

ALSTON & BIRD'S SERVICING SYMPOSIUM 2010:

Critical issues impacting the servicing industry

Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

THURSDAY, OCTOBER 7, 2010

8:30 a.m. — 5:30 p.m.

Charlotte Convention Center | Charlotte, NC


In the News

- ▶ Charlotte Mayor Anthony Foxx to provide opening remarks.
- ▶ Andrew Busch, BMO Capital Markets, to deliver keynote address
- ▶ McColl School of Business joins as co-sponsor.
- ▶ IRS Issues Guidance to Supplement 2009 REMIC Regulations for Commercial Mortgage Modifications

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2010 | SERVICING
SYMPOSIUM

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Critical issues impacting the servicing industry

ALSTON + BIRD L.L.P.
2010 | SERVICING
SYMPOSIUM

Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

About the Symposium

Alston & Bird's Servicing Symposium 2010 will address specific issues facing the servicing industry today. Industry leaders from across the country will gather to explore current business challenges, discuss solutions, and strategize to adapt servicing practices to changing industry standards, regulation and legislation.

Economic events over the past few years have led to sweeping changes for the servicing industry; and financial institutions have adapted their strategies for success. Industry professionals and businesses alike must have viable business strategies to address changes in industry standards, regulation and legislation.

Attend this year's symposium for in-depth working sessions on current market demands, growth strategies and discussions of what to expect in 2011.

Registration:

The Servicing Symposium is complimentary to clients and guests of the firm. Space is limited. If you are interested in receiving an invitation, please contact servicing@alston.com.

Who Should Attend

- ▶ Analysts
- ▶ Asset managers
- ▶ Commercial mortgage underwriters
- ▶ Finance managers
- ▶ Financial consultants
- ▶ Government regulators
- ▶ Institutional investors
- ▶ Investment bankers
- ▶ Loan administrators
- ▶ Loan document specialists
- ▶ Master servicers
- ▶ Portfolio lenders
- ▶ Portfolio managers
- ▶ Primary servicers
- ▶ Rating agencies
- ▶ Special servicers
- ▶ Transaction managers

The Following Companies are Represented

- ▶ Ascent Real Estate Advisors LLC
- ▶ Aston Properties, Inc.
- ▶ Bank of America
- ▶ Beekman Advisors
- ▶ Black Rock, Inc.
- ▶ Capital Advisors, Inc.
- ▶ Chatham Financial Corporation
- ▶ Commercial Defeasance, LLC
- ▶ C-III Asset Management LLC
- ▶ CWC Capital Asset Mgmt.
- ▶ Dominion Bond Rating Service
- ▶ Eastdil Secured
- ▶ FTI Consulting
- ▶ Global Realty Outsourcing
- ▶ Grandbridge RE Capital
- ▶ L&L Holding Company
- ▶ Midland Loan Services
- ▶ Moody's Investors Service
- ▶ Morgan Stanley
- ▶ Pacific Life
- ▶ RBC Capital Advisors
- ▶ Tannery Brook Partners
- ▶ The Situs Companies
- ▶ TIAA-CREF
- ▶ US Bank
- ▶ Waterstone Capital Advisors
- ▶ Wells Fargo
- ▶ Zenta Inc.



Critical issues impacting the servicing industry



Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

Agenda

- 7:30 – 8:30am Registration and breakfast
- 8:30 – 9:00am **Welcome and opening remarks from Charlotte Mayor Anthony Foxx**
- 9:00 – 10:15am *Dealing with a Troubled Asset - Modify, Extend, Sell or Foreclose?*
- 10:30 – 11:30am **Break-out sessions:**
The ABCs of New REG AB 2.0 and its Impact on Servicers
REMIC Update: What Servicers Need to Know
- 11:30 – 12:30pm **Break-out sessions:**
Handling Consent Requests Effectively
The Servicer's Role in Tranche Warfare – Whose Fight Is This?
- 12:45 – 1:30pm **Lunch featuring keynote speaker Andrew Busch, BMO Capital Markets**
- 1:45 – 2:45pm **Break-out sessions:**
Bridging the Gap Between Originators, Investors and Servicers – Have We Learned Anything?
Identifying and Notifying the Controlling Class – Some Helpful Tips

- 2:45 – 3:45pm **Break-out sessions:**
What Should the “New” PSA Look Like?
Bankruptcy Update: Issues Affecting Servicers
- 4:00 – 4:45pm *Financial Reform Legislation and its Impact on the Servicing Industry*
- 4:45 – 5:30pm *Servicing in 2011 and Beyond – Closing Remarks*
- 5:30 – 7:00pm Cocktail reception featuring live music from the Dimestore Saints
[The Green](#)
435 S. Tryon Street
Charlotte, NC 28202

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Critical issues impacting the servicing industry

ALSTON + BIRD L.L.P.
2010 | SERVICING SYMPOSIUM

Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

Opening Remarks



Anthony Foxx is Mayor of the City of Charlotte. He began his political career in 2005 with his election to City Council as an At-Large representative and served two terms before being elected Mayor in 2009. As a Council member he chaired the Transportation Committee and was a member of the Economic Development and Planning Committee. He was Council's representative to the Charlotte Mecklenburg Development Corporation and the Metropolitan Planning Organization. Prior to joining DesignLine Corporation as Deputy General Counsel, he was an attorney at Hunton & Williams law firm, served as a law clerk for the United States Sixth Circuit Court of Appeals, a trial attorney for the Civil Rights Division of the United States Department of Justice, and a staff counsel to the United States House of Representatives Committee on the Judiciary.

