

# BANK COUNSEL CONFERENCE

*The Ritz-Carlton, New Orleans • December 6-7, 2018*

*The 2018 LBA Bank Counsel Conference will include two days of presentations on recent state legislation and court decisions involving banking and commercial laws, as well as presentations on federal banking regulations and other current issues.*

## Location

The Ritz-Carlton, New Orleans  
921 Canal Street  
New Orleans, LA 70112

## Registration Fee

\$495, per LBA member  
\$695, per non-member

## Who Should Attend

The conference agenda focuses on issues of concern to both bankers and their legal counsel. This program is designed to benefit in-house bank counsel, private practitioners in the banking and commercial law fields and bank officers. Compliance officers and other senior bank executives regularly attend this conference.

## Hotel Information at The Ritz-Carlton, New Orleans

The LBA has contracted for a set number of sleeping rooms at The Ritz-Carlton, New Orleans based on the last few years' attendance. We will monitor the room pickup and add rooms if available. We encourage you to make your reservations early. To ensure the LBA group rate of \$225+ tax/night, please call 1-800-826-8987 and identify that you are booking with the LBA Bank Counsel Conference Room Block. Rooms are available in the block for Wednesday 12/5, Thursday 12/6, Friday 12/7 and Saturday 12/8. [Click here to book your reservation online.](#)

**Reservation Deadline:** Sleeping room reservations must be made by **November 12, 2018** at 5:00pm or until the block of rooms for LBA is filled, whichever is sooner. After November 12, 2018, reservations will be made based on availability and the hotel may not be able to honor the discounted rate.

# 2018 Bank Counsel Conference Agenda

## Thursday December 6, 2018

All sessions to be held in Salon 2/3 (2nd Floor) unless otherwise noted

- 7:15am-7:50am** Continental Breakfast & Registration  
*(Salon 2/3 Foyer)*
- 7:50am-8:00am** Welcome & Introductory Remarks  
*Geoffrey Kay, Chairman, LBA Bank Counsel Committee*
- 8:00am-9:00am (T)** Professionalism  
*Barry Grodsky, Taggart Morton Attorneys & Counselors at Law/ State Bar Association President - New Orleans, LA*
- 9:05am-10:05am (T)** Secured Lending Update  
*David Cromwell, Pettiette, Armand, et al. - Shreveport, LA*
- 10:05am-10:20am** Break
- 10:20am-10:50am (T)** Secured Lending Update (Continued)  
*David Cromwell, Pettiette, Armand, et al. - Shreveport, LA*
- 10:55am-11:55am (T)** The Ethics of Negotiations: Are There Any?  
*Mike Rubin, McGlinchey Stafford - Baton Rouge, LA*
- 11:55am-12:05pm** Break
- 12:05pm-12:35pm** Concurrent Sessions (*Please Choose One*):  
**1. When an Owner Dies: Sole Proprietor, LLC or Corporation** (*Salon 2/3, 2nd Floor*)  
*Jennifer O'Neal, IBERIA Bank - New Orleans, LA & Darryl Hebert, Hancock Whitney - Gulfport, MS*
- 2. Collections Through City Court, Parish Court or JOP** (*Broadmoor Room, 1st Floor*)  
*Mark Landry, Newman Mathis Brady & Spedale - New Orleans, LA*
- 12:35pm-1:40pm** Lunch with Guest Speaker Stephanie Grace, *The Advocate*: Political Update  
*(Salon 1, 2nd Floor)*  
*Sponsored by McGlinchey Stafford*
- 1:45pm-2:45pm (T)** State Legislative Update  
*David Boneno, Louisiana Bankers Association - Baton Rouge, LA*
- 2:50pm-3:50pm (T\*)** Fair Lending Update  
*Stephanie Kalaburka, Fenimore, Kay, Harrison & Ford LLP - Kansas City, MO*
- 3:50pm-4:00pm** Break
- 4:00pm-5:00pm (T)** Dissecting the *Gloria's Ranch* Decision and Its Impact on Lending  
*Patrick S. Ottinger, Ottinger Hebert, L.L.C. - Lafayette, LA & Linda Akchin, Kean Miller - Baton Rouge, LA*
- 5:15pm-7:00pm** Cocktail Reception (*Courtyard, 3rd Floor*)  
*Sponsored by Adams and Reese, LLP*

