

Compliance Issues Surrounding *Loss Mitigation*

MBA National Mortgage Servicing Conference

February 19, 2009

9:15 – 10:45 a.m.

Compliance Issues Surrounding Loss Mitigation

Berry F. Laws III

Berry is the Managing Shareholder in the law firm of Martin, Leigh, Laws & Fritzlen, P.C. Kansas City, MO where his practice includes commercial litigation, foreclosure, banking, bankruptcy, creditors rights and real estate. Berry is a frequent speaker on these topics at mortgage banking conferences throughout the country and has been recognized as a MO and KS “Super Lawyer” for the past three years.

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Jennifer Monty

Jennifer is an attorney in the *Litigation and Defense Department* in the Cleveland office of Weltman, Weinberg & Reis Co., L.P.A. She has published mortgage servicing-related articles in *Servicing Management News*, *MortgageOrb*, and other periodicals. She has been recognized as an ***Ohio Rising Star*** by *Law & Politics Magazine*

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Larry W. Johnson

Larry is the Managing Partner for ***Johnson & Freedman, LLC***, Atlanta, GA, which serves mortgage bankers throughout eight Southeastern states. His practice areas include commercial litigation, bankruptcy, foreclosure, and real estate. Larry is a frequent speaker and published author on these topics.

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Daniel C. Consuegra

Owner and managing attorney for the *Law Offices of Daniel C. Consuegra*, Tampa FL. Dan has represented the mortgage industry for over 20 years and concentrated his practice in the areas of creditors rights, foreclosure, bankruptcy, title litigation and evictions. He is an accomplished speaker frequently lecturing on these topics.

Berry F. Laws, III

Proposed Bankruptcy Legislation –

**“Helping Families Save their Homes in
Bankruptcy Act of 2009”**

*Proposed Fair Debt Collection Practices Act
Legislation*

Current FDCPA cases and regulations

Jennifer Monty

Truth In Lending

State law claims, including

- *Fraud*,
- *Breach of contract*,
- Litigation arising from *miscommunications and misunderstandings* with borrowers during Loss Mitigation

Larry W. Johnson

State, federal and local foreclosure moratoria

Workout and foreclosure rescue companies

Daniel Consuegra

***Issues arising from phone calls during
Loss Mitigation***

Litigation over “door knocking”