

**AMERICAN BAR ASSOCIATION  
BUSINESS LAW SECTION  
CONSUMER FINANCIAL SERVICES COMMITTEE  
2010 WINTER MEETING  
PARK CITY, UTAH**



# **WELCOME LETTER**



**ASSOCIATION YEAR 2009-2010**

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4221 West Boy Scout Boulevard  
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P.O. Box 3528  
721 North Cincinnati Street  
Spokane, WA 99220-3528

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Martin E. Lybecker  
1875 Pennsylvania Avenue NW  
Washington, DC 20006-3642

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8300 Fox Hound Run NE  
Warren, OH 44484-1774

**CONTENT OFFICER**

Scott E. Ludwig  
Suite 900  
200 Clinton Avenue W  
Huntsville, AL 35801-4933

**IMMEDIATE PAST CHAIR**

Karl J. Ege  
Suite 4800  
1201 Third Avenue  
Seattle, WA 98101-3099

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Newark, NJ

Joel I. Greenberg  
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(312) 988-6244  
[suedaly@staff.abanet.org](mailto:suedaly@staff.abanet.org)

Dear Colleagues:

It is a pleasure to see each one of you here for the Winter Meeting of the Consumer Financial Services Committee at The Canyons here in Park City, Utah. Our meetings begin Saturday at 4:00 for Beer and Basics, sponsored by our Young Lawyers Subcommittee. Enjoy a beverage while some of our "seasoned" members update us on the federal re-regulation of the consumer financial services industry and prepare us for a more in-depth discussion by other subcommittees over the next few days.

We are grateful to longtime Committee member Tom Billings, of VanCott, Bagley, Cornwall & McCarthy in Salt Lake City, for sponsoring our Welcome Reception at nearby Park Meadows Country Club shortly after Beer and Basics.

On Sunday evening, our Internet Delivery and Electronic Banking and Deposit Products and Payment Systems Subcommittees have planned a social networking practicum, to show you how to take advantage of social networking websites in your practice. The Committee Dinner, affectionately known this year as "Donfest", will follow at 7:00 p.m. at the Lodge on the Canyons mountain. Please join us as we thank Don Lampe for his service to our Committee and to the ABA. There is no need to wait until "Donfest" to begin the "Donroast."

Our all CLE sessions Sunday through Tuesday begin at 7:00 AM and conclude by noon. In addition to winter sports including downhill skiing, snowboarding, snow shoeing, cross country skiing, snowmobiling, ice skating, and bobsledding (yes, bobsledding at the Olympic Park!), you may want to shop till you drop, visit local historical sites, do a little genealogical research, or just relax at a local spa. Please see Scott Sheehan, our activities coordinator, if you need help finding something to do.

This will be another outstanding meeting. Our subcommittee programs will include discussions on the multitude of developments in our industry such as the new TILA, RESPA, and credit card regulations, the state of arbitration, mortgage servicing, and the potential impact of the CFPA. Our Ethics program will explore how to fulfill our pro bono obligation in today's high pressure work environment. These are must see programs you will not want to miss!

Casual attire is appropriate for all Winter Meeting events.

Please call or email me at [franzen@franzen-salzano.com](mailto:franzen@franzen-salzano.com) (770) 248-2882, or one of my excellent vice chairs Rick Hackett at [rhackett@pierceatwood.com](mailto:rhackett@pierceatwood.com) (207) 791-1280 or Nikki Munro at [nmunro@hudco.com](mailto:nmunro@hudco.com) (410) 865-5430, if you have any comments about this meeting, questions about future meetings, or other Committee activities.

Welcome to Park City.

Terry Franzen, Chair  
Committee on Consumer Financial Services



# **MEETING SCHEDULE**



**AMERICAN BAR ASSOCIATION  
BUSINESS LAW SECTION  
CONSUMER FINANCIAL SERVICES COMMITTEE  
2010 WINTER MEETING  
Park City, UT                      January 9-12, 2010**

**MEETINGS AND PROGRAMS SCHEDULE  
As of 12/4/2009  
(Subject to Change)**

**SATURDAY, JANUARY 9, 2009**

4:00 – 6:00 pm                      **BEER & BASICS**

***PROGRAM: RE-REGULATION OF THE CONSUMER FINANCIAL SERVICES INDUSTRY:  
OVERVIEW OF NEW AND PROPOSED LAWS***

Presented by:  
YOUNG LAWYERS SUBCOMMITTEE

Chair:                      Emily Miller, Hudson Cook LLP, Hanover, MD  
Vice-Chair:                Doug Cuthbertson, Miles & Stockbridge, P.C., McLean, VA

