

Conference Agenda

This schedule is subject to change.

Monday, October 21

12:00-6:00 p.m. – Exhibitor Setup

Napoleon Ballroom - Level 3

2:00-6:00 p.m. – Registration Desk Open - Sponsored by Pro Asset

Napoleon Foyer - Level 3

3:00-5:00 p.m. – NCBA Board Meeting

Waterbury - Level 2

5:00-6:30 p.m. – President's Welcome Reception

By invitation only.

A special reception to celebrate and honor 2024 [Advocacy Support Fund](#) and [NCBA PAC](#) donors, committee members, Board of Directors, past presidents, and new members.

Lagniappe - Level 2

Tuesday, October 22

7:00-8:00 a.m. – New Orleans Walking Tour

The cost to participate is \$35 and [separate registration](#) is required.

7:30 a.m.-5:30 p.m. – Registration Desk Open - Sponsored by Pro Asset

Napoleon Foyer - Level 3

8:00 a.m.-3:45 p.m. – [Client Individual Meetings](#)

By invitation only.

8:00 a.m.-1:00 p.m. – Golf Scramble - Sponsored by TRAKAmerica

Start your conference experience by participating in the NCBA Golf Scramble at the [English Turn Golf and Country Club](#) a piece of New Orleans history.

The cost to participate is \$225 and [separate registration](#) is required. We're once again offering Super Tickets to upgrade your golf game with mulligans and to move up one tee box for \$60 if you prepurchase or \$80 on-site. You can also sponsor a foursome which allows you to request who you play with for \$2,000. Proceeds from the Golf Scramble will go to the [NCBA Advocacy Support Fund](#).

8:00-9:45 a.m. – SCBA Forum Breakfast Meeting - Sponsored by ProVest

For anyone interested in state advocacy issues.

[Meeting Agenda](#)

Waterbury - Level 2

9:00-11:00 a.m. – Pickleball Tournament - Sponsored by Provana

Come out and join the fun at the [HealthClub by Hilton](#) at Hilton New Orleans Riverside which is within walking distance to the Sheraton.

The cost to participate is \$60 and [separate registration](#) is required.

9:45 a.m.-6:00 p.m. – Exhibit Hall Open

Napoleon Ballroom - Level 3

9:45-11:45 a.m. – Espresso Bar - Sponsored by Barron & Newburger, P.C.

Napoleon Ballroom - Level 3

10:00-11:00 a.m. – Counterclaim Traps for the Unwary - Sponsored by SERVPRO-legal

More today than ever a common "defense" to a collection suit includes a counterclaim based not only under the FDCPA but similar or even unique state laws. This panel will discuss the different state law counterclaims advanced around the country on a regional basis. For example, in Missouri, a common counterclaim is an action under the Missouri Merchandising Practices Act, while in California, a common counterclaim is brought under the Rosenthal Act, and in Michigan, the Michigan Collection Practices Act. We will also discuss ethical considerations that come along with being named in a counterclaim along with your client or another associate in your firm.

Learning objectives:

- Identify and explore concurrent conflicts of interest in representing clients
- Examining the intersection of the ethical rules with indemnification provisions in client contracts
- Identify considerations when individual employees, or associate attorneys, are named in litigation
- Analyze and assess common law and unique state law claims arising from prosecution of collection cases
- Weighing ethical considerations in terminating or withdrawing from client representation
- Managing challenges where lawyer may, or will, be called as a witness

Ethics CLE is pending for this session.

Speakers: **Tomio Narita**, Womble Bond Dickinson (US) LLP; **Nicole M. Strickler**, Messer Strickler Burnette LTD; **Brit Suttell**, Barron & Newburger, P.C.

