



Conference Agenda

Tuesday, October 25

2:00-6:00 p.m. — Registration Desk Open – Sponsored by InvestiNet, LLC

Tampa Bay Foyer - Level 4

3:00-5:30 p.m. — NCBA Board Meeting

Tampa Bay 1 - Level 4

Wednesday, October 26

6:30 a.m. — Bus Departs for Golf Scramble

JW Marriott Tampa Water Street Lobby

7:45-11:30 a.m. — Espresso Bar – Sponsored by Barron & Newburger, P.C.

Tampa Bay Foyer - Level 4

8:00 a.m.-1:00 p.m. — Golf Scramble sponsored by TRAKAmerica

This schedule is subject to change. All times listed are in eastern time.

NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

8:00 a.m.-6:00 p.m. — Registration Desk Open – Sponsored by InvestiNet, LLC

Tampa Bay Foyer - Level 4

9:00 a.m.-5:00 p.m. — Client Individual Meetings

By invitation only unless otherwise noted.

9:00 a.m.-12:00 p.m. — Exhibitor Setup

Tampa Bay 1-5 - Level 4

12:00-6:30 p.m. — Exhibit Hall Open

Tampa Bay 1-5 - Level 4

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

Tampa Bay 1-5 - Level 4

1:00-2:00 p.m. — Navigating the Rocks & Shoals of Regulation F Using the CFPB's FAQs

Regulation F is a big part of the life of a creditors-rights attorney. The CFPB has issued and updated FAQs to assist us with interpreting the regulation. This presentation will review the FAQs and offer common-sense explanations for how to utilize them in your practice, as well as ask some questions to which we do not yet have answers.

Speakers: **Eileen Bitterman**, Weltman Weinberg & Reis; **Amy Mertz Brown**, Gurstel Law Firm P.C.; **Barbara Nilsen**, Blitt and Gaines, P.C.; **David Weimer**, Kramer & Frank, P.C.

CLE is pending for this session.

Tampa Bay 6-8 - Enter through Exhibit Hall - Level 4

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

1:00-5:00 p.m. — Open Client Meeting – LegalStream

LegalStream is looking for multi-state law firms with coverage across the US.

Edison - Level 3

2:10-3:10 p.m. — DEI and the Creditors Rights Attorney – Can We Eliminate Bias in the Legal Profession?

From the industry regulators' focus on "disparate impact" to corporate culture's embrace of DEI policies, unconscious bias is no longer a subject that attorneys can ignore.

Join Community Tampa Bay CEO, Tammy Briant Spratling, to review the available tools attorneys need to ethically identify and eliminate bias in the legal profession.

Unconscious bias plays a role in how we organize and interpret the world, but if left unchecked, such biases can—and do—have significant consequences in the practice of law. We must understand our biases, and the vulnerability we have to be influenced by cognitive biases, in order to minimize the harmful effects of biases. In this program, DEI expert, attorney Tammy Briant Spratling, will help participants do just that, covering topics such as: the forms of unconscious bias; the impact bias can have on the legal profession, the Implicit Association Test (IAT) and what it can teach us about unconscious bias; and the risks of confirmation bias.

Learning Objectives

Attendees will leave the presentation with an understanding of:

- The different types of bias (unconscious and conscious) and be able to name biases that occur in the legal profession such as: Group Think, the Benjamin Franklin Effect, Confirmation Bias, and Self-Serving Bias.
- Studies that indicate disparate impact from bias in the legal profession.
- The Harvard Implicit Association Test - the best tool to measure personal bias.
- The four methods to mitigate negative effects of implicit bias: 1) education, 2) avoiding assumptions, 3) exposure, 4) making positive associations.

Speaker: **Tammy Briant Spratling**, Community Tampa Bay

Elimination of Bias CLE is pending for this session.