Keynote Speaker



Andrew Busch, Global Currency and Public Policy Strategist for BMO Capital Markets, is a recognized expert on the world financial markets and how these markets are impacted by political events. Mr. Busch is widely followed by clients and media for his daily commentaries and his frequent appearances on major financial news outlets, including *CNBC*, *CBC* and *BNN* where he is a regular contributor. His views appear daily in his newsletter, the *Busch Update*. Mr. Busch consults with staff from the White House, the U.S. Department of the Treasury and Congress on economic and market issues.

Featured Speakers



[Stacy Ackermann](#) represents lenders, masters and special servicers and investors in all aspects of various financial and credit market transactions from loan origination through final resolution and closing with an emphasis on loan servicing and workouts. She focuses her practice on commercial mortgage-backed securities, syndicated lending, structured finance and loan servicing-related matters.

[Greg Akins](#) joined CWC Capital Asset Management in July 2005 and currently serves as a Senior Vice President / Senior Asset Manager with oversight responsibilities for a team of professionals handling surveillance, consents and default resolution/workout matters for numerous CMBS loans and portfolios. During his 27+ year career in commercial real estate, Mr. Akins has developed experience and understanding of a broad range of commercial real estate properties, including hospitality, health care, retail, office, industrial, multifamily, movie theatres, and seasonal amusement operations, among others, with a challenging array of issues.



[John Baron](#) is the lead partner of the Charlotte office's Tax Group and partner-in-charge of the Charlotte office. His practice is principally transactional in nature, and his clients include both domestic and foreign companies and U.S. citizens/residents and nonresident aliens. John is experienced in handling tax aspects of real estate transactions including like-kind exchanges, installment sales, structured financing arrangements and transfers involving REITs and REMICs. He advises clients on matters pertaining to business and individual taxation and is experienced in structuring business ventures using corporations, LLCs and partnerships, as well as the preparation of the related agreements. He regularly advises clients about the tax and non-tax aspects of those relationships.

[Steven Bean](#) is Principal/Managing Director of Situs Outsourcing Solutions. Mr. Bean directs the due diligence services provided by the company's North Carolina, Georgia and Arkansas offices and co-directs the services provided by the company's New York office. He has more than 25 years of experience in commercial real estate transaction services. These services include commercial real estate loan portfolio analysis, loan due diligence/underwriting/valuation support, offshore operations management and commercial real estate asset management support. Prior to joining Situs, Mr. Bean worked as a senior vice president for Global Realty Outsourcing for three years where he managed

Critical issues impacting the servicing industry

ALSTON + BIRD L.L.P.
2010 | SERVICING
SYMPOSIUM

Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

sales and operations of the capital markets division, which focused on providing transactional services supporting the equity placement and financing of commercial real estate through the use of on- and off-shore operations.

Dean Benjamin is a principal and founding member of Ascent Real Estate Advisors, LLC, a boutique investment management firm focusing on real estate capital markets and the equity industry. Dean is a 20-year veteran of the finance and real estate business. Prior to co-founding Ascent, Mr. Benjamin spent six years at Credit Suisse First Boston where he was responsible for the origination, structuring and launching of a variety of capital markets transactions as well as the consummation of various other asset securitizations. Mr. Benjamin was actively involved in the creation of mortgage-backed commercial paper financing transactions and a program for tax-exempt bond credit enhancement.

Kenneth Bentsen, Jr. is Executive Vice President, Public Policy and Advocacy at the Securities Industry and Financial Markets Association, responsible for SIFMA's legal, regulatory, and legislative affairs and advocacy initiatives. Prior to joining SIFMA, Mr. Bentsen was president of the Equipment Leasing and Finance Association, where he led the 700-member financial services trade association representing commercial and investment banks, financial services companies and manufacturers in the commercial finance sector. From 2003 to 2006, Mr. Bentsen was a Managing Director at Public Strategies, Inc. From 1995 to 2003, Mr. Bentsen served as a Member of the United States House of Representatives from Texas, where he sat on the House Financial Services Committee and separately on the House Budget Committee.

Stacey Berger is executive vice president of Midland Loan Services, Inc. / PNC Real Estate. Mr. Berger is responsible for corporate and business development activities and strategy at Midland Loan Services, Inc. Midland, a PNC Real Estate company, is the leading provider of loan servicing, asset management and technology solutions for the commercial mortgage finance industry. The company is one of the nation's largest commercial loan servicers with over \$294 billion in outstanding balances. As special servicer, Midland is responsible for asset management, workout and resolution of a \$105 billion CMBS portfolio. Midland maintains the industry's highest ratings as a servicer and special servicer from Fitch Ratings and Standard & Poor's. Mr. Berger formally served as President of the Commercial Mortgage Securitization Association (CMSA). He served on the commercial / multifamily board of directors of the Mortgage Bankers Association.