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

11:10 a.m.-12:10 p.m. – Treatment of Personal Property During Bankruptcy: Protecting Creditor’s Interests and Maximizing Recovery

This panel will focus on navigating Personal Property issues in Bankruptcy, including:

- **Understanding Creditors’ Rights in Bankruptcy:** An overview of personal property treatment in bankruptcy and creditors’ rights across various chapters (e.g., Chapter 7, Chapter 13, Chapter 11).
- **Garnishments in Bankruptcy:** How bankruptcy affects existing garnishments and creditors’ rights to enforce garnishments.
- **Repossession of Personal Property:** The legal procedures and limitations around repossessing personal property, including vehicles and other secured assets, during and after bankruptcy proceedings.
- **Challenging Exemptions:** How creditors can challenge a debtor’s claimed exemptions on personal property, garnishments, and repossession to maximize recovery.
- **Automatic Stay Implications:** Detailed analysis of the automatic stay’s impact on creditors’ ability to pursue garnishments and repossession, along with strategies for seeking relief from the stay.
- **Valuation and Asset Recovery:** Ensuring accurate valuation of personal property and strategizing around the liquidation of assets to maximize creditor recovery.
- **Practical Tips for Creditors and Legal Counsel:** Best practices for protecting creditor interests throughout the bankruptcy process, including repossession actions, filing proofs of claim, and managing garnishments.

This topic would be particularly useful for creditors, financial institutions, and legal professionals who manage personal property, garnishments and repossessions in the context of bankruptcy cases.

CLE is pending for this session.

Speakers: **Thomas A. Lee III**, Becket & Lee LLP; **John Sperati**, Smith Debnam Narron Drake Saintsing & Myers, LLP

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

12:10-1:20 p.m. – Lunch in Exhibit Hall

Napoleon Ballroom - Level 3

12:10-1:10 p.m. – Bankruptcy Lunch

Open to any NCBA members interested in Bankruptcy for the Creditors Rights Attorney.

Borgne - Level 3

1:20-2:20 p.m. – Privacy and Data Security – Managing Data Breach Risks and Class Action Exposure – Sponsored by REPAY

With malware and scams at an all time high, data security should be a top concern for any business but particularly those that deal with sensitive consumer data. Attendees at this panel will learn about recent data breach incidents, the sources of data breaches, the costs of responding, insurance coverage issues, and class action risks that can arise. The panelists will discuss compliance strategies to protect your data from breach, obligations if a breach occurs, and common claims that arise.

CLE is pending for this session.

Speakers: **John Bedard**, Bedard Law Group, P.C.; **Kyle Kessler**, Womble Bond Dickinson (US) LLP; **Tomio Narita**, Womble Bond Dickinson (US) LLP

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

2:00-3:45 p.m. – Client Group Meeting - JPMorgan Chase

By invitation only.

Waterbury - Level 2

2:30-3:30 p.m. – Exemptions in Bankruptcy: A Multistate Overview

This session will provide a basic overview of exemptions in bankruptcy, including a comparative review of various exemption laws in three states. Speakers will discuss the basic structure and operation of 11 U.S.C. 522, including how exemptions function, limits on exemptions, and “frequent flyer” objections to a debtor’s claim of exemptions. Finally, the panel will discuss the process of judicial lien avoidance under 11 U.S.C. 522(f) and how to calculate the amount of a debtor’s non-exempt equity in an asset.

CLE is pending for this session.

Speakers: **John Bircher, III**, Davis Hartman Wright PLLC & Chapter 7 Trustee Eastern District of North Carolina; **Landon VanWinkle**, Smith Debnam Narron Drake Saintsing & Myers, LLP

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

3:30-3:45 p.m. – Break in Exhibit Hall

Napoleon Ballroom - Level 3

3:45-5:00 p.m. – Opening General Session and NCBA Annual Meeting

Join us for our annual Meeting and Town Hall to hear from NCBA leadership on the state of the association featuring remarks from NCBA President, **Barbara Nilsen** of Blitt and Gaines, P.C.; President-Elect, **Michael Stillman** of Stillman Law Office; and Treasurer, **Ellie Tami** of Gordon, Aylworth & Tami, P.C.

