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Including One Hour of Ethics**

Earn up to 12 Hours Real Estate Credit

7th Annual Conference

Negotiating Leases

All New Program!

February 12-13, 2007 • Omni Hotel Southpark • Austin

Who Will Benefit:

- 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!

Why Should You Attend?

Fabulous Location—The Four Diamond Omni Hotel Southpark, with a premier location in the heart of a world-renowned city, is at the center of it all. Rising 14 stories above Austin's flourishing high-tech corridor, this elegant luxury hotel offers modern amenities for the 21st century traveler, including:

- Free parking
- A complimentary 10-minute shuttle drive to the Austin-Bergstrom International Airport

Access to the Experts—Ask questions of the most experienced and knowledgeable real estate professionals in Texas.

New Topics!—The NEW Top 10 List: Landlord and Tenant Current Hot Buttons; Environmental Issues in Leasing; Negotiating Points to Consider; Lease Defaults and Remedies: Navigating Through Hostile Waters; Checklist for Leases: A Local Counsel's Guide; Lifestyle Centers: Special Leasing Considerations ... and up-to-the-minute developments on cornerstone topics!

Network with Your Colleagues—This is the premier meeting place for busy real estate professionals like you.

12 MCLE Credits, Including One Hour of Ethics and 12 Hours Real Estate Credit—CLE International is an approved provider in Texas and in most states with mandatory continuing legal education requirements.

Solutions—Find countless solutions to the problems you face in your practice!



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

Monday, February 12

Tuesday, February 13

- 8:30 Registration and Continental Breakfast
- 9:00 **Introduction and Welcome**
J. Kent Newsome, Esq., Program Co-Chair
Fulbright & Jaworski, Houston
Rick Reed, Esq., Program Co-Chair
DuBois Bryant Campbell & Schwartz, Austin
- 9:15 **Key Leasing Issues**
What's Hot, What's Not?
J. Cary Barton, Esq.
Barton Schneider Russell & East, San Antonio
- 10:00 **Retail Lease Usage Controls**
Uses, Exclusive Uses, Prohibited Uses, and Co-Tenancy Requirements
Thomas M. Whelan, Esq.
McGuire Craddock & Strother, Dallas
- 10:45 Morning Break
- 11:00 **New Office Development and New Construction**
Negotiation Tips for the Anchor Tenant; Understanding the Developer's Rights and Entitlements; Construction Costs and Timing; Building Shell Definitions; Commencement Date Negotiations; Key Provisions in the Lease
Russell D. Young, Vice President
Commercial Texas, Austin
- 11:45 **The NEW Top 10 List**
Landlord and Tenant Current Hot Buttons
J. Kenneth Kopf, Esq.
Winstead Sechrest & Minick, Dallas
- 12:30 Lunch Break
- 1:45 **Lease Restructuring**
The Why's and Wherefore's from Both Sides of the Re-Negotiating Table
Steve Sanders, Vice President
The Staubach Company, Austin
- 2:30 **Negotiating the Retail Letter of Intent**
A Landlord's Approach to Handling Basic Deal Points Addressed in Virtually Every Significant Retailer's LOI Form
John W. Elliott, Esq.
Smith Robertson Elliott Glen Klein & Bell, Austin
- 3:15 Afternoon Break
- 3:30 **Ground Leases**
Negotiating with an Eye Toward Financing
Brian Rider, Esq., Senior Real Estate Counsel
Forestar Real Estate Group, Austin
- 4:15 **Environmental Issues in Leasing**
Negotiating Points to Consider
Mary S. Mendoza, Esq.
Haynes and Boone, Austin
- 5:00 Adjourn

- 8:30 Continental Breakfast
- 9:00 **Overview of Day Two**
J. Kent Newsome, Esq., Program Co-Chair
Rick Reed, Esq., Program Co-Chair
- 9:15 **Lease Defaults and Remedies**
Navigating Through Hostile Waters
Gary R. Powell, Esq.
Locke Liddell & Sapp, Dallas
- 10:00 Morning Break
- 10:15 **Bankruptcy**
Negotiating Around the Bankruptcy Code: Can You? Should You Try? What Has and Hasn't Worked?
J. Mark Chevallier, Esq.
McGuire Craddock & Strother, Dallas
- 11:00 **Checklist for Leases**
Local Counsel's Guide
Janna R. Melton, Esq.
Austin
- 11:45 Lunch Break
- 1:15 **Insurance Issues**
Allocating Risks in the Lease; Scope of Insurance Coverage
Scott Allan, Deputy Practice Leader, Real Estate
Marsh Risk & Insurance Services, Los Angeles
- 2:00 **Exit Strategies**
Subleasing, Assignment, Termination and Contraction
Andrew A. Ingram, Esq.
Thompson & Knight, Dallas
- 2:45 Afternoon Break
- 3:00 **Lifestyle Centers**
Special Lease Considerations
Michael L. Robertson, Esq.
Smith Robertson Elliott Glen Klein & Bell, Austin
- 3:45 **Ethics**
Insights for the Real Estate Leasing Practitioner
J. Kent Newsome, Esq., Program Co-Chair
- 4:45 Q&A Panel
Members of the Faculty
- 5:00 Evaluations and Adjourn



Save These Dates!

