



Creditors Practice 2014: Current Developments
September 24, 2014
Tennessee Bar Center - Nashville, TN

Program Description: TBA's Creditor's Practice Section offers current developments in this area of the law. The **first portion** of the program will be a discussion of recent Tennessee case law and the effect on legal collection practices. The **second portion** of the program will be a discussion of the new Tennessee Collection Service Act amendment dealing with banking regulations. The **final portion** of the program will be a discussion of the evolution of "meaningful attorney review" and verification pursuant to the FDCPA. This portion will include discussions of recent federal cases of interest: *Hicks v. Hannah*; *Haddad v. Alexander*; *Vega v. McKay*; and *Bock v. Pressler*.

Producer: Nathan Horton, *Portfolio Recovery Associates, LLC*

Agenda

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| 12:30 – 12:50 pm | Registration |
| 12:50 – 1:00 pm | Chair's Welcome and Introductions
Nathan Horton, <i>Portfolio Recovery Associates, LLC</i> |
| 1:00 – 2:00 pm | Tennessee Case Law Update: Review of Recent Decisions and Upcoming Cases to Watch
<i>The presenter will review and solicit commentary and discussion on significant collection-related cases decided within the last year and highlight cases to watch for the upcoming year.</i>
Terrance Bond , <i>The Law Offices of Barry J. Gammons, PLLC</i> |
| 2:00 - 2:30 pm | Tennessee Collection Service Act Amendment
<i>Our discussion will focus on the amendments to the Tennessee licensing statute (T.C.A. § 62-20-103, 127). Specifically, we will discuss the previous confusion surrounding the issue of licensing, the additional exemptions added, and the impact thereof. Finally, we will briefly highlight the section of the statute pertaining to assignments.</i>
Ron Cunningham , <i>Finkelstein, Kern, Steinberg & Cunningham</i>
Kelly Dicken , <i>Finkelstein, Kern, Steinberg & Cunningham</i> |
| 2:30 – 2:45 pm | BREAK |
| 2:45 – 4:15 pm | The Evolution of Meaningful Attorney Review and Verification Pursuant to the FDCPA
This is a discussion about the creation of the doctrine of "meaningful attorney review" - which does not exist in the plain language of the FDCPA - and the |

evolution of its applications beginning with debt communications now being extended by various federal circuits and the CFPB to litigation. The evolution discussion includes the bifurcated distinction between FDCPA application and State Rules of Professional Conduct. The discussion extends to the import of "the doctrine" and the effect of verification as interpreted by the U.S. Court of Appeals for the Sixth Circuit.

Thomas B. Norris, Jr., *Attorney at Law*

Total Credits: 3 General