Tom Biafore is a partner with the Kilpatrick Stockton LLP Capital Markets Team. He has extensive experience in structured finance and servicing matters relating to commercial mortgage-backed securities with focus on federal (REMIC) tax and compliance issues. Mr. Biafore has appeared as an expert witness on REMIC, capital markets and securitization issues in a number of proceedings in federal, bankruptcy, state, and international courts. Mr. Biafore also works with a number of servicers and special servicers on matters relating to securitized loan restructurings. He is a frequent speaker and lecturer on REMIC tax, servicing and other capital markets issues.

Daniel Bober serves as Executive Vice-President of Wells Fargo Commercial Mortgage Group (CMG). With over 25 years experience in the commercial real estate mortgage industry, Mr. Bober currently acts as the Chief Operating Officer of WFB's Commercial Mortgage Servicing business whose portfolio of approximately \$475B. Mr. Bober has been with Wells Fargo since 2001. He also acts as the chief operating officer for WFB's Commercial Mortgage Group, which includes its CMBS and agency lending platforms. From 1994 to 2001 Mr. Bober served as President of Bloomfield Acceptance Company and Managing Member of Bloomfield Servicing Company, managing all facets of direct and indirect commercial real estate lending, mortgage banking and servicing. This included relationships with 14 institutional investors and GSE's and a conduit program that contributed in excess of \$1 billion to over 18 CMBS pools. Under his management and his negotiation of acquisitions and mergers, annual originations grew from \$146 million to \$514 million with a servicing portfolio of \$1.2 billion. He created procedures, documents and credit policies for new loan programs and negotiated for the sale and/or participation of commercial real estate loans in the secondary market.



David Brown is a co-coordinator of the firm's Corporate, Real Estate, Regulatory and Public Policy Groups and a partner in the Financial Services & Products Group, which he previously led. His practice focuses on securities disclosure, corporate governance, mergers and acquisitions, and payment system and other technology transactions, with emphasis on the financial services, technology and telecommunications industries. David regularly represents issuers and underwriters in public and private offerings of equity, debt and hybrid securities and has extensive experience in complex mergers and acquisitions, particularly transactions coupled with strategic relationships between the

Critical issues impacting the servicing industry

ALSTON + BIRD L.L.P.
2010 | SERVICING SYMPOSIUM

Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

parties. David has advised clients on hundreds of M&A transactions with an aggregate deal value in excess of \$63 billion and capital raising transactions with a value in excess of \$55 billion.



Brian Cox is a partner in the Global Finance & Debt Products Group. He focuses his practice on mortgage-backed and asset-backed securitization and collateralized debt obligations. Recently, he has counseled clients with transactional, bankruptcy and litigation issues relating to the financial markets crisis and the resulting contraction of the global capital markets. He is a co-chairman of the firm's Subprime Mortgage Markets Initiative.

Robert Cox is a Director in the Global Commercial Real Estate Servicing Group at Bank of America. Based in Charlotte, his team has responsibility for performing loan asset management, advance oversight, special servicer transfers, and surveillance on a \$130B servicing portfolio including CMBS, GSE, Mezzanine, and Life Company portfolios. In addition, Robert serves as a senior member of credit committee. Prior to joining Bank of America in 2004, Robert spent eight years at Capmark Services and predecessors in various asset management and portfolio management positions and has 15 years of financial services experience.



Jamie Daniel is a partner in the firm's Global Finance & Debt Products Group. He focuses his practice on commercial real estate finance and loan servicing and regularly represents loan portfolio servicers, institutional lenders, finance companies, investors and borrowers in secured and unsecured financial transactions, including real estate financings, loan assumptions and transfers, asset-backed loans, structured financings and loan restructurings.



Thomas Deane is head of the Special Situations Group Dispositions Team for Wells Fargo. The group is responsible for executing REO dispositions, note sales, structured sales, joint ventures and other favorable disposition structures involving commercial real estate special assets. Additionally, the group acts as a consultant on workout/resolution strategies for impaired assets. In previous roles with predecessor Wachovia Mr. Deane served as the Head of Structured Transactions Asset Management & Special Assets in the Real Estate Capital Markets Division. Mr. Deane's group was responsible for

Wachovia's \$9 billion, structured finance portfolio, CMBS and GSE Special Servicing, repurchase/warehouse financing surveillance, workout of on balance sheet and tax credit investments and other areas of retained risk in the Real Estate Division's \$60 billion plus commercial real estate portfolio.

