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MCLE Credit Including  
One Hour of Ethics

Earn up to 12 Hours  
Real Estate Credit



5th Annual Conference!

# Negotiating Leases

It's Your Move: Are You Ready?

January 27-28, 2005 • Hilton Hotel • Austin

## Who Should Attend:

- Attorneys and Legal Staff
  - Brokers
  - Bankers
  - Property Managers
  - Developers
  - Consultants
  - Insurance Agents
  - Landlords
  - Tenants
  - Lenders
  - Leasing Agents
  - Real Estate Professionals
  - Insurance Agents
- ...and anyone involved in leasing!

Dear Colleagues:

The world of leases can be like a dynamic and fast-paced game of chess. Strategy is critical. Good players must be able to readily canvass the board, looking at the big picture, as well as the position of the individual pieces, to assess all possible options and be prepared to make their move when the time's up. Brokers, attorneys, tenant and landlord representatives, property managers, developers, bankers, leasing agents, and lenders constantly face new challenges and new variations of old challenges in this game. The ability to understand and respond to these challenges quickly and adeptly as you make your next move is critical in the 24/7 world in which we live.

Join us as we teach you old moves, new moves and all the moves in-between at CLE International's 5th Annual Negotiating Leases Conference. Anyone involved with leases will benefit from the speakers' experiences and insights.

We look forward to seeing you there.

Sincerely,

**Aileen M. Hooks, Esq.**  
Program Co-Chair  
Baker Botts, Austin

**Steve Sanders, Senior Broker**  
Program Co-Chair  
The Staubach Company, Austin



**Aileen M. Hooks, Esq.**  
Program Co-Chair



**Steve Sanders, Senior Broker**  
Program Co-Chair



Visit our website at [cle.com](http://cle.com) for a complete listing of MCLE requirements in all states. You will also find a schedule of our upcoming conferences and a listing of available homestudy courses.

Register Online at [www.cle.com](http://www.cle.com) or Call (800) 873-7130  
Conference Schedule and Speaker Biographies Inside



# conference **schedule**

## Negotiating Leases

Thursday, January 27	Friday, January 28
8:30 Registration	9:00 <b>Summary of Day One and Overview of Day Two</b> <i>Steve Sanders, Senior Broker, Program Co-Chair</i>
9:00 <b>Introduction and Welcome</b> <i>Aileen M. Hooks, Esq., Program Co-Chair</i> <i>Baker Botts, Austin</i>	9:15 <b>Credit Enhancements Issues for Commercial Leases</b> Shoring Up Tenant Credit <i>Rick Reed, Esq.</i> <i>DuBois, Bryant, Campbell &amp; Schwartz, Austin</i>
9:15 <b>How to Create Flexibility in a Lease</b> The Right to Cancel and the Right to Expand <i>Bart Matheney, Senior Vice President</i> <i>CB Richard Ellis, Austin</i> <i>Michael A. Kennedy, Esq., President</i> <i>Commercial Texas, Austin</i>	10:00 Morning Break
10:15 Morning Break	10:15 <b>How Financing Affects Lease Negotiations</b> Suggestions for Avoiding Traps <i>Gregory P. Pappas, Senior Managing Director</i> <i>Holliday Fenoglio Fowler, Houston</i> <i>William F. Stutts, Esq.</i> <i>Baker Botts, Austin</i>
10:30 <b>Hot New Topics</b> The New Rules and Games You Need to Know <i>Steve Sanders, Senior Broker, Program Co-Chair</i> <i>The Staubach Company, Austin</i>	11:15 <b>Environmental Issues</b> How to Win on a Messy Playing Field <i>Charles R. Epperson, Executive Director</i> <i>Brownfields Stewardship Fund, Austin</i> <i>Aileen M. Hooks, Esq., Program Co-Chair</i>
11:15 <b>Lease Insurance Provisions</b> Best Practices and Common Sense <i>Scott Allan, Deputy Practice Leader, Real Estate</i> <i>Marsh Risk &amp; Insurance Services, Los Angeles</i>	12:15 Lunch Break
12:00 Lunch Break	1:30 <b>Ethics</b> 10 Steps to Ethical and Effective Negotiating <i>Kent Newsome, Esq.</i> <i>Fulbright &amp; Jaworski, Houston</i>
1:15 <b>Work Letter Agreements</b> How to Make Them 10 Feet Tall and Bulletproof <i>Larry Leonard, Vice President, DCCS</i> <i>The Staubach Company, Austin</i> <i>Clinton E. Jones, Esq.</i> <i>Fulbright &amp; Jaworski, Austin</i>	2:30 <b>Avoiding Pitfalls in Retail Leasing</b> Views from Every Corner of the Arena <i>David A. Wolff, Esq.</i> <i>Drenner Stuart Wolff Metcalfe von Kreisler, Austin</i> <i>Kathy King, Director of Development</i> <i>Academy Sports &amp; Outdoors, Katy</i> <i>Andrew S. Cohen, Esq.</i> <i>Akin Gump Strauss Hauer &amp; Feld, San Antonio</i> <i>Steven R. Weingarten</i> <i>Senior Vice President/Regional Director of Leasing</i> <i>Weingarten Realty Investors, Houston</i>
2:15 <b>Negotiating Strategies</b> Got Your Game On? <i>Chad Marsh, Principal, Office/Industrial Services</i> <i>Endeavor Real Estate Group, Austin</i> <i>Mark Krenger, Partner</i> <i>Travis Commercial Real Estate Services, San Antonio</i>	3:45 <b>Leasing the New Workplace</b> Negotiating Leases that Survive the Future <i>Tom Freeman, Senior Vice President</i> <i>Corporate Solutions</i> <i>Jones Lang LaSalle, Dallas</i>
3:15 Afternoon Break	4:30 Q&A Panel <i>Members of the Faculty</i>
3:30 <b>Proposals, Letters of Intent and RFP's</b> The Good, The Bad and The Ugly <i>Elizabeth A. Hamilton, Esq.</i> <i>USAA Real Estate Company, San Antonio</i>	4:45 Adjourn
4:15 <b>Bankruptcy and Leasing</b> Drafting and Enforcing Lease Provisions to Maximize Flexibility and Recovery <i>Patricia Baron Tomasco, Esq.</i> <i>Brown McCarroll, Austin</i>	
5:00 Q&A Panel <i>Members of the Faculty</i>	
5:15 Adjourn	