## Friday December 7, 2018

All sessions to be held in Salon 2/3 (2nd Floor) unless otherwise noted

- 7:30am-8:00am** Continental Breakfast  
*(Salon 2/3 Foyer)*
- 8:00am-9:00am (T\*)** S.2155: Regulatory Reform Legislation - Impact on Area Banks  
*Craig Landrum, Jones Walker - Jackson, MS*
- 9:05am-10:35am** In-House Panel Discussion: Current Priorities & What's Ahead for 2019  
  - *Geoffrey Kay, Fenimore, Kay, Harrison & Ford, LLC - Austin, TX (Moderator)*
  - *Randy Kassmeier, Investar Bank - Metairie, LA*
  - *Gary McNamara, First Bank & Trust - New Orleans, LA*
  - *John Whitehead, Sabine State Bank & Trust, Natchitoches, LA*
  - *Mac Peytavin, First American Bank & Trust, Vacherie, LA*
- 10:35am-10:50am** Break
- 10:50am-11:50am** UCC 3&4 Hot Topics, Mobile Payments and Remote Deposit Capture  
*Paul Carrubba, Adams and Reese - Ridgeland, MS & Scott Jones, Adams and Reese - Memphis, TN*
- 11:50am-12:00pm** Break
- 12:00pm-12:30pm** Concurrent Sessions (*Please Choose One*):  
**1. Vendor Management: Thinking Through Privacy, Data Security, Indemnity, Insurance and Termination Provisions** (*Salon 2/3, 2nd Floor*) - *Lauren Campisi, McGlinchey Stafford - New Orleans, LA*
- 2. GeauxBiz: Update on Corporate Filing System (Online Filings & Parish Differences)** (*Broadmoor Room, 1st Floor*) *Carla Bonaventure, Amanda Baker and Erika Altazan from the Louisiana Secretary of State's Office - Baton Rouge, LA*
- 12:30pm-1:35pm** Lunch with Guest Speaker Senator John Kennedy (*Salon 1, 2nd Floor*)  
*Sponsored by Fenimore, Kay, Harrison & Ford*
- 1:40pm-2:40pm (T)** Bankruptcy Recent Developments  
*Honorable John Hodge, Federal Bankruptcy Judge, Shreveport, LA*
- 2:45pm-3:45pm** Fintech: What is It & How Does It Impact Community Banking?  
*Lauren Campisi, McGlinchey Stafford - New Orleans, LA*

- Thursday total time: 420 minutes (7 hours)
- Friday total time: 360 minutes (6 hours)
- Conference time total: 780 Minutes (13 hours)
- Includes 1 hour of Ethics and 1 hour of Professionalism

### Continuing Legal Education (CLE):

- CLE has been approved in the following states:
  - **Alabama** - 13 hours, including 2 hours of ethics. (Professionalism counts as ethics credit in Alabama)
  - **Louisiana** - 13 hours, including 1 hour of ethics and 1 hour of professionalism
  - **Mississippi** - 13 hours, including 2 hours of ethics. (Professionalism counts as ethics credit in Mississippi)
  - **Texas** - 13 hours, including 2 hours of ethics. (Professionalism counts as ethics credit in Texas)

### Louisiana Title Agents Continuing Education Approved

- Louisiana Title Agents Continuing Education has been approved with the Louisiana Department of Insurance for the sessions denoted by (T) on the above agenda (8 hours total). The sessions denoted by (T\*) have been approved for Consumer Finance Protection Credit while the remaining courses denoted by (T) have been approved for General Insurance Principles credit.

# Thank You to Our Conference Sponsors:

## Thursday Cocktail Reception Sponsor

ADAMS AND REESE LLP



## Thursday Lunch Sponsor

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## Friday Lunch Sponsor

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## Featured Speakers



**John Kennedy** was elected to the U.S. Senate in 2016. He has built a distinguished career as a conservative champion for the people of Louisiana and a dedicated watchdog of taxpayer money. Kennedy serves on the Appropriations, Banking, Housing & Urban Affairs, Budget, Judiciary and Small Business & Entrepreneurship committees in the U.S. Senate. Prior to his election to the Senate, Kennedy was state treasurer of Louisiana for five terms. As treasurer, he oversaw the state's multi-billion-dollar investment portfolios. He also oversaw local and state bond issues and returned millions of dollars in unclaimed property each year. Prior to his position as Treasurer, Mr. Kennedy served as Secretary of the Department of Revenue, Special Counsel to Governor Roemer and Secretary of Governor Roemer's Cabinet. He was also an attorney and partner in the Baton Rouge and New Orleans law firm of Chaffe McCall. Mr. Kennedy graduated magna cum laude in political science, philosophy and economics from

Vanderbilt, was president of his senior class, and elected to Phi Beta Kappa. He received his law degree from the University of Virginia and his B.C.L. degree from Oxford University in England where he was a First Class Honors graduate. Mr. Kennedy has been an adjunct professor at LSU Law School and a volunteer substitute teacher for public schools. He resides in Madisonville, Louisiana, with his wife Becky and their son, Preston. They are founding members of the North Cross United Methodist Church.