Tampa Bay 6-8 - Enter through Exhibit Hall - Level 4

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

3:00-3:30 p.m. — Client Group Meeting - Resurgent Capital Services

By invitation only.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

3:10-3:30 p.m. — Break in Exhibit Hall – Sponsored by National Debt Relief

Tampa Bay 1-5 - Level 4

3:30-5:00 p.m. — Opening General Session and NCBA Annual Meeting

Tampa Bay 6-8 - Enter through Exhibit Hall - Level 4

3:30-4:00 p.m. – Annual Meeting and Town Hall

Join us for our Annual Meeting and Town Hall to hear from NCBA leadership on the state of your association. Also get an update on NCBA's advocacy efforts by NCBA's Advocacy Pillar and Washington, DC government relations professionals.

4:00-5:00 p.m. – Making Sense of the CFPB's Current Priorities and What Law Firms Should Be Doing Now

When the CFPB speaks, law firms and their clients listen. This presentation will aid NCBA members in assessing whether their current compliance infrastructures will pass muster with the CFPB's new priorities on issues such as discrimination and UDAAP in all phases of debt collection, student loan, medical debt, and credit reporting. The presenters will identify operational and compliance challenges for law firms and discuss ways to meet compliance expectations from examiners, enforcement attorneys, and clients. Through the lens of those priorities the presentation will provide some recommendations in order to assess operational gaps and/or weaknesses and where to remediate.

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

The presentation will also identify ethical challenges in dealing with examination and supervision.

Speakers: **Joann Needleman**, Clark Hill PLC; **Manny Newburger**, Barron & Newburger, P.C.; **K. (Gandhi) Eswaramoorthy**, CFPB

CLE is pending for this session.

5:00-6:30 p.m. — Defense Bar Reception

Tampa Bay 1-5 - Level 4

Sponsored by:

[Barron & Newburger, P.C.](#)
[Bassford Remele, P.A.](#)
[Bedard Law Group, P.C.](#)
[Gordon Rees Scully Mansukhani, LLP](#)
[Hinshaw & Culbertson, LLC](#)

[Messer Strickler Burnette](#)
[The Law Offices of Ronald S. Canter,](#)
[LLC](#)
[Simmonds & Narita LLP](#)
[Tobin & Marohn](#)

Thursday, October 27

7:30-8:30 a.m. — SCBA Forum Breakfast Meeting: Insights by John Bedard, Esq. - The Hunstein Ruling and State Courts

What SCBAs can do to educate state bench-bar committees.

Manatee - Level 4

7:45 a.m.-6:30 p.m. — Exhibit Hall Open

Tampa Bay 1-5 - Level 4

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

7:45 a.m.-5:30 p.m. — Registration Desk Open – Sponsored by InvestiNet, LLC

Tampa Bay Foyer - Level 4

7:45-11:30 a.m. — Espresso Bar – Sponsored by Barron & Newburger, P.C.

Tampa Bay 1-5 - Level 4

7:45-9:00 a.m. — Breakfast in Exhibit Hall – Sponsored by Rogers Law Offices

Tampa Bay 1-5 - Level 4

8:30-9:30 a.m. — Client Group Meeting - Credit Acceptance

By invitation only.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

8:30-9:30 a.m. — Bankruptcy Basics 101: Bankruptcy Law and the Creditors Rights Attorney

As a creditor rights attorneys you need to be able to discuss the process and different available courses of action with your clients. Do yourself, your clients and your profit margins a favor, make sure you understand bankruptcy basics 101. Participants in this session will gain an understanding of how consumer and corporate bankruptcy proceedings begin and end, as well as learn about key issues that affect debtor and creditor rights during bankruptcy, including, the impact of the bankruptcy filing, the automatic stay, motions to lift stay, adversarial proceedings, proofs of claims, bankruptcy case milestones, property of the estate, the different types of bankruptcy chapters available and more.

Speakers: **John Sperati**, Smith Debnam Narron Drake Saintsing & Meyers; **Landon Van Winkle**, Smith Debnam Narron Drake Saintsing & Meyers

Moderator: **Tom Canary**, Keith D. Weiner & Associates Co., L.P.A.

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October 26-28 | Tampa, FL

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CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

9:00 a.m.-5:00 p.m. — Open Client Meeting – LegalStream

LegalStream is looking for multi-state law firms with coverage across the US.