Commercial Leases with Michael Meyer
January 8, San Francisco
January 19, Los Angeles

Class Actions
January 25-26, Los Angeles

Intellectual Property Law
February 22-23, Denver

School Law
February 22-23, Tampa

Texas Wetlands
February 26-27, Austin

Resort Development
March 1-2, Naples

For more information about these and other programs, visit our website at www.cle.com.

instructors

meet your

Negotiating Leases

Program Co-Chairs

J. Kent Newsome has spent over 20 years concentrating on commercial real estate and real estate development. He represents purchasers, developers and sellers in the acquisition, development and disposition of office buildings, retail centers, industrial facilities, apartment complexes, resort properties, hotels, and hospitals. He is an Adjunct Professor of Law at the University of Houston Law Center. He has served as Chair of the Real Estate Section of the Houston Bar Association and is currently a member of the American College of Real Estate Lawyers.

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. He is the Director and Former Chair of the Real Estate Law Section of the Travis County Bar Association and is the founding director and Vice Chair of the Ordinance and Legislation Review Committee of Real Estate Council of Austin.

Scott Allan provides insurance and risk management consulting services to a number of large local and national REITs and real estate operating companies. Prior to joining Marsh, he served as Director of Risk Management for Catellus Development Corporation and Vice President of Risk Management for Lowe Enterprises.

J. Cary Barton is Board Certified as a specialist in Commercial Real Estate Law. He is a member of the Real Estate Forms Committee of the State Bar of Texas, the American College of Real Estate Lawyers and the Texas College of Real Estate Attorneys.

J. Mark Chevallier emphasizes bankruptcy issues, creditor's rights, commercial litigation and appellate practice. He is a member of the Dallas Association of Young Lawyers and the Dallas Bankruptcy Association.

John W. Elliott has been focusing on commercial real estate transactions, including acquisitions, financing, development, construction, leasing and disposition, since 1985. He has represented Barnes & Noble Booksellers, Inc., since 1990, where he is heavily involved in the roll-out and expansion of their stores nationwide.

Andrew A. Ingram focuses his practice on the financing, development, management and disposition of real estate on a national and local levels. He is a frequent lecturer and writer on all facets of real estate issues.

J. Kenneth Kopf represents landlords, tenants, brokers, agents, lenders and developers in commercial transactions, including development, leasing, acquisition, disposition and financing. He specializes in office and retail leasing.

Janna R. Melton focuses her practice on real estate, finance and construction transactions. She has served as counsel for real estate acquisition, finance and general business matters to financial institutions, real estate investors, brokers and developers.

Mary S. Mendoza concentrates her practice in the areas of environmental and administrative law. She represents clients in toxic tort litigation, hazardous and solid waste cleanups, contested case hearings, enforcement matters and agency appeals.

Gary R. Powell has over 20 years' experience in litigation involving contracts of all kinds, leasing and landlord-tenant law, real estate, agency contracts and wrongful interference with contract.

Brian Rider represents clients who develop and operate commercial real estate projects, including representation in environmental matters that concern their properties. He is Board Certified in Commercial Real Estate Law and is an Adjunct Professor of Law at the University of Texas.

Michael L. Robertson represents retailers in the acquisition, development, sales and leasing of retail properties. He has represented Barnes & Noble Booksellers, Inc., since 1990, where he is heavily involved in the roll-out and expansion of their stores nationwide.

Steve Sanders represents both corporate and municipal clients in leasing, site acquisition and build-to-suit projects. He has experience in negotiating all types of leasing structures, including ground leases, operating and capital leases, as well as synthetic leases.

Thomas M. Whelan practices real estate transactions and commercial litigation emphasizing landlord-tenant, lending, and other real estate related matters. He is a frequent speaker at legal seminars on leasing, real estate brokerage, lending, and other real estate topics.

Russell D. Young joined his company in 1998. His clients include: Scott Douglass, CompassLearning, and Aspyr Media, Surgient, and Lloyd Gosselink. In 2003, Mr. Young served as President of the Commercial Leasing Broker's Association (CLBA), and he is a member of the Real Estate Council of Austin.

CLE International Program Coordinator:
Kristyn Schenderlein, kristy@cle.com.

conference information

Continuing Education Credit

MCLE: This course has been approved by the State Bar of Texas for 12 hours of MCLE credit including one 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. **CLE International** is an approved sponsor of the Texas State Bar, Sponsor No. 2645.

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 or (800) 873-7130.

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 (303) 377-6600 or (800) 873-7130, fax the registration form to (303) 321-6320, email 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 or (800) 873-7130 if you require any special accommodations.

Omni Hotel Southpark

4140 Governor's Row
Austin, Texas 78744

For hotel reservations:
Community World Travel
(888) 724-0500
www.communityworldtravel.com

Tuition: \$695

The tuition fee of \$695 per person (\$595 for government employees, 501(c)(3) organizations, judges, law students and paralegals) includes attendance at all sessions, course materials, continental breakfasts and coffee breaks.

Save When Two or More Register

Save \$200 or more with our multiple registrant discount! For two or more registering from the same firm, tuition is only \$595 per person (\$495 for government employees, 501(c)(3) organizations, judges, law students and paralegals).

Sponsorship Information

Sponsorship and exhibition opportunities are still available. For more information, please contact Shauna Kraczek, Marketing Coordinator, at 303-377-6600 or (800) 873-7130 or shauna@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 \$695 plus \$10 shipping and handling. This package may qualify for self-study credit.

Cancellation

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 Monday 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.

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An Established Tradition for Real Estate Professionals

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