**Barry Grodsky** is a partner at the Taggart Morton law firm in New Orleans practicing primarily in the areas of creditor rights, property management law, banking law, bankruptcy and commercial litigation. Barry received his business degree from the University of Texas in 1979 and his law degree from Tulane in 1982. After internships with Congressman Billy Tauzin and U.S. District Judge Morey Sear and serving as a law clerk to State Judge Steven Plotkin he went into private practice. Barry is the current President of the Louisiana State Bar Association. He is its former Secretary of the Louisiana State Bar Association and Editor of the Bar Journal. Barry serves on the Fee Arbitration Panel, Budget Committee, Bar Governance Committee and Audit Committee and previously served on the CLE Committee, Long Range Planning Committee and the committee reviewing the State Bar's legislative process. Barry

has chaired for several years the LSBA's Committee on the Profession which has been involved in numerous programs to assist not only young lawyers but law students as well. He oversees the four law school professionalism programs dealing with character and fitness for bar admission and along with Judge Elizabeth Foote on behalf of the State Bar received the Smythe-Gambrill Award for Professionalism. Barry is also coordinating the LSBA's recently approved mentoring program for new admittees. He has twice won the LSBA President's Award primarily for his work on professionalism programs and has also won the LSBA's Distinguished Service to the Bar Award. Barry also teaches undergraduate courses at Tulane.



**David Cromwell** is a partner in the Shreveport law firm of Pettiette, Armand, Dunkelman, Woodley, Byrd & Cromwell, L.L.P. An Order of the Coif graduate of Tulane Law School, he is a member of the Council and vice-president of the Louisiana State Law Institute and presently serves as the reporter of its Security Devices Committee, which drafted the recently enacted Civil Code titles on security and on pledge and which is presently nearing completion of a comprehensive revision of the Louisiana Private Works Act. He is also the reporter of the Law Institute's Possessory Actions Committee and is the reporter and chairman of its Coordinating, Semantics, Style and Publications Committee. He previously served as reporter of the Component Parts Committee and has also served or presently serves as a member of numerous other Law Institute committees. He is a co-author of *Secured Credit:*

*Louisiana and American Perspectives*, a new law school casebook on Louisiana security devices. He is the author of recently published articles on secured interests in farm products, vendor's privileges, and real obligations. He is a member of the American College of Real Estate Lawyers and of the Bank Counsel Committee of the Louisiana Bankers Association, having served as chairman in 1994 and 2005. Mr. Cromwell is presently the chairman of the Louisiana Supreme Court Committee on Bar Admissions and, from 2004 until 2014, was the Code III bar examiner of the Louisiana bar examination. He presently serves on the MPRE Committee of the National Conference of Bar Examiners. He has appeared in *Best Lawyers in America* for over twenty years and is listed as a leading individual in the field of banking and finance in the *Chambers USA Guide to America's Leading Lawyers for Business*. He is a member of the board of directors of the Committee of One Hundred in Shreveport and is a member and former director of the Rotary Club of Shreveport. He is a frequent lecturer on security devices and other commercial topics.



**John S. Hodge** was appointed to serve as a United States Bankruptcy Judge for the Western District of Louisiana on August 20, 2018. Prior to his appointment, he was a shareholder in Wiener, Weiss & Madison, P.C. in Shreveport, Louisiana, where he represented debtors, debtors-in-possession, trustees, creditors, creditor committees and fiduciaries in workouts, debt restructuring, bankruptcy cases, financial and real estate transactions and non-bankruptcy litigation. From 2002-2018, he also served as a member of the Panel of Chapter 7 Trustees established by the United States Trustee for Region 5 for cases filed in the United States Bankruptcy Court for the Western District of Louisiana. He received a B.S. degree (Accounting) from Louisiana State University in 1985 and a J.D. from Louisiana State University Law Center in 1988. He is the recipient of the Arthur Young Outstanding Petroleum Accounting Award (1985) and the American Jurisprudence Award for Business Associations (1987). He

is a member of the Louisiana State, Federal and American (Member, Section on Business Law) Bar Associations, the American Bankruptcy Institute and the Booth-Politz Chapter of the American Inns of Court.