Speakers:  
Margaret Stoler, Dreher Tomkies Scheiderer LLP, Columbus, OH  
Kirk Jensen, BuckleySandler, LLP, Washington, DC  
Meghan Musselman, Hudson Cook, LLP, Hanover, MD

6:00 – 6:30 pm                      FREE TIME

7:30 – 10:00 pm                    **RECEPTION - PARK MEADOWS COUNTRY CLUB**  
2000 MEADOWS DRIVE, PARK CITY, UT  
HOSTED BY VAN COTT, BAGLEY, CORNWALL & MCCARTHY  
(BUS TRANSPORTATION PROVIDED)

**SUNDAY, JANUARY 10, 2009**

7:00 – 7:30 am                      **WELCOME AND INTRODUCTIONS**

7:30 – 8:30 am                      ***PROGRAM - THE "CONSUMER FINANCIAL PROTECTION AGENCY ACT"***

PRESENTED BY:  
PREEMPTION AND FEDERALISM SUBCOMMITTEE

Chair:                      Ralph T. Wutscher, Kahrl Wutscher LLP, Chicago, IL  
Vice Chair:                David L. Beam, K&L Gates LLP, Washington, DC

Speakers:  
Jeffrey I Langer, Chapman and Cutler LLP, Chicago, IL  
Kathleen Keest, Center for Responsible Lending, Durham, NC

8:30 – 10:30 am

**PROGRAM - IMPLEMENTATION OF THE CARD ACT RULES**

PRESENTED BY:  
COMPLIANCE MANAGEMENT SUBCOMMITTEE

Chair: Joanne K. Sundheim, JPMorgan Chase, Wilmington, DE  
Vice Chair: Agnes Bundy Scanlan, TD Bank, Boston, MA  
Vice Chair: Ducie Le, Capital One, McLean, VA

TRUTH IN LENDING ACT SUBCOMMITTEE

Chair: Jacqueline Parker, Corporate Risk Advisors, Washington DC  
Vice Chair: Catherin Brennan, Hudson Cook, Hanover, MD  
Vice Chair: Jeffrey P. Naimon, BuckleySandler, Washington, DC

Speakers:

Marisa Gomez, Capital One, McLean, VA  
Oliver Ireland, Morrison & Foerster, Washington, DC  
Kathleen Keest, Center for Responsible Lending, Durham, NC  
Jeffrey P. Naimon, BuckleySandler, Washington, DC

10:30 – 10:45 am

BREAK

10:45 – 12:00 pm

**PROGRAM - TO TWEET OR NOT TO TWEET... ?**

PRESENTED BY:  
INTERNET DELIVERY/ELECTRONIC BANKING SUBCOMMITTEE

Chair: Russell Schrader, Visa, Inc., San Francisco, CA  
Vice Chair: Veronica K. McGregor, Perkins Coie LLP, San Francisco, CA

DEPOSIT PRODUCTS AND PAYMENTS SYSTEMS SUBCOMMITTEE

Chair: Ryan Stinneford, Pierce Atwood LLP, Portland ME  
Vice Chair: Laura Hobson Brown, McGlinchey Stafford, PLLC, New Orleans, LA

Speakers:

Russell Schrader, Visa, Inc., San Francisco, CA (Moderator)  
Veronica K. McGregor, Perkins Coie LLP, San Francisco, CA  
Ryan S. Stinneford, Pierce Atwood LLP, Portland, ME  
John F. Delaney, Morrison & Foerster, New York, NY

12:00 – 6:00 pm

FREE TIME

6:00 – 7:00 pm

SOCIAL NETWORKING - A PRACTICUM

*Birds do it, your kids do it, and nearly everyone you meet on the street may do it. If you want to do it, come to the Practicum and learn how. Over a specialty cocktail, Veronica McGregor will put up a big screen, fire up her computer, and show you the practicalities of learning to tweet, use Facebook, and still keep your dignity and privacy.*