Edison - Level 3

9:00 a.m.-5:00 p.m. — Client Individual Meetings

By invitation only unless otherwise noted.

9:00-9:30 a.m. — Open Client Group Meeting - AACANet

AACANET is looking for attorneys practicing in creditor rights areas of replevin and bankruptcy, as well as collections firms in various states.

Tampa Bay 8 - Enter through Exhibit Hall - Level 4

9:30-10:00 a.m. — Open Client Group Meeting - The Law Office of Sarah A. Okrzynski, LLC

The Law Office of Sarah A. Okrzynski is looking for replevin/impound experience in all states.

Hillsborough - Level 4

9:40-10:40 a.m. — Compliance Management Systems (CMS) 201 - Sponsored by KnovaOne

You created and implemented your CMS, but when was the last time you did a top-to-bottom review of it? In this session you will learn from industry compliance experts about the most common gaps found in compliance management systems and how filling them will help you upgrade your CMS and reduce your firm's regulatory and FDCPA litigation risk.

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

Speakers: **Brit Suttell**, Barron & Newburger, P.C.; **John Bedard**, Bedard Law Group

CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

9:50-10:20 a.m. — Client Group Meeting - Midland Credit Management (MCM)

By invitation only.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

10:25-10:55 a.m. — Client Group Meeting - TRAKAmerica

By invitation only.

Tampa Bay 8 - Enter through Exhibit Hall - Level 4

10:40-11:00 a.m. — Break in Exhibit Hall - Sponsored by KnovaOne

Tampa Bay 1-5 - Level 4

11:00 a.m.-12:00 p.m. — Handling Objections to Evidence in Consumer Cases

This session focuses on the rules of evidence and the challenges that attorneys have when dealing with objections. The Rules of Evidence are really the “Rules of Keeping Stuff Out of Evidence” and many trials turn upon whether or not certain key pieces of evidence can be admitted or are excluded. There is also a lot of planning that needs to happen well before trial to ensure that you can “get it in” at the trial.

Speakers: **Tomio Narita**, Simmonds & Narita, LLP; **Jeff Topor**, Simmonds & Narita, LLP

CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

11:00 a.m.-12:00 p.m. — Client Group Meeting - Discover

By invitation only.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

12:00-1:30 p.m. — Lunch in Exhibit Hall - Sponsored by RAS LaVrar, LLC

Tampa Bay 1-5 - Level 4

12:00-1:15 p.m. — JST Customer Get-Together and Lunch

JST customers only please.

Tampa Bay 8 - Enter through Exhibit Hall - Level 4

12:00-1:00 p.m. — Defense Bar Lunch

Manatee - Level 4

1:00-2:00 p.m. — Client Group Meeting - J.P.Morgan Chase Bank, N.A.

By invitation only.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

1:30-2:30 p.m. — Navigating Regulatory Challenges in Fintech Collection Litigation - Sponsored by Sedric

Join our panelists for a follow up from the 2022 Spring Conference session Demystifying the Fintech Litigation Roadmap about the unique challenges faced when litigating fintech installment loans. They will discuss recent and new regulatory topics, from Reg F to CCFA, to the "Protecting Consumers from Unjust Debt Collection Practices Amendment Act of 2022." The conversation will cover common pitfalls and best practices and identify points that remain open for interpretation and clarification.

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

Speakers: **Laura Jensen**, Absolute Resolutions Corp.; **Rebekah Luebcke**, Crown Asset Management, LLC; **Barbara Nilsen**, Blitt and Gaines P.C.

CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

2:15-2:45 p.m.

Open Client Group Meeting - Law Offices of Goldberg & Oriel

Law Offices of Goldberg & Oriel is looking for hourly foreclosure attorneys with focus on Illinois and California and contingency attorneys in these states and all jurisdictions.

Hillsborough - Level 4

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

By invitation only.