Unlocking the Large Participant Rule & Preparing for CFPB Supervision

Earlier this year, NCBA members and agencies started receiving another round of [Large Participant](#) Surveys from the CFPB. This survey is meant to help the CFPB discern which firms, among our industry, fall under CFPB supervision per the CFPB's [Large Participant Rule](#). Our industry received these several years ago, but this survey appears different in nature and may (or may not) be a sign that the Bureau is planning or considering examining some of our industry.

Following our 2024 Annual Meeting, this opening session will dive into what it means to be supervised by the CFPB. Our speakers will cover the practical considerations like:

1. What Triggers an Examination?
2. What is an Examination Like?
3. Attorney-Client Privilege in the Examination Context
4. Potential Outcomes of an Examination
5. Confidential Supervisory Information
6. How to Prepare for an Examination

Additionally, they will share anecdotal insights into what has worked well and what has been problematic for supervised entities. Whether you are a creditor, vendor, a large, medium or small firm, this session will give you actionable steps to take and practical implications to take home to your compliance and operations teams.

Speakers: **Barbara Nilsen**, Blitt and Gaines, P.C.; **Dara Tarkowski**, Actuate Law; **Robert Winters**, Crown Asset Management, LLC

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

5:00-6:00 p.m. – Reception Sponsored by the Defense Bar

All are welcome to attend.

Sponsored by:

[Barron & Newburger, P.C.](#)
[Hinshaw & Culbertson, LLP](#)

[The Law Offices of Ronald S. Canter, LLC](#)
[Messer Strickler Burnette, Ltd.](#)

Napoleon Ballroom - Level 3

9:00 p.m.-12:00 a.m. – After Party Hosted by NCBA & Receivables Info

Join us after the first full day of the conference for an after dinner party at [NOLA Brewing](#) featuring:

- Live music
- Open bar with a signature cocktail, spirits, beer, and wine
- Hors d'oeuvres and pizza

A shuttle will run between the Sheraton Hotel and NOLA Brewing until midnight.

Please [RSVP with your intent](#) to participate to help us with a headcount for the event.

[RSVP Now](#)

Sponsored by:



NOLA Brewing – 3033 Tchoupitoulas Street | New Orleans, LA 70115

Wednesday, October 23

7:30 a.m.-5:30 p.m. – Registration Desk Open - Sponsored by Pro Asset

Napoleon Foyer - Level 3

7:45 a.m.-6:00 p.m. – Exhibit Hall Open

Napoleon Ballroom - Level 3

7:45-8:30 a.m. – Breakfast in Exhibit Hall - Sponsored by TransUnion

Napoleon Ballroom - Level 3

8:00 a.m.-5:00 p.m. – [Client Individual Meetings](#)

By invitation only.

8:00-11:00 a.m. – Espresso Bar - Sponsored by Barron & Newburger, P.C.

Napoleon Ballroom - Level 3

8:30-9:00 a.m. – Client Group Meeting - LCS Financial Services

By invitation only.

Borgne - Level 3

8:30-9:30 a.m. – View from the Trustee’s Chair: How Creditors Can Avoid Trouble in Chapter 13 Cases

This program provides a thorough and engaging exploration of essential bankruptcy concepts, specifically tailored to assist creditors in navigating the intricate landscape of Chapter 13. Participants will gain valuable insights into the crucial role of the Chapter 13 Trustee, who is responsible for a range of vital tasks, including reviewing bankruptcy filings, verifying debtor qualifications, evaluating proposed repayment plans for legal compliance, collecting payments, and distributing funds to creditors. The Trustee’s overarching goal is to ensure that creditors

receive the maximum payment possible in alignment with the provisions of the United States Bankruptcy Code.

In addition to covering these foundational aspects, the course will also address common challenges that creditors and their attorneys frequently encounter. Topics of focus will include mortgages, claim classification, adherence to local rules, the implications of the automatic stay, vesting, sanctions, and the necessity of heightened scrutiny. The course will further explore civil procedure, effective communication strategies, and the 341 hearing, commonly referred to as the meeting of creditors.