7:00 pm

Committee Dinner (DonFest) - The Canyons

**MONDAY, JANUARY 11, 2009**

7:00 – 8:30 am

***PROGRAM - MORTGAGE REFINANCING AND MODIFICATIONS***

PRESENTED BY:

FEDERAL AND STATE TRADE PRACTICES SUBCOMMITTEE

Chair: Michael Goodman, Hudson Cook, LLP, Washington, DC  
Vice-Chair: Joanna Crane, Federal Trade Commission, Washington, DC  
Vice-Chair: Tom Pahl, Federal Trade Commission, Washington, DC

Speakers:

Martin Andelman, Author and Journalist, Orange County, CA  
Julie Greenfield, Law Offices of Julia Leah Greenfield, Irvine, CA  
Tom Pahl, Federal Trade Commission, Washington, DC

8:30 – 10:00 am

***PROGRAM - THE STATE OF CONSUMER CREDIT ARBITRATION: ASSESSING DEVELOPMENTS REGARDING NAF, AAA AND PROPOSED FEDERAL LEGISLATION***

PRESENTED BY:

LITIGATION AND ARBITRATION SUBCOMMITTEE

Chair: Craig A. Varga, Varga Berger Ledsky Hayes & Casey, Chicago, IL  
Vice-Chair: David Melcer, Bass& Associates, Tuscon, AZ

PERSONAL PROPERTY SUBCOMMITTEE

Chair: Robert Aitken, Ford Motor Credit Company, Dearborn, MI  
Vice Chair: Deborah Robertson, McGlinchey Stafford PLLC, Albany, NY  
Vice Chair: Dough Johnson, AmeriCredit Corp., Fort Worth, TX

Speakers:

Jean R. Sternlight, Saltman Professor, University of Nevada at Las Vegas Boyd School Law & Director Saltman Center for Conflict Resolution, Las Vegas, NV  
Christopher R. Drahozal, John M. Rounds Professor of Law and Associate Dean for Research & Faculty Development, University of Kansas School of Law, Lawrence, KS  
Alan S. Kaplinsky, Ballard Spahr LLP, Philadelphia, PA  
Mark H. Tyson, McGlinchey Stafford PLLC, Jackson, Mississippi

10:00 – 10:20 am

BREAK

10:20 – 11:20 am **PROGRAM - ETHICAL AND PROFESSIONAL RESPONSIBILITIES IN A CHANGING WORLD: HOW AND WHY DO I PROVIDE PRO BONO LEGAL SERVICES IN TODAY'S ECONOMIC CLIMATE?**

PRESENTED BY:  
CONSUMER FINANCE COMMITTEE LIAISONS TO THE PRO BONO COMMITTEE

Co-Liaison: John L. Ropiequet, Arnstein & Lehr LLP, Chicago, IL  
Co-Liaison: R. Scott Johnson, Select Management Resources LLC, Alpharetta, GA

Speakers:  
Peter W. Billings, Fabian & Clendenin, Salt Lake City, UT  
Kristin Erickson, S.J. Quinney College of Law, University of Utah, Salt Lake City, UT  
R. Scott Johnson, Select Management Resources LLC, Alpharetta, GA  
Brenda Teig, Utah Legal Services, Salt Lake City, UT

11:20 - 12:30 pm **IN-HOUSE COUNSEL ROUND TABLE - CLOSED MEETING**

**COMMERCIAL FINANCIAL SERVICES COMMITTEE  
MARITIME FINANCING SUBCOMMITTEE MEETING  
DISCUSSION OF UNIFORM CERTIFICATE OF TITLE ACT FOR BOATS**

12:30 pm **Meetings End for the Day  
Free Time and Dinner on Your Own**

## **TUESDAY, JANUARY 12, 2010**

7:00 – 8:00 am **SUBCOMMITTEE CHAIRS AND VICE-CHAIRS MEETING - CLOSED MEETING**

8:00 – 9:00 am **PROGRAM - WHAT'S NEW IN DC: AN OVERVIEW OF THE FINANCIAL SERVICES REGULATORY ENVIRONMENT IN 2010**

PRESENTED BY:  
DEBT COLLECTION PRACTICES AND BANKRUPTCY SUBCOMMITTEE

Chair: Katrina Chistakis, Grady Pilgrim Chistakis Bell LLP, Chicago, IL  
Vice Chair: Tomio B. Narita, Simmonds & Narita LLP, San Francisco, CA