Lindsey Dill is the Director of Corporate Development with Ginkgo Residential. Headquartered in Charlotte, North Carolina, Ginkgo Residential is a fully integrated real estate operating company whose focus is providing high quality apartment homes to the middle market. Ginkgo currently provides management services for 28,500 apartments across the country and is actively seeking both acquisition and third party management opportunities. In her former role as Vice President with Wells Fargo, she managed three teams within the Commercial Mortgage Servicing Platform. Based in Charlotte, her teams were responsible for three core servicing functions for the \$301 Billion legacy Wachovia portfolio, leasing, Special Servicing and Sub-Servicing coordination. In previous roles with Wachovia, she served as a Senior Asset Manager and Assumption manager responsible for a \$24.5 million assumption pipeline. Lindsey has 11 years experience in the financial services industry with an extensive background in asset management.



Paul Donohue is the co-leader of the Global Finance & Debt Products Group. He focuses his practice on advising financial institutions in connection with various financing transactions, including structured finance, securitizations, syndicated lending and restructurings. He also regularly counsels servicers and advisers of CMBS and other securitized loan portfolios in connection with post-securitization transactions and restructurings. Paul is also the co-chair of the firm's Financial Markets Crisis Task Force.



Joseph Forte is a partner in the New York office and a member of the firm's Real Estate Finance & Investment Group. He has substantial experience in commercial real estate finance with a particular emphasis on the origination of mortgage loans, the workout and enforcement of portfolio and securitized loans, with a focus on complex real estate finance for the capital markets. His expertise extends to permanent, bridge and construction mortgage lending, mezzanine finance, pari passu and subordinate debt, co-lending and participation arrangements, loan sales and purchases, and loan workouts, foreclosures and restructurings.



Critical issues impacting the servicing industry



Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories



Stuart Goldstein is a partner at Cadwalader, Wickersham & Taft LLP and concentrates his practice in the areas of structured finance, fund formation, structured products, and the federal securities laws. Stuart practices primarily in the areas of asset securitization and fund formation, representing issuers, underwriters, collateral managers, and institutional investors, in both public and private transactions. He represents fund managers in structuring, organizing and financing hedge funds, debt and opportunity funds, funds of funds, and other investment vehicles, developing, negotiating and documenting financial products. He has extensive experience in analyzing and structuring asset- and mortgage-backed securities, collateralized debt obligations, and other instruments and products, as well as structuring transactions involving interest rate swaps, caps, floors and other derivative instruments.

Chaim Gottesman currently serves as Vice President and Assistant General Counsel at CW Financial Services LLC. Mr. Gottesman joined CW in 2006 and provides legal support to the company's CDO management and risk management platforms. Prior to joining CW, Mr. Gottesman was an associate in the Structured Products and Derivatives group at the law firm of Schulte Roth & Zabel LLP. Prior to joining Schulte, Mr. Gottesman was an associate in the Capital Markets group at the law firm of Cadwalader, Wickersham & Taft LLP. Mr. Gottesman has extensive experience in commercial real estate securitization transactions.



William Green, Managing Director of Tannery Brook Partners has 25 years of experience in real estate and real estate finance. Prior to co-founding Tannery Brook Partners, LLC, Mr. Green was with Starwood Capital Group from December 2007 to June 2009 where he was responsible for the debt investments business of the firm and became the fund manager for the Starwood Debt Fund II in 2008. Before joining Starwood Capital Group, Mr. Green was with Wachovia Securities and its predecessors from 2000 to 2007 where as Managing Director and Global Head of Real Estate Capital Markets he managed the commercial real estate securitization, mortgage banking, structured finance, equity co-investment, loan servicing, asset management and trading functions for Wachovia Securities' Corporate & Investment Banking Division.



Brian Hanson, Managing Director of CWC Capital Asset Management, is responsible for the oversight of various functions including business development and acquisitions, and is charged with maximizing certain strategic relationships with important clients of the firm and other industry constituents. He also oversees reporting, compliance, contracting, and development and management of the company's portfolio database. Prior to CWC Capital, Mr. Hanson rejoined CRIIMI MAE Services L.P. as its Vice President of Portfolio Management. From early 1996 to the summer of 2003, he managed the servicing and asset management functions for CRIIMI's \$19 billion commercial mortgage portfolio.



Patrick Hayden is a partner in the Global Finance & Debt Products Group. His practice focuses on mortgage-backed and asset-backed securitization. Patrick has represented a number of global financial institutions as indenture trustee in negotiating and closing hundreds of CDO transactions, including CLOs, CDOs secured by asset-backed securities, commercial real estate CDOs, synthetic CDOs and CDOs with associated commercial paper components. He currently represents indenture trustees in connection with the ongoing administration of CDO transactions and has extensive experience with questions and disputes regarding deal structure and mechanics.



Leslie Hayton is a Director at Wells Fargo within the Commercial Mortgage Servicing Platform leading the Accounting and Investor Reporting Teams. Based in Charlotte, she manages teams in Charlotte, NC; Oakland, CA and McLean, VA. Her groups are responsible for CMBS reporting on over 500 CMBS, CDO and Specialty Investors as well as reconciling, monitoring and reporting on over 4300 custodial accounts. Leslie has more than 17 years experience in the financial services industry with an extensive background in financial controls and servicing. Leslie is an active member on the Investor Reporting Committee of the CRE Finance Council and serves on an AICPA committee of emerging issues.