Furthermore, the program will explore the significant interplay between state law and the Bankruptcy Code, providing practical guidance on managing attorney's fees within this framework. By presenting the Trustee's perspective, this course aims to equip creditors and their legal representatives with the essential knowledge and tools needed to navigate the Chapter 13 process effectively, helping them avoid potential pitfalls and achieve optimal outcomes.

CLE is pending for this session.

Speakers: **Tom Canary**, Keith D. Weiner & Associates Co., L.P.A.; **Daryl J. Smith Esq**, Chapter 13 Trustee for the Western District of Louisiana

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

9:00-10:00 a.m. – Client Group Meeting - Harvest Strategy Group

By invitation only.

Waterbury - Level 2

9:40-10:40 a.m. – Navigating Wage Garnishments: Employer and Creditor Perspectives on Compliance Challenges – Sponsored by Provana

Employers and payroll professionals play a key role in ensuring that the wage garnishments are properly processed, and payments sent to the correct recipients. However, the variation in creditor garnishment requirements and procedures among states is one of the most vexing compliance issues facing employers today. The interactions between creditors, employees (debtors) and employers can sometimes be a challenge. Join us for an information sharing panel on the perspectives of employers and creditors/attorneys. Learn how variances from the federal CCPA impact employers/payroll professionals processing the garnishment. Understand challenges employers and creditors/attorneys face when processing garnishments. Share best practices from employers and creditors/attorneys related to garnishments.

CLE is pending for this session.

Speakers: **Michael P. Brown**, Dayforce; **Corrine Flores**, ADP; **Curtis A. Robertson**, Weber & Olcese, P.L.C.; **Nathan Willner**, National Creditors Bar Association

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

10:05-10:35 a.m. – Client Group Meeting - Resurgent Capital Services

Borgne - Level 3

10:40-11:40 a.m. – Client Group Meeting - Credit Acceptance

By invitation only.

Waterbury - Level 2

10:40-11:00 a.m. – Break in Exhibit Hall

Napoleon Ballroom - Level 3

11:00 a.m.-12:00 p.m. – Law Gone Wild: A Judge’s Take on Unethical Lawyer Behavior

Dive into the wild side of legal ethics led by the Honorable Guy Holdridge, formerly of the First Circuit Court of Appeals for Louisiana and 23rd Judicial District Court. We will explore the most egregious examples of unethical behavior within the legal profession, revealing how such actions not only jeopardize individual careers but also undermines the integrity of the justice system as a whole. Participants will gain a nuanced understanding of various forms of misconduct, from flamboyant courtroom antics to covert ethical breaches. The Session will cover preventative measures and best practices for maintaining professional integrity, offering practical strategies to navigate and avoid the pitfalls of unethical behavior.

Ethics CLE is pending for this session.

Speaker: **Guy Holdridge**, Former Judge for the First Circuit Court of Appeals for Louisiana and 23rd Judicial District Court

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

11:45 a.m.-12:15 p.m. – Client Group Meeting - Capital One

By invitation only.

Borgne - Level 3

12:00-1:00 p.m. – Lunch in Exhibit Hall

Napoleon Ballroom - Level 3

12:00-1:00 p.m. – Defense Bar Lunch

Maurepas - Level 3

1:00-2:00 p.m. – Open Client Group Meeting - TRAKAmerica

This event is a unique opportunity to engage with industry leaders, share insights, and discuss the latest developments in the legal landscape. The agenda will include presentations from TRAKAmerica's leadership team, recognition and awards, discussions on innovative solutions, and networking opportunities that will help strengthen professional relationships.