Tampa Bay 8 - Enter through Exhibit Hall - Level 4

2:40-3:40 p.m. — ETHICS SESSION: And You Get a Lawsuit! And Your Client Gets a Lawsuit! – What to Do When You and Your Client Are Sued for the Same Collection Efforts (Ethics Session)

This session will provide an in-depth treatment of the legal and ethical implications when your law firm and its client are named in a consumer lawsuit. This presentation will discuss the most common statutory and common law theories advanced by consumer attorneys, strategies in defending the claim and the ethical obligations that every lawyer must address when a lawsuit names an attorney and their client. From the most basic, initial question – Can we both be represented by the attorney or some other attorney? To the nuts and bolts regarding conflict waiver issues. Is indemnification a foregone conclusion or a business decision. What about attorney client communications if you are both named in a complaint or cross complaint? And perhaps one of the biggest questions is can you represent yourself aggressively and represent your client, who may have different goals in mind.

Learning Objectives

Attendees will leave the presentation with an understanding of:

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

- The procedural similarities and differences between Counter Claims vs. Cross Complaints
- How to understand and ethically deal with claims made by State and Federal Regulators against the attorney and client
- If client indemnification is permitted, as well as the ethical extent and boundaries of the Attorney-Client relationship
- Insights on conflicts and how to ethically obtain conflict waivers
- How to accurately and ethically communicate notice of pending claims to clients
- Ethical continuation of the Attorney-Client relationship following a conflict of interest

Speakers: **Ronald Canter**, The Law Offices of Ronald S. Canter, LLC; **June Coleman**, Messer Strickler, Ltd.

Ethics CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

3:00-3:30 p.m. — Open Client Group Meeting - Harvest Strategy Group

Harvest Strategy Group is looking for litigation partners specifically in NM and WV.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

3:15-3:45 p.m. — Client Group Meeting - LCS Financial Services Corporation

By invitation only.

Tampa Bay 8 - Enter through Exhibit Hall - Level 4

3:40-4:00 p.m. — Break in Exhibit Hall - Sponsored by KnovaOne

Tampa Bay 1-5 - Level 4

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

Manatee - Level 4

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

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By invitation only.

Sponsored by:

[Blitt & Gaines, P.C.](#)
[Gordon, Aylworth & Tami, P.C.](#)
[Keith D. Weiner & Associates Co.,
L.P.A.](#)
[Levy & Associates, LLC](#)
[Lyons, Doughty, and Veldhuis, P.C.](#)

[Messerli & Kramer P.A.](#)
[Rubin & Rothman, LLC](#)
[Stillman Law Office](#)
[Tromberg, Morris and Poulin, PLLC](#)

4:00-5:00 p.m. — Crash Course in Compliance with the New FTC Safeguards Rule

The New FTC Safeguards Rule goes into effect December 9, 2022. The purpose of the FTC's [Standards for Safeguarding Customer Information](#) (Safeguards Rule) is to protect the security of [customer information](#). While in effect since 2003, after public comment in 2021 the FTC amended the Rule to keep pace with current technology. The revised Rule provides concrete guidance and core data security principles that covered entities are required to implement. Additionally, both the state of New York and the CFPB have published guidelines that support and follow this new rule. Learn what law firms need to do to be prepared and compliant before the revised rule goes into effect.

Speakers: **Heath Morgan**, Malone Frost Martin PLLC; **Geoff Wilson**, Go Security Pro
CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

4:00-5:00 p.m. — Client Group Meeting - Cavalry Portfolio Services, LLC

By invitation only.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

5:00-5:30 p.m. — NCBA 2022 Board of Directors Election Swearing-In

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

5:00-6:30 p.m. — Reception in Exhibit Hall – Sponsored by Equifax

Tampa Bay 1-5 - Level 4

Friday, October 28

7:45 a.m.-12:00 p.m. — Registration Desk Open – Sponsored by InvestiNet, LLC

Tampa Bay Foyer - Level 4

7:45-11:45 a.m. — Exhibit Hall Open

Tampa Bay 1-5 - Level 4

7:45-11:30 a.m. — Espresso Bar – Sponsored by Barron & Newburger, P.C.

