage Market Litigation ~ Seattle, WA

Thursday, February 11, 2010

## 9:00 Introduction and Overview

Every day there are more lawsuits arising out of the current mortgage meltdown. How did this scenario develop? What is the background context for the types of litigation that have ensued?

**Ronald L. Berenstein, Program Chair**  
*Perkins Coie LLP*

## 9:10 Borrowers Suing Lenders, Brokers & Title Companies

The Appraisal Process; Individual and class action claims against those who lent money or sold them loans alleging violations of state or federal laws and regulation; Terminated loan originators' contracts and class-action suits

- *Plaintiff View*

**Steve W. Berman**  
*Hagens Berman Sokol Shapiro LLP*

- *Defense View*

**Kenneth Payson**  
*Davis Wright Tremaine LLP*

## 10:30 Break

## 10:45 Investors Suing Lenders

Case studies, Derivatives, ERISA: Firms are trying to force lenders to make repurchases and subsequent buy-back litigation as they face high rates of default; Allegations of securities fraud in the face of falling stock prices; Issues of withholding information about business problems resulting in subprime meltdown

- *Plaintiff View*

**Lynn Lincoln Sarko**  
*Keller Rohrbach LLP*

- *Defense View*

**Ronald L. Berenstein**  
*Perkins Coie LLP*

**Daniel J. Dunne**  
*Orrick Herrington & Sutcliffe LLP*

## 12:00 Lunch (on your own)

## 1:00 Claims by Regulatory Bodies

SEC, DOJ - Areas of SEC and DOJ enforcement and a review of recent Washington State securities law cases; Shareholder and derivative issues - E.S.D, L&I, Department of Revenue and Department of Labor leveling huge fines for misclassification of employees; Stimulus Plan outcome

**Frederick B. Rivera**  
*Perkins Coie LLP*

## 1:45 Class Actions

Impact of recent decisions under Washington Consumer Protection Act on treatment of borrower claims as class actions; Preemption of state law consumer class claims by federal banking laws; Overview of recent class certification decisions; Recent issues in class notice and settlement structures

**Tim J. Filer**  
*Foster Pepper PLLC*

## 2:30 Break

## 2:45 Current Issues in Residential Mortgage Market Litigation

Case studies highlighting recent developments in borrower claims (TILA, RESPA, FCRA, FDCPA, and others) and lender defenses in the context of the changing regulatory and judicial landscape

**David A. Weibel**  
*Bishop White & Marshall PS*

## 3:45 Ethical Considerations

**Peter Ehrlichman**  
*Dorsey & Whitney LLP*

## 4:45 Questions and Answers

**Members of the Faculty**

## 5:00 Adjourn

## UPCOMING SEMINARS

### Real Estate Development Incentives

November 6, 2009 ~ Seattle, WA

### Presentation Skills

November 10, 2009 ~ Seattle, WA

### Developing Wind Power in the NW

November 12 & 13, 2009 ~ Seattle, WA

### Hydropower Projects

November 18, 2009 ~ Seattle, WA

### CLE Bootcamp

December 8 & 9, 2009 ~ Seattle, WA

### Construction Defects

December 10, 2009 ~ Seattle, WA



Raising the Bar of Continuing Legal Education

# THE SEMINAR GROUP ~ FACULTY

## Real Estate Mortgage Market Litigation

**Ronald L. Berenstein**, Program Chair, a partner with Perkins Coie LLP, serves as Co-Chair of the firm's Securities & Corporate Governance Litigation Practice and has been lead counsel in scores of high-stakes securities and corporate governance cases. His practice is focused on representing companies, officers, directors, underwriters and accountants in shareholder class action litigation, derivative litigation, merger and acquisition litigation, SEC proceedings and internal investigations.

**Steve W. Berman**, Managing Partner of Hagens Berman Sokol Shapiro LLP, helped found the firm in 1993. He has served as lead or co-lead counsel in securities, consumer, products liability, antitrust, employment class actions, and complex litigations in the Northwest and throughout the country. In 2006, the *National Law Journal* named him one of the nation's 100 most influential lawyers in America. He was also named a finalist for the Trial Lawyer of the Year award by *The Trial Lawyers for Public Justice*.

**Daniel J. Dunne**, a partner with Orrick Herrington & Sutcliffe LLP, is a member of the firm's Securities Litigation and Regulatory Enforcement Group. His litigation practice focuses on defense of technology companies, financial institutions, accountants, and directors and officers in complex litigation in federal and state courts. He has significant experience over the last ten years litigating disputes involving subprime and non-conforming residential mortgages.