## Upcoming

Texas Wetlands  
January 27-28, Houston

Fiction Writing for Lawyers  
January 31, Houston  
February 28, Dallas

Internal Investigations  
February 18, Houston  
February 25, Dallas

Eminent Domain  
February 17-18, Austin

Property Tax Protests  
March 11, Denver

Land Use Law  
April 4-5, Chicago

For more information about these and other programs, visit our website at [www.cle.com](http://www.cle.com).

## Negotiating Leases

# meet your faculty

### Program Co-Chairs

**Aileen M. Hooks** has a multidisciplinary practice encompassing technology, real estate transactions and environmental law. She has wide-range experience in mergers and acquisitions and commercial property purchase, sale, leasing and financing.

**Steve Sanders** represents both corporate and municipal clients in leasing, site acquisition and build-to-suit projects. He is also responsible for strategic planning and site assessments, including financial analysis, disposition strategies and creative solutions to maximize value.

**Scott Allan** directs the Real Estate Practice for Marsh, and provides insurance and risk management consulting services to a number of large local and national REIT's and real estate operating companies.

**Andrew S. Cohen** focuses on commercial real estate, with a concentration on the representation of clients involved in all aspects of the acquisition and ownership of income producing properties.

**Charles R. Epperson** is primarily responsible for assessing the environmental costs and timeframes necessary to determine the feasibility of completing transactions for environmentally-challenged properties.

**Tom Freeman** leads the Tenant Group at his firm's Dallas office. He is also responsible for the portfolios in the Central Southern Regions for Electronic Data Systems Corporation, Sprint, Aon, AT&T Wireless Services and Xerox Corporation.

**Elizabeth A. Hamilton** is in-house counsel for USAA Real Estate Company ("Realco"), the real estate acquisition and management arm of parent company USAA, an insurance and financial services association.

**Clinton E. Jones** is experienced in representing clients in both commercial real estate transactions and litigation matters. He has represented a wide range of clients, assisting them in acquisitions, financings, leases, and development projects.

**Michael A. Kennedy** has over 25 years of experience. His most notable accomplishment is the acquisition of the land and the negotiation of over 200,000 square feet of anchor leases, which lead to the construction of the first Austin Central Business District high-rise in 14 years.

**Kathy King** is responsible for the site selection and negotiation of leases and contracts for Academy Sports & Outdoors. She has been with Academy since 1995 and has 14 years of experience working in the retail industry.

**Mark Krenger** is a principal and founder of Travis Commercial Real Estate Services, a full service real estate services company. In addition to leasing/property management, Travis Commercial focuses on corporate services and investment sales and acquisition.

**Larry Leonard** brings extensive experience to his company, including projects as diverse as corporate headquarter locations, luxury hotels, parking facilities, and data centers in various locations throughout the southwestern US.

**Chad Marsh** is responsible for overseeing leasing and management of his company's 3,000,000 square foot office and industrial portfolio. Since 2003, Endeavor has increased its leasing and management business by almost 1,000,000 square feet.