Critical issues impacting the servicing industry



Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

Steve Johnson is the managing director of Commercial Mortgage Servicing with Principal Real Estate Investors, the dedicated real estate unit of Principal Global Investors. He is responsible for managing the servicing activities for Principal's \$25.9 billion servicing portfolio composed primarily of CMBS and portfolio loans. This responsibility includes establishing the strategic direction for servicing, providing relationship management to our clients, overseeing risk management of the servicing operations and managing profitability. Prior to joining Principal in 2004, Steve was the Director of Portfolio Management for Wachovia Securities servicing operation in Charlotte, North Carolina. Prior to Wachovia Securities, Steve worked for Deloitte & Touche in Charlotte, North Carolina.

Alan Kronovet is head of Wells Fargo Commercial Mortgage Services' Customized Portfolio Services team. He is focused on delivering high level asset management for 3rd party clients as well as Wells Fargo's commercial real estate portfolio originated through Wells Fargo's capital markets team. Alan has held a number of positions on Wachovia's Real Estate Asset Management team including Head of the Portfolio Management team, which encompassed CMBS, GSE, Tax Credit and Construction Asset Management and Head of Wachovia's Commercial Real Estate Services team, which was responsible for all CMBS & GSE Master and Primary servicing and portfolio management. Alan has been active in both the MBA and CMSA most recently serving on the MBA's Council to Shape Change and Chairing the joint CMSA/MBA Loan Assumption Task Force.

Mary Lou Lemley is a Managing Director in the Commercial Mortgage Servicing group of Wells Fargo Bank. She currently manages a CMBS portfolio containing approximately 16,000 loans with current unpaid principal balance in excess of \$200 billion. From 2004 to 2008 she served as a senior underwriter in the Real Estate Capital Markets group, with responsibility for the underwriting platform for securitized transactions and for permanent debt portfolio loans originated by RECM officers throughout the Western United States. She has been with the Bank since September, 2003, and initially worked with the Bank's Freddie Mac lending program and with a preferred provider program involving a FNMA DUS lender.



Michael Lesser is Managing Director of Eastdill Secured and is responsible for marketing and valuation of commercial mortgage loan portfolios. Mr. Lesser has overseen a significant portion of the firm's more than \$36 billion in commercial mortgage loan transactions. Mr. Lesser's most recent assignments include managing the sale of over \$2 billion of performing and nonperforming commercial loans. These loans are being sold to numerous institutional and regional/local "loan to own" investors. Mr. Lesser has sold commercial and residential mortgage loans for numerous domestic and foreign banks, special servicers, insurance companies and government entities.

Michael Lipson's career spans nearly four decades working in the commercial and multifamily lending industry. He most recently served as President and CEO of Berkadia Commercial Mortgage LLC after successfully guiding the loan origination and servicing business units of Capmark Finance Inc. through bankruptcy. Mr. Lipson received industry recognition as he managed to retain staff and customers as his stewardship provided high quality, uninterrupted loan production and servicing through the uncertainty leading up to and through bankruptcy as well as a subsequent sale of the operations. Mr. Lipson has a broad range of transaction and servicing experience covering FHA insured mortgage loans, GNMA mortgage back securities and GSE Loans. He has directed all facets of the mortgage process from origination through property disposition.



Daniel Marthinsen is a Managing Director and head of the CMS Special Servicing Team for Wells Fargo Bank and its \$22 billion named Special Servicing portfolio. In previous roles with predecessor Wachovia, he served as the Head of Structured Transactions Asset Management and Special Servicing, and was part of Wachovia's Structured Finance group originating, structuring and closing bridge, mezzanine and equity investments. His loan workout experience began at the inception of the RTC. He has more than 20 years of experience in commercial real estate for both CMBS and portfolio transactions including servicing, lending, investing and borrowing.



Critical issues impacting the servicing industry

ALSTON + BIRD L.L.P.
2010 | SERVICING SYMPOSIUM

Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories



Shekar Narasimhan is Managing Partner of Beekman Advisors & CEO of Beekman Helix India Partners. These firms provide advisory & investment services to real estate & financial services companies in the U.S. and India. Prior to this, he was Chairman & CEO of WMF Group, a publicly traded commercial mortgage financial services company & one of the largest such firms in the US before it was acquired by Prudential in 2000.



Ed O'Keefe is general counsel of Bank of America, the company's chief legal officer and adviser. He is a direct report to the chief executive officer and a member of the bank's executive management team. Mr. O'Keefe leads a global department of 1,100-plus attorneys, paralegals and support staff in 40 U.S. and 20 international cities that manages the bank's legal affairs and legal risks. Since joining the company in 2004, he has served as head of litigation; global compliance & operational risk executive; senior privacy executive; and deputy general counsel for staff support. His previous experience includes Managing Director for Deutsche Bank; attorney at Chase Manhattan (former Chemical Bank); and private practice.