**2018 Bank Counsel Committee**

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Carver, Darden, Koretzky, Tessier, Finn, Blossman & Areaux, LLC in New Orleans

**John L. Whitehead**

Sabine State Bank & Trust in Natchitoches

**Sterling Scott Willis**

Fishman Haygood Phelps Walmsley Willis & Swanson, L.L.P., in New Orleans



LouisianaBankers  
BANK COUNSEL

# 2018 Bank Counsel Conference

December 6-7, 2018

The Ritz-Carlton, New Orleans



As we did the last few years, we will again “go green” with conference session materials. Each registrant will receive an email providing links to the speaker presentations and supplemental materials. The materials will also be available during the conference on our mobile website. The links will also be emailed again to registrants after the conference.

These materials can be downloaded and saved to your personal computer or printed for use at the conference. Printed manuals will no longer be provided by default to all registrants. However, you can request a printed manual by checking the option below. The printed manual will come at a cost additional to the registration fee. The printed manual will be given at conference registration

**Please note: The deadline to request a printed manual is November 26, 2018. This is also the deadline to cancel a printed manual order. After this date, materials will only be distributed electronically and no refunds will be given for canceled manual orders.**

## Registration Fees

- Members \$495.00     Nonmembers \$695.00
- Ethics Only \$100.00     Professionalism Only \$100.00
- Printed Manual (optional - see above for details) \$150.00
- \$100 Raffle Ticket for Education Foundation (optional - see next page for details) \$100.00

Total Registration Fees \$ \_\_\_\_\_

## Registration Information (please make additional copies for multiple registrations)

Name	Email Address
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- Check (Make Payable to Louisiana Bankers Association)
- VISA     MasterCard     American Express

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## Cancellation Policy

A full refund of registration fees will only be made if cancellation notice is received by the LBA office by November 30, 2018. No refunds are available after November 30, 2018. Cancellations and substitutions are accepted by email at pitts@lba.org or phone - Janet H. Pitts at 225/214-4830.

Please register online in the Education Section of the LBA website, www.lba.org. Registration can also be emailed, faxed or mailed.

**Email:** pitts@lba.org / **Fax:** 225/343-3159 / **Phone:** 225/387-3282

5555 Bankers Avenue, Baton Rouge, LA 70808



Louisiana Bankers

PATRICK SPENCER/FISC

EDUCATION FOUNDATION

# Emeril's Chef's Table Dinner for 4 Raffle! Ticket price is \$100, only 100 tickets will be sold!

We are holding a raffle along with the 2018 LBA Bank Counsel Conference. Tickets are \$100 each. The prize is Dinner for 4 at the Chef's Table at Emeril's Restaurant (valued at \$800, includes alcohol). Only 100 tickets to be sold, and each ticket purchased supports the Louisiana Bankers Patrick Spencer/FISC Education Foundation.

*Drawing to be conducted at the Bank Counsel Conference on Friday afternoon, December 7, 2018.  
You do not have to be present to win. You do not have to register for the conference to purchase a raffle ticket.*

The Louisiana Bankers Patrick Spencer/FISC Education Foundation exists to promote banking and financial literacy in Louisiana through education initiatives:

- Scholarships to Louisiana high school graduates who are children of a Louisiana banker and who are entering a Louisiana college or university in a banking related field.
- Financial literacy programs in Louisiana elementary and high schools through:
  - ◊ Banks-at-school in elementary schools
  - ◊ Banking study guides distributed to high schools
  - ◊ Louisiana JumpStart Coalition to foster financial education K - 12

*Please note: This raffle is not tax-deductible; however, if you would like to make a separate donation to the Louisiana Bankers Patrick Spencer/FISC Education Foundation that is considered tax-deductible, please make a check payable to The Louisiana Bankers Patrick Spencer/FISC Education Foundation and mail to 5555 Bankers Avenue, Baton Rouge, LA. For more information on the foundation, [click here](#).*

## Raffle Information (\$100 per ticket)

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 VISA      MasterCard      American Express

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Expiration Date \_\_\_\_\_ Amount to be charged on card \$ \_\_\_\_\_

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Please buy raffle tickets online in the Education Section of the LBA website, [www.lba.org](http://www.lba.org).

Registration can also be emailed, faxed or mailed.

**Email:** [pitts@lba.org](mailto:pitts@lba.org) / **Fax:** 225/343-3159 / **Phone:** 225/387-3282

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