**Bart Matheney** joined his company at the end of 2001 as Senior Vice President – Director of Leasing, to head up the marketing and leasing group of Asset Services and agency leasing for the Central Texas region.

**Kent Newsome** practices real estate, business and entertainment law. He is a member of the American College of Real Estate Lawyers and is an Adjunct Professor of Law at the University of Houston Law Center.

**Gregory P. Pappas** has over nine years' experience in commercial real estate, including finance and investment sales. He is primarily responsible for originating debt and structured finance transactions throughout the southern US.

**Rick Reed** has 20 years' experience representing and advising a variety of real estate development, financial institution and business clients in connection with their real estate and business operations and transactions.

**William F. Stutts** focuses on corporate reorganization, corporate finance, real estate, equipment finance, derivatives, and bank regulation. In real estate matters, he represents property owners and financing sources on a variety of issues.

**Patricia Baron Tomasco** has 16 years' experience as a corporate bankruptcy practitioner. She is the head of the Bankruptcy Practice Group at her firm, a practice that consists of corporate reorganization and bankruptcy.

**Steven R. Weingarten** is responsible for the cash flow of approximately 57 centers (approximately 8.5 million square feet) in central Texas, Arkansas, Tennessee, North Carolina, Georgia and Florida.

**David A. Wolff** has worked as a real estate attorney throughout his 20-year legal career, and has represented a number of well-known real estate developers in connection with the acquisition, development, leasing and financing of retail shopping centers, as well as other issues.

## conference information

### Continuing Education Credit

**MCLE:** This course has been approved by the State Bar of Texas for 12 hours of MCLE credit including 1 hour of ethics. This course has also been approved by the Texas State Bar College and by the Texas Board of Legal Specialization for certification and recertification of continuing legal education requirements in the area of Real Estate.

**Real Estate:** This course meets the requirements for 12 hours Mandatory Continuing Education (MCE) credit from the Texas Real Estate Commission.

For accreditation in other jurisdictions or disciplines, please call **CLE INTERNATIONAL** at (303) 377-6600.

### Registration

Advance registration is recommended, and you are encouraged to mail in your registration early. Or simply call in your registration or homestudy order to (800) 873-7130, fax the registration form to (303) 321-6320, e-mail your registration to registrar@cle.com, or register online at www.cle.com. Full payment is due at time of registration. Walk-in registrations will be subject to space availability. Please call **CLE INTERNATIONAL** at (303) 377-6600 if you require any special accommodations.

### Conference Location and Accommodations

The Conference will be held at the Hilton Hotel, 500 East 4th Street, Austin, Texas, 78701. A block of rooms has been set aside for Conference attendees until December 27.

For room reservations and special rates, please call Community World Travel at (888) 724-0500 or visit [www.communityworldtravel.com](http://www.communityworldtravel.com).

### Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Sarah Neenan, Marketing Coordinator, at 303-377-6600 or [sarah@cle.com](mailto:sarah@cle.com).

### Tuition

The tuition fee of \$595 per person includes attendance at all sessions, course materials, continental breakfasts and coffee breaks. **CLE INTERNATIONAL** offers special rates for 501(c)(3) organizations, full-time judges and law students.

### Save When Two or More Register

Save \$200 or more with our multiple registrant discount! Tuition is only \$495 per person for two or more from the same firm.

**CLE International Program Attorney:**  
**Laura Terlisner Mehew, [laura@cle.com](mailto:laura@cle.com)**

### Course Materials

Each registrant will receive a set of materials prepared by the speakers especially for this Conference, which will serve as a valuable future reference. The course materials alone are available for \$95 plus \$10 shipping and handling.

### Homestudy Package

If you cannot attend, **CLE INTERNATIONAL** also offers a complete audio transcript of the Conference (including all course materials) for \$595 plus \$10 shipping and handling. This package may qualify for self-study credit.

### Cancellation Policy

Full tuition refunds (less a \$50 administrative charge) will be given only if notice of cancellation is received by 5:00 p.m. MST on the Friday preceding the Conference. Substitutions may be made at any time.

### About CLE International

**CLE INTERNATIONAL**, a leading provider of continuing education, has been presenting high-quality professional education programs nationwide since 1983.

**CLE INTERNATIONAL** is an approved sponsor of the Texas State Bar, Sponsor No. 2645.

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Learn How to Play the Game of Leasing!

January 27-28, 2005 • Hilton Hotel • Austin

**Register Today!**

**Featuring Speakers From:**

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Travis Commercial Real Estate Services • Brownfields Stewardship Fund

Holliday Fenoglio Fowler • USAA Real Estate Company

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Jones Lang LaSalle ...and some of the top law firms in Texas!



5th Annual Conference!

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Name: \_\_\_\_\_

Name: \_\_\_\_\_

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State: \_\_\_\_\_ Zip+4: \_\_\_\_\_

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