Waterbury - Level 2

1:30-2:30 p.m. – Using Appearance Counsel – I Want It All

Attorneys use appearance counsel as an alternative to having more attorneys on staff and to cover a greater geographic area. But how do you create a successful experience when using appearance counsel? What protocol should someone use in retaining and using appearance counsel, maximizing the benefits from appearance counsel and minimizing the risks? You can expect to learn in this important session:

- Overview of ethics when using appearance counsel, including risks of sanctions and supervision
- Contracting with appearance counsel, including insurance coverage
- Confidentiality issues
- Training and supervision
- Processes, including what to provide appearance counsel
- What information and documentation appearance counsel want to receive

CLE is pending for this session.

Speakers: **Hal Burke**, Scheer, Green and Burke LPA; **June Coleman**, Messer Strickler Burnette, Ltd.; **Crystal Duplay**, Levy and Associates

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

2:00-3:00 p.m. – JST Users Group Meeting

JST customers only please.

Southdown - Level 4

2:15-2:45 p.m. – Client Group Meeting - Bank of America

By invitation only.

Waterbury - Level 2

2:40-3:40 p.m. – The Breadth of Fintech

Join us for an in-depth exploration of the dynamic and rapidly evolving field of financial technology (fintech). This session, titled “The Breadth of Fintech,” will cover a wide range of critical topics including true lender theories, National Bank Act preemption, usury concerns, actions by the Office of the Comptroller of the Currency (OCC), and the general challenges faced by the fintech industry. Our distinguished panel of legal experts will provide valuable insights and practical guidance on navigating these complex issues.

Learning Objectives:

- **Understand True Lender Theories:** Gain a comprehensive understanding of true lender theories and their implications for fintech companies and traditional financial institutions.
- **National Bank Act Preemption:** Explore the scope and limitations of National Bank Act preemption and its impact on state usury laws and fintech operations.
- **Usury Concerns:** Examine the legal and regulatory challenges related to usury laws and how they affect fintech lending practices.
- **OCC Actions:** Analyze recent regulatory actions and guidance from the OCC and their significance for fintech companies.

- **General Fintech Challenges:** Identify and discuss broader challenges faced by the fintech industry, including regulatory compliance, cybersecurity, and consumer protection.

This session is designed for legal professionals, compliance officers, and others interested in the intersection of law and financial technology. Attendees will leave with a deeper understanding of related regulations, case law and legal landscape surrounding fintech and practical strategies for addressing the unique challenges in this rapidly changing field.

CLE is pending for this session.

Speakers: **Luke Chamberlain**, Messer Strickler Burnette, Ltd.; **Joann Needleman**, Clark Hill PLC; **Manny Newburger**, Barron & Newburger, P.C.

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

2:45-3:45 p.m. – Client Group Meeting - Absolute Resolutions Corporation

By invitation only.

Borgne - Level 3

3:30-4:30 p.m. – Client Group Meeting - Cavalry Portfolio Services

By invitation only.

Waterbury - Level 2

3:40-4:00 p.m. – Break in Exhibit Hall

Napoleon Ballroom - Level 3

4:00-5:15 p.m. – Client-Only Reception

By invitation only.

Sponsored by:

[Aldridge Pite Haan, LLP](#)

[Andreu, Palma, Lavin & Solis, PLLC](#)

[Blitt & Gaines, P.C.](#)

[Gordon, Aylworth & Tami, P.C.](#)

[Gurstel Law Firm P.C.](#)

[Mountain Peak Law Group, PC](#)

[Rubin & Rothman, LLC](#)

[Stillman Law Office](#)

Maurepas - Level 3

4:00-5:00 p.m. – Client Group Meeting - Velocity Portfolio Group

By invitation only.

Borgne - Level 3

4:00-5:00 p.m. – Practical Pointers on Fintech Collections

The presenters will discuss the basics of fintech lending products, pre-suit diligence steps, evidentiary challenges, and important legal cases involving fintech products. Specific steps for pre-suit diligence and common evidentiary challenges will be discussed.

Learning Objectives:

- **Understand Fintech Lending Products:** Gain a basic understanding of fintech lending products.
- **Pre-suit Diligence Steps:** Learn the essential steps for pre-suit diligence.
- **Identify Common Evidentiary Challenges:** Recognize and address common evidentiary challenges and defenses in fintech collections.
- **Analyze Important Legal Cases:** Review and analyze significant legal cases involving fintech products.