**Peter Ehrlichman**, a partner with Dorsey & Whitney LLP and a senior member of the firm's Seattle Trial practice, focuses in the areas of complex litigation, securities, health law, general commercial, franchise, employment, and non-competition and intellectual property, including trade secrets, computer software issues and trademarks. He also has substantial experience in sports law and real estate litigation. He has been named a "Super Lawyer" by *Washington Law & Politics* every year since 2000.

**Tim J. Filer**, a member with Foster Pepper PLLC, has a litigation practice emphasizing class action defense and intellectual property disputes. His experience includes defending companies, officers and directors in securities class actions and defending financial institutions and companies in consumer class actions. He also has significant experience in disputes involving trademark, trade secret and copyright infringement. He has been named a "Super Lawyer" by *Washington Law & Politics* for the past seven years.

**Kenneth Payson**, a partner with Davis Wright Tremaine LLP, focuses on class action defense, commercial litigation and appellate work. He has broad experience representing clients in product liability, licensing, contract, insurance coverage, securities, employment and intellectual property cases. He was named one of the "Best Lawyers under 40" by the National Asian Pacific American Bar Association and has been selected as a "Super Lawyer" by *Washington Law & Politics* for the past five years.

**Frederick B. Rivera** is a partner with Perkins Coie LLP, co-chair of the firm's Financial Services Litigation and Investigations Practice, and a member of the firm's Consumer Protection and Investigation & White Collar Defense Practice Groups. He represents clients in litigation and government enforcement matters concerning consumer protection claims, consumer lending compliance, financial products sales practices, mortgage fraud, fair housing and fair lending claims, and ADA compliance.

**Lynn Lincoln Sarko**, managing partner of Keller Rohrback LLP, leads the firm's Complex Litigation Group. His practice has focused on matters raising sophisticated fiduciary duty and plan issues; preemption issues; directory liability; fiduciary misrepresentation claims; imprudent investment claims; blackout period and mapping violations; plan asset diversification issues; prohibited transaction allegations; cash balance litigation; directed trustee litigation; Section 404(c) defenses; and class action issues.

**David A. Weibel**, a shareholder with Bishop White & Marshall PS, represents and advises corporate and individual clients in matters involving real estate litigation, foreclosures, commercial evictions, consumer lending litigation, and construction disputes. He maintains an "AV" rating in the Martindale-Hubbell Law Directory and was recognized as an Avvo Top Banking Lawyer in *Washington CEO Magazine* in 2008.

LEARN FROM THE BEST!  
SIGN UP TODAY!

CONFERENCE  
INFORMATION

**Registration:** Please mail or email your registration as soon as possible since enrollment is limited, or you may also register with a credit card via email, online, fax or phone. Walk-in registrations will be accepted subject to space availability. Please call THE SEMINAR GROUP at (206) 463-4400 or (toll free) (800) 574-4852 or fax to (866) 435-3444 or email: [info@TheSeminarGroup.net](mailto:info@TheSeminarGroup.net)

**Tuition:** The tuition fee includes attendance at all sessions, coffee breaks, and all course materials. *Full Tuition:* \$495 per person; Special Government rate: \$395 per person; Real Estate Professional rate: \$395 per person; New Associate/Paralegal rate: \$360 per person. Student rate: \$297. Make checks payable to: THE SEMINAR GROUP.

**Save When Two or More Register:** Save \$25 each off of the *Full Tuition fee only* when two or more register from the same organization at the same time. Multiple discounts do not apply and this discount does not apply to the Live Webcast.

**Course Accreditation:** This course is approved by the Washington State Bar for 5.25 general and 1.0 Ethics CLE credits, and is approved with the Washington Department of Licensing, Real Estate Division for 7.5 clock hours. For information or accreditation

in other states, please call THE SEMINAR GROUP at (206) 463-4400 or (800) 574-4852.

**Substitution/Cancellation:** You may substitute another person at any time. We will refund tuition, **less a \$50 cancellation charge**, if we receive your cancellation by **Friday, February 5th, 2010**. *No refunds will be given after this date.*

**Course Materials:** Each participant will receive a set of course materials, prepared by the speakers especially for this conference, which will be invaluable as a future reference. The course materials alone are available for \$100 which includes shipping and handling.

**Homestudy Package:** Our complete Homestudy Course, consisting of a full DVD or Audio CD and the Course Materials, is available for \$505. This package is approved by the Washington State Bar for 5.25 general and 1.0 Ethics self-study credits and may qualify for self-study credit in other states.

**Seminar Location:** The seminar will be held at the Renaissance Seattle Hotel, 515 Madison Street, downtown Seattle, Washington (206) 583-0300. A block of rooms has been set aside at a reduced rate until 1/20/2010. To reserve a room call, 1-800-546-9184. Please call the hotel for directions/questions. MENTION THE SEMINAR GROUP.