Kathleen Olin is vice president of CWC Capital Asset Management's Reporting and Compliance Group. In this capacity, Ms. Olin is responsible for various functions and business initiatives relative to business development, including oversight of servicing transfers, and optimization of strategic relationships with key industry constituents, including rating agencies, master servicers and trustees. She also works closely with senior management to establish compliance and reporting standards, and to implement related policies and procedures. Ms. Olin is a 18 year veteran of the commercial real estate industry with expertise in performing/non-performing loan asset management and contract compliance.

Michael O'Neill is the managing counsel of the Wells Fargo Law Department's Commercial Real Estate Finance team, which provides internal legal support to a broad range of Wells Fargo businesses engaged in the origination and servicing of commercial mortgage loans, including the management and disposition of commercial REO. Mr. O'Neill has been the primary internal counsel to the CMBS lending and servicing teams since 1995. He is a fellow of the American College of Mortgage Attorneys, a member of the Real Property Law Section of the State Bar of California and a regular speaker at continuing legal education programs. Mr. O'Neill's articles on commercial real estate financing issues have appeared in the California Real Property Journal and the California Bar Journal.

Steven Plust is a Managing Director in Prudential Real Estate Investor's Global High Yield Debt Group, focused on the United States. He has over 25 years of experience in real estate finance and capital markets. He was an active advisor to the RTC in the development and implementation of their securitization programs, with over \$16 billion in advisory and underwriting assignments. Mr. Plust has worked for almost 20 years in principal investing platforms on Wall Street and in fund management, where he has been primarily responsible for transaction pricing and structuring, credit risk assessment, and analysis of complex transactions and multi-asset portfolios.



David Rich is an Associate General Counsel and Managing Director on Bank of America's Corporate Law team, managing the legal affairs associated with the secured funding and structured finance activities sponsored by Bank of America's Corporate Treasury. This business utilizes the Bank's assets to provide diversified funding source at competitive rates, and to mitigate credit risk inherent in the Bank's balance sheet, which may result in regulatory capital relief. The group partners with lines of business enterprise-wide to develop the most advantageous secured funding and structured finance alternatives. Mr. Rich is an active member of the American Securitization Forum and other industry groups, including serving as co-chairman of the ASF's Regulation AB II Taskforce, and is a frequent speaker on regulatory and legislative developments.

Judy Rishel is a Vice President and Client Service Manager for the Commercial Mortgage Asset Services (CMAS) group for Wells Fargo Bank, N.A. Ms. Rishel works in the Structured Products Group of Wells Fargo Bank, N.A.'s Corporate Trust Services Division. Ms. Rishel manages a team of individuals responsible for performing Bond Administration on CMBS transactions including bond payment calculations and reporting and tax administration. The group has various levels of responsibility for over 400 transactions. She also previously managed the Servicer Compliance Team who is responsible for collecting all compliance documents from servicers and creating compliance documents for Wells Fargo. She is also a member of the Investor Reporting Committee and has participated in several other committees for the CRE Finance Council.



Critical issues impacting the servicing industry

ALSTON + BIRD L.L.P.
2010 | SERVICING SYMPOSIUM

Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories



Dean Roberson is Director of Special Servicing for the Global Commercial Real Estate Servicing Group at Bank of America Merrill Lynch. Since joining the Special Servicing team in 2003, he has been responsible for the restructuring and resolution of over \$21 billion of commercial real estate financings. Mr. Roberson also heads the Structured Loan Asset Management team and is responsible for asset management of performing structured loans with debt balances of \$100 million and more. Before joining the Servicing Group, Mr. Roberson served as internal legal counsel for Bank of America's CMBS business and advised the origination, securitization and servicing groups. Before joining Bank of America in 2001, Mr. Roberson practiced real estate and finance law in New York City, Washington DC and Charlotte for 15 years, including as Special Counsel at Cadwalader, Wickersham & Taft and as a Partner at McGuire Woods LLP.



Clark Rogers is Senior Vice President of Special Servicing and Asset Management with KeyBank Real Estate Capital and has 25 years of banking and commercial real estate lending and workout experience. Current responsibilities include management of CMBS Transactions and Special Servicing groups including CMBS, Agency, Life/Pension, Preferred Equity and Mezzanine positions, CDO and Construction product lines; and a 40,000 unit syndicated Low Income Housing Tax Credit portfolio. He has been with KeyBank Real Estate Capital and its predecessor, National Realty Funding, since inception in 1997. He initially worked as a loan officer originating CMBS transactions nationwide, established a West Coast office, and transferred to Special Servicing in 2001.



Daniel Rubock is Senior Vice President and senior counsel with the Commercial Real Estate Finance Group at Moody's Investors Service, helping Moody's develop its policy for structural and legal issues in CMBS. Dan was appointed Chair of Moody's U.S. Structured Finance Legal Review Committee in 2010. He has authored over 30 special reports and rating methodologies at Moody's. Prior to joining Moody's in 1999, he practiced law for nearly 20 years with Cadwalader Wickersham & Taft, Dechert Price & Rhoads and White & Case, concentrating in commercial real estate law and real estate litigation. He is a graduate of Yale College and Columbia University Law School. He was elected a Fellow of the American College of Real Estate Lawyers in 2007, is a Certified Mortgage Banker, and is a member of the editorial board of *CMBS World*.

