

APRIL

2013

Webinar

Understanding and Negotiating Loan Participation Agreements

Speaker: Eric G. Baron, Esq.
Wednesday, April 24, 2013
10:00 — 11:30 a.m.



WHO SHOULD ATTEND?

- Commercial loan officers
- Note department staff
- Credit administrators
- Auditors
- In-house counsel

Presented by the Counsel For Bankers' Compliance Group®
ALDRICH BONNEFIN & MOORE, PLC

Since the 2008 financial crisis, the courts have seen a dramatic increase in cases involving the relationship between lead lenders and participants in loan participation transactions. While the specific issues between the parties have varied, one constant developed. The courts repeatedly point to the terms and conditions of the loan participation agreement as the source for resolving disputes between the parties. One message from these cases is clear – the loan participation agreement must be carefully drafted and reviewed, as it is the terms set out in the agreement that will affect a party's rights and obligations under the participation. In this session, we will take an in-depth look at the major provisions that should be included in a well-drafted agreement, as well as strategies for protecting the interests of both the lead lender and the participant.

With this in mind, Aldrich Bonnefin & Moore is pleased to invite you to attend our Webinar on understanding and negotiating the terms of loan participation agreements. This session will focus on the provisions of an agreement that meet regulatory expectations, that affect whether the participation will be treated as a "true participation" and provisions that determine the scope of a participant's involvement in decision-making and dispute resolution.

WEBINAR HIGHLIGHTS

The Three Functions of a Loan Participation Agreement

- ◆ Purchase and sale of a financial asset
- ◆ Administration of the participation
- ◆ Servicing of the underlying loan

Lead Lender's Scope of Authority and Standard of Care

- ◆ Alternative approaches to establishing standard of care
- ◆ Decisions that require participant's consent
- ◆ What happens if the lead lender and participant cannot agree

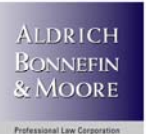


ALDRICH BONNEFIN & MOORE, PLC

phone: (949) 474-1944

fax: (949) 474-0617

Email: PTyler@ABMLawFirm.com



PRICING

BCG Members: \$275.00 per connection. The Webinar is being offered on an optional basis to BCG members. BCG Members will be billed; do not enclose a check.

Non-Members: \$375.00 per connection. To register, visit <http://register.bankerscompliancegroup.com/subadmin>. If you have any questions, or if you haven't registered online with us before, contact Paige Tyler at PTyler@ABMLawFirm.com or 800-742-3600 to obtain a username and password. Payment must be received prior to the webinar date. **Non-members may pay by check or credit card.** To pay by credit card, follow the credit card instructions during the online registration process. We accept MasterCard, Visa and Discover cards. To pay by check, make checks payable and mail to **Aldrich Bonnefin & Moore, PLC, P.O. Box 19686, Irvine, CA 92623-1029**, along with a copy of your registration.

REGISTRATION

To register for a BCG Webinar, log onto <http://ors.bankerscompliancegroup.com/subadmin/> at least **one business day** prior to the webinar date.

If you have not established an online registration account with us, please contact Paige Tyler at 949- 553-0909 or toll free (BCG Members only) at 800-742-3600.

CANCELLATION

BCG Members will **not** be billed only if registrant's cancellation notice is received **at least three** business days prior to the webinar date.

Non-members will be **fully** refunded if registrant's cancellation notice is received **at least three** business days prior to the webinar date. Otherwise, the registration fee less \$50 will be refunded.

ACCREDITATION

MCLE: As an added benefit we are offering this Webinar to in-house attorneys for MCLE Credit. This activity has been approved for Minimum Continuing Legal Education credit by the State Bar of California in the amount of **1.5 hours**. Aldrich Bonnefin & Moore certifies that this activity conforms to the standards for approved education activities prescribed by the rules and regulations of the State Bar of California governing minimum continuing legal education. **SPECIAL NOTICE:** To receive MCLE credit, attendees will need to download and fill out the MCLE forms that will be posted at the conference site.

WEBINAR LISTENING PREFERENCES

When registering online, please select from the following options:

Live Webinar	\$275.00 (Member) \$375.00 (Non-member)
Audio Package (CD)	\$275.00 (Member) \$375.00 (Non-member)
Live Webinar <u>AND</u> Audio Package (CD)	A 20% discount will be applied to the audio package when ordering both the live webinar and audio package.

PARTICIPANT INSTRUCTIONS

Web

- Go to <http://www.bankerscompliancegroup.com/> and select the icon "BCG Webinars Download Agenda/Outline"
- On the **Join a Meeting** side of the login page, enter Meeting Room **aldbon1**
- Enter your PIN provided by Aldrich Bonnefin & Moore in the Access Code field
- Click **Join Meeting**
- Make sure your PC speakers are turned on and at the correct volume

Phone (optional)

- Call **866-927-1521** 5 to 10 minutes prior to the conference start time
- Enter your PIN provided by Aldrich Bonnefin & Moore
- While on hold you will hear music until the conference is started or be connected directly to the conference if it has already started
- During the conference, you will be in listen-only mode until a question & answer period, when you will be told how to ask questions

TECHNOLOGY REQUIREMENTS

Minimum System Requirements Browser

JavaScript enabled browser such as Microsoft Internet Explorer 6 or later, Mozilla Firefox, Google Chrome and Safari

Internet

56k or faster Internet connection (high-speed is recommended)

Streaming

For audio/video streaming, Adobe Flash plug-in version 9 or higher is required