CLE is pending for this session.

Speakers: **Andrew Blady**, Spring Oaks Capital; **Justin Penn**, Hinshaw & Culbertson, LLP; **Jamie Polon**, Mavrides, Moyal, Packman & Sadkin, LLP

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

5:00-6:00 p.m. – Reception - Sponsored by Equifax | The Work Number

Napoleon Ballroom - Level 3

Thursday, October 24

7:45 a.m.-12:00 p.m. – Registration Desk Open - Sponsored by Pro Asset

Napoleon Foyer - Level 3

7:45 a.m.-11:45 a.m. – Exhibit Hall Open

Napoleon Ballroom - Level 3

7:45-8:30 a.m. – Breakfast in Exhibit Hall

Napoleon Ballroom - Level 3

8:00 a.m. – [Client Individual Meetings](#)

By invitation only.

8:30-9:30 a.m. – Directing the Direct Examination

This interactive program, like cross-examination, will cover topics on preparing witnesses for direct examination in a way that will benefit both creditors' rights counsel, FDCPA defense counsel, and others. The program will focus on the differences between cross-exam and direct examination and the role of trial counsel, properly authenticating the debt related documents, connecting with the judge during direct, using terms and labels to advance proofs needed for judgment and themes of a case, and predicting cross examination damage of your witness and deflating the attack. It will also focus on the challenges in debt recovery cases of limited witnesses, effectively preparing witnesses in a short time frame, anticipating authentication issues ahead of time, re-direct exam, and refreshing recollection.

CLE is pending for this session.

Speaker: **Wes Wollenweber**, WF Legal

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

9:00-10:00 a.m. – Client Group Meeting - Barclays Bank Delaware

By invitation only.

Borgne - Level 3

9:40-10:40 a.m. – What Does the Bar Say About That

Every day in practice lawyers are faced with obvious and not-so-obvious ethical issues covering the gamut of activities from speaking to represented parties, drafting fee agreements, preparing witnesses for deposition, to supervising non-lawyer assistants and onboarding new technology to use at the firm. This session will review interesting ethics issues faced by attorneys (specifically those in the collection industry) to help call out best practices and approaches you can implement as you face similar situations in your own practice especially as software products, including generative AI, continue to revolutionize business processes. This session will be grounded in the model rules of professional responsibilities, recent ABA Ethics Opinions, and different state bar association legal ethics opinions.

Ethics CLE is pending for this session.

Speakers: **Kelly Knepper-Stephens**, TrueML; **Nicole Strickler**, Messer Strickler Burnette, Ltd.

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom

10:00-11:00 a.m. – Client Group Meeting - Midland Credit Management

By invitation only.

Waterbury - Level 2

10:45-11:45 a.m. – Defense Bar Hot Topics

Join us for an insightful webinar covering current and pressing creditors rights law “hot topics”. In addition to a rundown of “hot topic” new case law, listen as our legal experts breakdown new legal trends in lawsuits against debt collectors across the country. Learn how to address these legal issues, review preventative “best practices” measures and discover what law firms are likely to see in the immediate future regarding consumer litigation.

Session presenters will cover critical topics with the learning objectives to provide attendees the latest legal outlook on:

- Consumer Communication issues

- FDCPA's distinction between "medium" and "location"
- Verification vs. Validation of the debt
- E-mail replies
- Article III standing
- Arbitration
- Credit reporting disputes
- Call baiting results
- Sovereign citizen scams

CLE is pending for this session.

Speakers: **Xerxes Martin**, Martin Golden Lyons Watts Morgan; **Jeff Topor**, Womble Bond Dickinson (US) LLP; **Mitch Williamson**, Barron & Newburger, P.C.

General Session Room - Level 3 - Enter through the Exhibit Hall in the Napoleon Ballroom