Janice Smith is Managing Director with Bank of America's Global Commercial Real Estate Group. She is responsible for the rated Servicing and the Special Servicing groups located in Charlotte. Ms. Smith has 29 years of experience in commercial real estate, whole loan servicing, and CMBS servicing. Ms. Smith began her career in 1980 with a private mortgage banking firm closing commercial loans and heading the servicing operation. In 1994, Ms. Smith joined Chemical Bank in New York to develop a CMBS servicing platform for their newly formed conduit. After the merger of Chemical Bank and The Chase Manhattan Bank, Ms. Smith built a highly rated CMBS primary and master servicing group for the Chase conduit. The Chase Manhattan Bank was rated for special servicing on many of its large loan single asset securitizations. In 2001, Ms. Smith joined Banc of America Securities, LLC, and Bank of America, N.A. to oversee its servicing operations and develop that sector of the business. In Ms. Smith's tenure, the servicing group has been rated for Master and Special Servicing, and enjoys the highest rating from Standard & Poor's for primary and master servicing, and very high ratings from Fitch, having approximately \$134Bn in assets under management.



J. R. Smith, Partner, Hunton & Williams. Mr. Smith's transactional and litigation practice focuses on domestic and international representation of clients on issues related to crisis management, workouts, insolvencies and liquidations. Mr. Smith regularly provides insolvency-related advice in structuring complex transactions and provides related legal opinions for asset securitization, collateralized debt obligation (CDO), conduits, corporate and real estate finance, factoring, leveraged leasing, pooled sales, project finance (traditional and renewable energy; large infrastructure), real estate investment trusts (REITS), REMICS and other capital markets transactions.

Erin Stafford is a Senior Vice President with DBRS, Inc. in the commercial mortgage-backed securities (CMBS) group responsible for DBRS CMBS ratings activity in the US, Canada and Europe. She co-heads the CMBS group with Mary Jane Potthoff. Prior to being appointed co-head, she managed CMBS surveillance for DBRS rated transactions and commercial mortgage servicer evaluations. Ms. Stafford has over thirteen years of experience working at rating agencies in the CMBS industry. Prior to joining DBRS, Ms. Stafford was with Fitch Ratings in the CMBS group with a focus on monitoring ratings of existing CMBS transactions.



Critical issues impacting the servicing industry

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Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories



[John Stephenson, Jr.](#) is a trial lawyer and represents plaintiffs and defendants in complex commercial litigation, including litigation arising from mergers and acquisitions, financial services transactions, intellectual property rights, and agency and fiduciary relationships. He also has substantial experience in corporate governance and financial fraud investigations. Mr. Stephenson served on the executive committee for the Enron Examination, where his leadership responsibilities included investigating and reporting on the roles of Enron's financial institutions, officers and directors, and accounting professionals. This investigation resulted in the identification of more than \$7 billion in potential claims against these parties and others.



[Robert Sullivan](#) is a partner in the Global Finance & Debt Products Group in the Charlotte and New York offices. He focuses his practice on commercial real estate and corporate financing transactions, including loan workout and restructuring, structured products, special servicing, CDO servicing, construction lending, loan originations, mezzanine lending, co-lending, participations, loan sales foreclosures and other transactional lending work.

[Jenna Unell](#) is Senior Managing Director and General Counsel of C-III Asset Management LLC. She joined C-III's predecessor company in 2003. Ms. Unell has over 25 years of experience in commercial real estate law including loan origination, servicing, loan workouts, and investments. Her responsibilities at C-III include providing advice, policy guidance and transactional support in connection with investments, servicing and special servicing issues, surveillance issues and servicing contract compliance, including asset resolution, proper accounting of losses, recoveries and shortfalls, and split loan structure issues. Prior to joining C-III, she practiced law in the Real Estate section of Akin Gump Strauss Hauer & Feld, in Dallas, Texas.



[Jason Watson](#) is a partner in the Bankruptcy Group. His practice focuses on the representation of debtors and creditors in significant Chapter 11 cases as well as the assistance of domestic clients with foreign insolvency proceedings. In addition, he routinely assists clients in acquiring assets from bankruptcy estates and has represented several franchisors in bankruptcy cases throughout the country.



[Kit Weitnauer](#) is a partner in the Bankruptcy Group, where the scope of his practice experience is broad, including the representation of debtors and creditors in bankruptcy cases, plaintiffs and defendants in bankruptcy and non-bankruptcy litigation, as well as transactional matters. In 2006, he was trial counsel for the plaintiffs in a five-week jury trial in Oregon (with co-counsel from Oregon) that resulted in a jury verdict that (i) found over \$965,000,000 in transfers to have been made with the actual intent to hinder, delay or defraud plaintiffs and (ii) awarded \$350,000,000 in punitive damages to plaintiffs. According to The National Law Journal, this was the largest verdict of 2006.