Speakers:  
Valerie Hayes, Corporate Counsel, Vice President, Legal & Government Affairs, ACA International  
Joann Needleman, Secretary & Board Member, NARCA, Maurice & Needleman, P.C.  
Barbara A. Sinsley, General Counsel, DBA International, Barron, Newburger, & Sinsley, PLLC

9:00 – 9:30 am **Open Microphone**

9:30 – 11:30 am

***PROGRAM - DEVELOPMENTS IN SERVICING, LOSS MITIGATION AND LOAN MODIFICATIONS***

PRESENTED BY:  
HOUSING FINANCE AND RESPA SUBCOMMITTEE

Chair: John P. Kromer, Buckley & Sandler LLP, Washington, DC  
Vice Chair: Sandy Shatz, Bank of America, Callabasas, CA

FAIR ACCESS TO SERVICES SUBCOMMITTEE

Chair: Heather B. Thayer, Wells Fargo Bank, San Francisco, CA  
Vice Chair: Amy M. Salberg, Whyte Hirschboeck Dubeck S.C., Milwaukee, WI

Speakers:  
Andrew Sandler, BuckleySandler LLP, Washington, DC  
Brad Blower, Relman & Dane PLLC, Washington, DC  
Daniel F. Hedges, Mountain State Justice, Inc., Charleston, WV  
Nina F. Simon, Center for Responsible Lending, Washington, DC  
Sandy Shatz, Bank of America, Callabasas, CA

**FUTURE CFSC MEETING DATES AND LOCATIONS**

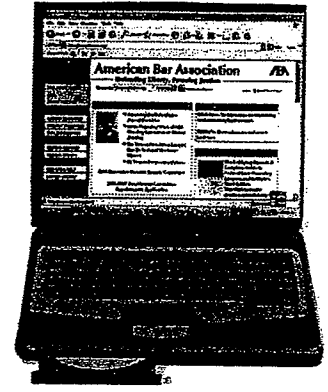
<b>Spring Meeting 2010</b>	<b>April 22-24</b>	<b>Sheraton Hotel</b>	<b>Denver, CO</b>
<b>Annual Meeting 2010</b>	<b>August 6-9</b>	<b>Fairmont Hotel</b>	<b>San Francisco, CA</b>
<b>Winter Meeting 2011</b>	<b>TBD</b>		<b>TBD</b>



# **CFSC WEBSITE DIRECTIONS**



## ☞ CFSC WEBSITE ACCESS DIRECTIONS



Go to [www.ababusinesslaw.org](http://www.ababusinesslaw.org).

On the top right, click on **MEMBER LOG-IN**. You must login with your ABA **membership ID number** or your **e-mail address**, and **Password** (which will be your last name, if you haven't set up one.). You will be prompted to change your default password if you haven't done so. The login will take you to your **myABA** website. Logging into **myABA** allows you to view and update your information and manage your online profile.

There are six major components in your **myABA** website. They are: Entities, Profile, Calendar, Invoice, Areas of Interest, and Product Suggestions.

Under **Profile**, you can click on **edit** to change your contact information (e-mail address, etc).

Under **Entities**, you will have a list of links of committees you belong to (e.g. Business Law Section, Young Lawyers Division, and any others). To obtain information about the CFSC, click on the Committee Name. Here you will find general information about CFSC membership (including access to the membership roster), leadership, subcommittees and task forces, meetings, projects, and publications.

Under **Calendar**, there is a list of Registered Meetings (if you have registered to any meetings), and a list of Suggested Meetings. You can click on a particular meeting, and will be able to see programs, go through online registration, as well as access to hotel registration, and even air travel.

Under **Areas of Interest**, there can be a list of up to five areas of concentration. You can click on edit to add or change your areas of concentration.

Under **Product Suggestions**, you will be able to see the latest publications with discount prices to members.

## ☞ ABA WEBSITE ACCESS DIRECTIONS

To access the general ABA Website, go to [www.abanet.org](http://www.abanet.org).

You can scroll down to click on **ABA CALENDAR**. When you do so, a **list will be displayed of all upcoming meetings**. You can then click on the specific meeting to find additional information on the meeting.

This calendar also allows you to **search for meetings by location, meeting format, and range of dates**. After using drop down menus to select your search criteria, click enter and the results will be listed as links.