Tampa Bay 1-5 - Level 4

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

Tampa Bay 1-5 - Level 4

8:30-9:30 a.m. — Pink Flamingos, or, Does the Plaintiff Have a Leg to Stand on Following *TransUnion v. Ramirez*?

Key learning points of this session:

- What is the status of Article III standing and how are the various circuits responding to *TransUnion v. Ramirez* in the context of FDCPA cases?
- Who bears the burden of proof for removal?
- How are consumers now attempting to circumvent federal jurisdiction?
- What are some of the concerns with FDCPA cases being heard in state courts?

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

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- Do state courts follow the federal standard for constitutional standing and if not, how do they differ from the federal standard?
- What are some of the strategies defense counsel can employ to handle the standing conundrum?

Speakers: **Caren Enloe**, Smith Debnam Narron Drake Saintsing & Meyers; **Lori Quinn**, Gordon Rees Scully Mansukhani, LLP; **Jeff Topor**, Simmonds & Narita, LLP; **Chantel Wonder**, Gordon Rees Scully Mansukhani, LLP;

CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

9:00-9:30 a.m. — Client Group Meeting - Citi

By invitation only.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

9:40-10:40 a.m. — Ethics Session on the Unlicensed Practice of Law (UPL) and Negotiation Ethics

This session will cover issues relating to the unauthorized practice of law in the context of multijurisdictional practices. This session will also provide an in-depth treatment of the legal and ethical implications when your law firm interacts with non-attorneys that advise consumers. This presentation will discuss how attorney disciplinary entities and courts look at UPL issues, recent trends of States allowing non-attorneys to offer legal services, and other legal issues that are unique to creditors rights law firms. Knowing and understanding the ethical obligations surrounding UPL is information every lawyer must be able to address. Finally, Ms. Chivers will cover the “do’s and don’ts” of negotiation ethics with respect to represented and unrepresented individuals.

Learn the importance of addressing the ethical consideration of the Unauthorized Practice of Law (UPL), a cornerstone of preserving the integrity of the legal profession.

Learning Objectives

Attendees to leave the presentation with an understanding of:

- What UPL is, how it plays out in modern ethical creditors rights legal practices,
- How the UPL can affect ethical considerations of creditors rights attorneys who practice in multiple jurisdictions

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NCBA 2022 Fall Conference

October 26-28 | Tampa, FL

Conference Agenda

- How attorneys can avoid negative UPL and serious ethical consequences, and
- How the unauthorized practice of creditors rights law intersects with an attorney's ethical obligations during litigation and settlement negotiations

Speaker: **Cassidy Chivers**, Barron & Newburger, P.C.

Ethics CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

9:45-10:15 a.m. — Open Client Group Meeting - Citi

Citi is looking for Recovery Litigation Attorneys in all regions.

Tampa Bay 9 - Enter through Exhibit Hall - Level 4

10:45-11:45 a.m. — JEOPARDY! ... And How to Avoid It (with Reg F)

Play along with the panelist's version of your favorite prime time quiz show! This session will review potential sources of legal jeopardy that firms should be aware of pertaining to Regulation F. We will discuss potential claims arising out of the Model Validation Notice, 7-in-7, email & text communications, and other aspects of the regulation.

Speakers: **Adam Cleveland**, Adam L. Cleveland, P.C.; **Crystal Duplay**, Kodak Law, LLC; **Jessica Lamoreux**, Oliver Technology Corporation; **Brit Suttell**, Barron & Newburger, P.C.

CLE is pending for this session.

Tampa Bay 6-7 - Enter through Exhibit Hall - Level 4

NCBA will seek 12 hours of CLE credit in 60-minute states, and 14.4 hours of CLE credit for this program in 50-minute states, including 2 hours of CLE Ethics specialty credit in 60-minute states and 2.4 hours of CLE Ethics specialty credit in 50-minute states as needed; as well as 1 hour of CLE Elimination of Bias Specialty credit in 60-minute states and 1.2 CLE Elimination of Bias Specialty credit in 50-minute states. Hours are estimated and are subject to each state's approval and credit rounding rules. Please visit the program website at [CLE Information - National Creditors Bar Association](#) for program CLE details.

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