Critical issues impacting the servicing industry



Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

Directions

The Charlotte Convention Center is located in uptown Charlotte at 501 S. College Street.

From I-77 South:

- ▶ Take the I-277 loop (John Belk Freeway), Exit 9.
- ▶ Take College Street, Exit 1E.
- ▶ The Charlotte Convention Center will be on your right after you cross Stonewall Street.

From I-77 North:

- ▶ Take the I-277 loop (John Belk Freeway), Exit 9B.
- ▶ Take College Street, Exit 1E.
- ▶ The Charlotte Convention Center will be on your right after you cross Stonewall Street.

From I-85 South:

- ▶ Take Brookshire Freeway (Highway 16 South), Exit 36.
- ▶ Merge right onto the I-277 loop (John Belk Freeway).
- ▶ Take Stonewall Street, Exit 1E.
- ▶ Turn left on Stonewall Street and proceed 3 blocks.
- ▶ The Charlotte Convention Center will be on your right after you cross Brevard Street.

From I-85 North:


- ▶ Take Little Rock Road, Exit 32.
- ▶ Turn right at the bottom of the ramp.
- ▶ Turn right at the first traffic light.
- ▶ Turn left at the 2nd traffic light onto Wilkinson Boulevard (Hwy 74 East).
- ▶ Follow Wilkinson Boulevard as it becomes the I-277 loop (John Belk Freeway).
- ▶ Take College Street, Exit 1E.
- ▶ The Charlotte Convention Center will be on your right after you cross Stonewall Street.

Please use the entrance on East Martin Luther King Jr. Blvd. Once you enter the Convention Center, go directly up the stairs, passing the Grand Ballroom on your left. Follow the hallway all the way to the end, through the food court and you will see the registration table. [Download a map of the Convention Center.](#)

Parking is available at various rates in parking lots and towers surrounding the Charlotte Convention Center.

Directions to Reception

A reception will be held on the lawn of The Green immediately following the seminar from 5:30 – 7pm. The Green is located directly across from the Charlotte Convention Center. Exit the Convention Center using the South College Street exit and cross over South College Street.



Critical issues impacting the servicing industry



Why Attend

Agenda

Speakers

Directions

Accommodations

Contact

Financial Advisories

Hotel Accommodations

Preferred hotels in the area include:

[Aloft Charlotte Uptown at the EpiCentre](#)

210 East Trade Street
Charlotte, North Carolina 28202
Phone: 704.333.1999

[The Ritz-Carlton, Charlotte](#)

201 East Trade Street
Charlotte, NC 28202-2423
Phone: 704.549.4177

[Omni Charlotte Hotel](#)

132 East Trade Street
Charlotte, NC 28202
Phone: 704.377.0400

[The Westin Charlotte](#)

601 S. College Street
Charlotte, NC 28202
Phone: 704.375.2600

Contact

For general questions, please call 704.444.1107 or servicing@alston.com

For questions about the topics or speakers, please contact:

Paul Donohue, Global Finance Group Leader
704.444.1039
paul.donohue@alston.com

Registration:

The Servicing Symposium is complimentary to clients and guests of the firm. Space is limited. If you are interested in receiving an invitation, please contact servicing@alston.com.



Critical issues impacting the servicing industry



[Why Attend](#)

[Agenda](#)

[Speakers](#)

[Directions](#)

[Accommodations](#)

[Contact](#)

[Financial Advisories](#)

Financial Markets Blog

[Financial Markets blog](#): written by the firm's [Financial Markets Task Force](#), this blog focuses on the rapidly changing business and legal issues raised by the current financial markets crisis. New postings daily.

Financial Advisories

As a service to our clients and friends, we publish and distribute more than 100 advisories each year on a broad range of legal issues. Following are links to some of our most recent financial advisories:

[Federal Tax Advisory:](#)

[IRS Issues Guidance to Supplement 2009 REMIC Regulations for Commercial Mortgage Modifications](#), August 2010

[Financial Services and Products Advisory:](#)

[SEC Adopts Amendments to Form ADV Part 2](#), August 2010

[Financial Services and Products Alert:](#)

[SEC Proposes New Rules Governing Mutual Fund Distribution Fees Replacing Rule 12b-1](#), July 2010

To view all advisories, please visit <http://www.alston.com/resources/advisories/>

[Click here](#) if you would like to register to receive future advisories.

[Financial 411 Events](#)

Alston & Bird hosts a monthly client seminar designed to provide current, relevant information about legal issues. Born in Charlotte in August 2009, the series is now held in Charlotte, New York, Los Angeles and via web conference. Panels are composed of Alston & Bird attorneys from multiple offices, as well as industry experts.

Leadership: [Paul Donohue](#), Global Finance Group Leader

For more information or to be added to the mailing list, contact 411@alston.com or 704.444.1107

Registration:

The Servicing Symposium is complimentary to clients and guests of the firm. Space is limited. If you are interested in receiving an invitation, please contact servicing@alston.com.