When you click on the specific meeting you want, there will be a link to online registration where you will be prompted for your ID and password and taken through the entire registration process including hotel, airfare, and car rental.



# **LEADERSHIP ROSTER**



**AMERICAN BAR ASSOCIATION  
CONSUMER FINANCIAL SERVICES COMMITTEE LEADERSHIP**

**EFFECTIVE 8/3/09**

(Updated 10/7/09)

SUBCOMMITTEE	NAME AND TERM EXPIRATION (AFTER ANNUAL MEETING)	TELE. NO.	FAX NO.	E-MAIL ADDRESS
Committee Chair Committee Vice-Chairs	C: Therese G. Franzén ('12) VC: Richard Hackett ('10) VC: Nicole F. Munro ('10)	770-248-2882 207-791-1280 410-865-5430	770-248-2883 207-791-1350 410-684-2001	tfranzen@franzen-salzano.com rhackett@pierceatwood.com nmunro@hudco.com
Compliance Management	C: Joanne K. Sundheim ('11) CVC: Agnes Bundy Scanlan ('11) CVC: Ducie Le ('11)	302-282-7358 617-570-1161 703-720-2260	302-282-1224 617-523-1231 703-720-2221	joanne.sundheim@chase.com abundyscanlan@goodwinprocter.com ducie.le@capitalone.com
Debt Collection Practices and Bankruptcy	C: Katrina S. Christakis ('11) VC: Tomio Narita ('11)	312-939-0920 415-283-1010	312-939-0983 415- 352-2625	kchristakis@gradypilgrim.com tnarita@snllp.com
Deposit Products and Payment Systems	C: Ryan S. Stinneford ('11) VC: Laura Hobson Brown ('11)	207-791-1154 504-596-2787	207-791-1350 504-596-2800	rstinneford@pierceatwood.com lbrown@mcglinchey.com
Fair Access to Services	C: Heather Thayer ('10) VC: Amy Salberg ('10)	415-396-1753 414-978-5502	415-975-7861 414-223-5000	heather.b.thayer@wellsfargo.com asalberg@whdlaw.com
Federal and State Trade Practices	C: Michael Goodman ('12) CVC: Tom Pahl ('12) CVC: Joanna P. Crane ('12)	202-327-9704 202-326-2128 202-326-3258	202-223-6935 202-326-3629 202-326-3768	mgoodman@hudco.com tpahl@ftc.gov jcrane@ftc.gov
Housing Finance and RESPA	CC: John Kromer ('11) VC: Sandy Shatz ('11)	202-349-8040 818-225-3206	202-349-8080 818-225-4024	jkromer@buckleysandler.com sandy.shatz@BankofAmerica.com
Internet Delivery/Electronic Banking	C: Russell Schrader ('12) VC: Veronica McGregor ('12)	415-932-2178 415-344-7062	415-932-2525 415-344-7262	rschrade@visa.com vmcgregor@perkinscoie.com
Litigation and Arbitration	C: Craig A. Varga ('12) VC: David Melcer ('12)	312-341-9820 520-577-1544 (ext. 5087)	312-341-2900 520-577-1546	cvarga@vblhc.com dmelcer@bass-associates.com
Membership	C: Stephanie Cohen ('11) VC: Lois Woodward ('11)	630-795-3785 205-226-3478	No Fax 205-488-5825	stephanie.cohen@ncmc.com lwoodward@balch.com

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Personal Property Financing	C: Robert Aitken ('11) VC: Deborah Robertson ('11) VC: Doug Johnson ('11)	313-845-3640 518-432-8441 817-302-7641	313-337-1160 518-432-8711 817-302-7940	raitken@ford.com drobertson@mcglinchey.com doug.johnson@americredit.com
Preemption and Federalism	C: Ralph T. Wutscher ('11) VC: David Beam ('11)	312-551-9320 202-778-9026	866-581-9302 202-778-9100	rwutscher@kw-llp.com david.beam@klgates.com
Privacy	C: Patricia E.M. Covington ('11) VC: Obrea Poindexter ('11)	410-865-5409 202-887-8741	410-684-2001 202-887-0763	pcovington@hudco.com opoindexter@mofo.com
Programs	C: John Chiles ('11) VC: Roberta Torian ('11)	205-458-5964 215-851-8100	205-244-5619 215-851-1420	jchiles@burr.com rtorian@reedsmith.com
Truth in Lending	C: Jacqueline Parker ('10) CVC: Catherine Brennan ('10) CVC: Jeffrey P. Naimon ('10)	484-716-0687 410-865-5405 202-349-8030	No Fax 410-684-2001 202-349-8080	jacqueline-parker@hotmail.com cbrennan@hudco.com jnaimon@buckleysandler.com
Young Lawyers Subcommittee	C: Emily Miller ('10) VC: Doug Cuthbertson ('12)	410-865-5418 703-610-8640	410-684-2001 703-610-8686	emiller@hudco.com jcuthbertson@milesstockbridge.com
Publications/ Communications	C: Frank Springfield VC: Lynette Hotchkiss VC: Stephanie Shaw	205-458-5187 202-326-2303 202-857-4509	205-244-5707 202-326-3768 202- 467-6910	fspringf@burr.com lhotchkiss@ftc.gov sshaw@wcsr.com
Committee Liaison to Business Law Section Diversity Committee	Julie Caggiano	713-507-1170	713-507-2900	julie.caggiano@banksterling.com
Committee Liaison to Business Law Section Programming Board	Nicole F. Munro	410-865-5430	410-684-2001	nmunro@hudco.com

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Committee Liaison to Business Law Section Pro Bono Committee	C: John L. Ropiequet VC: Scott Johnson	312-876-7814 678-823-4073	312-876-0288 678-823-4042	jlropiequet@arnstein.com SJohnson@selectmgt.com
Committee Representative to Business Law Section Ad Hoc Committee on Audit Responses	Richard E. Gottlieb	312-627-2196	312-627-2302	rgottlieb@dykema.com
Committee Representative to Business Law Section Meetings Committee	Stephanie Cohen	630-795-3785	No Fax	stephanie.cohen@ncmc.com
Joint Task Force on Financial Regulator Reform	C: Donald C. Lampe VC: Richard Hackett	336-574-8057 207-791-1280	336-574-4530 207-791-1350	dlampe@wcsr.com rhackett@pierceatwood.com
Editor of Committee eNewsletter	Frank Springfield	205-458-5187	205-244-5707	fspringf@burr.com
Editor of Annual Survey of Consumer Financial Services Law in <i>The Business Lawyer</i>	Alvin C. Harrell	405-208-5198	405-208-5089	aharrell@okcu.edu
In House Counsel Roundtable	C: Hugh Hayden VC: TBD	614-944-5330	614-944-5801	hugh.hayden@alldata.net
International Task Force & Liaison to the International Coordinating Committee (ICC)	C: Richard Hackett VC: TBD	207-791-1280	207-791-1350	rhackett@pierceatwood.com
Immediate Past Chair	Donald C. Lampe	336-574-8057	336-574-4530	dlampe@wcsr.com

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Active Past Chairs	Jeffrey I. Langer Lynne B. Barr Amy W. Bizar Robert P. Chamness Alan S. Kaplinsky Roland E. Brandel	312-845-3712 617-570-1610 617-535-6843 503-469-4618 215-864-8544 415-268-7093	312-516-3912 617-523-1231 617-422-8843 503-469-4771 215-864-9488 415-268-7522	langer@chapman.com lbarr@goodwinprocter.com bizar@teri.org rchamness@digimarc.com kaplinsky@ballardspahr.com rbrandel@mofocom
Liaison to Consumer and Business Law Fellows	James Brown	414-227-3255	414-227-3267	jbrown@uwm.edu
Meeting Activities Coordinator	Scott Sheehan	713-374-3543	713-374-3505	sheehans@gtlaw.com
Consumer Financial Services Committee Consumer Fellows	Nina F. Simon Jean Constantine-Davis Kathleen Keest Prof. Jim L. Brown Prof. Chris L. Peterson Daniel Hedges Joel Winston	202-349-1879 202-434-2058 919-417-1624 414-227-3255 801-581-6655 304-344-3144 202-326-3153	202-289-9009 202-434-6464 919-313-8595 414-227-3267 801-581-6897 304-344-3145 202-326-3768	nina.simon@responsiblelending.org jcdavis@aarp.org kathleen.keest@responsiblelending.org jbrown@uwm.edu petersonc@law.utah.edu dan@msjlaw.org jwinston@ftc.gov
Business Law Section Fellow	Carolyn Hann	202-326-2745	202-326-3446	chann@ftc.gov