

## ComFin Chair's Letter Summer 2008

We were recently asked to develop a “tag line” for a marketing campaign for the ComFin Committee. “**Current market and legal developments for finance lawyers**” is what we came up with (so I should probably keep my job as a finance lawyer and not think about a career change to the advertising world). The message is correct (if not scintillating) – we want to be a source of information and discussion for ComFin members as legal issues and markets arise and develop. We'll do this via meetings and programs, email on current developments, the newsletter, listservs and our [webpages](#). With that in mind, I encourage participation by all ComFin members – whether by attending meetings, suggesting topics, writing for the newsletter or other publications, suggesting a project or model agreement or other resource we can provide – to increase the benefits that ComFin can provide.

Before an update on events and activities for ComFin for the rest of 2008, I once again have sad news to pass along. One of our earliest committee members, Ernest Williams, III, passed away on Sunday, April 20, in Memphis. Ernest chaired the Interest and Usury Subcommittee of ComFin and was the first president of the American College of Commercial Finance Lawyers. As others before me have remarked, we are losing some of the truly great ones – Don Rapson and Earl Glick last year, and now Ernest Williams. Please take a moment to read the remembrance of Ernest in this issue of the Commercial Law Newsletter.

### New York, New York – [2008 Annual Meeting](#)

The Annual Meeting will take place in New York, with the ComFin Committee meeting from Friday, August 8, through Monday, August 12. A schedule of programs, subcommittee and taskforce meetings for ComFin is [attached](#). There is a full line-up of CLE programs of interest to finance lawyers, including:

- *Getting Blood from a Stone: Commercially Reasonable Foreclosure on Collateral and the Availability of a Market*
- *It's a Small World After All - Commercial Finance in Global Markets*
- *Topsy Turvy Markets? When Lenders and Credit Providers are in Financial Trouble*
- *Do Worlds Collide - When Operational Systems Meet the Law*
- *Toward One World - Customary U.S. Practice for Outbound Cross-Border Opinions*
- *It's A Wrap! The Model Deposit Account Control Agreement Final Report*
- *Bluebloods and Newbloods - Financing Wealthy Individuals.*

I'd also like to highlight three new Committees that will kick off their activities this year that cover areas of interest to ComFin members: [Governmental Corporations](#); [Project Finance](#); and [Securitization and Structured Finance](#). The meetings and programs for Project Finance and Securitization and Structured Finance are included on the attached [schedule](#). Please visit the webpages for these new committees on the Section website for more information and to join.

There won't be a formal dinner gathering for ComFin at this year's annual meeting – many committee members plan to attend the memorial dinner in honor of Don Rapson on Thursday (see the item below for more information) and the other ABA and Section-wide social events, and the Aircraft Financing Subcommittee plans to hold its traditional [dinner](#) on Friday evening. For those who would like to put an informal group together for dinner on Friday, Saturday or Sunday evening please contact my assistant [Linda Loomis](#), and we will coordinate putting folks in touch and locating restaurants.

If you'll be a "first time" attendee at the meeting please let me know by [email](#) if you have any questions or have time to catch up at the meeting.

### **Don Rapson Memorial Dinner (August 7, 2008, New York, NY)**

A reception and dinner in honor of the memory of Donald J. Rapson will be held on Thursday, August 7, at the Yale Club of New York City. The dinner will take place on the eve of the Annual Meeting, and the venue is a few short blocks from our meeting hotel. The deadline to RSVP is July 15. Checks should be payable to Carlton Fields, P.A. (with a notation that it is for the Donald J. Rapson Dinner) and then sent to Thomas A. Snow, Carlton Fields, P.A., PO Box 3239, Tampa, Florida 33601-3239, Attention: Nancy Golightly. Tickets for the event are \$160 per person. Additional information is [attached](#).

### **[Fall ComFin Meeting](#) (November 12, 2008, San Francisco, California)**

Our annual ComFin meeting held in conjunction with the CFA convention will provide three CLE programs and a networking lunch. If you have suggestions for topics or speakers please contact [Neal Kling](#) or [Norm Powell](#), the planning chairs for the meeting. Hotel reservations can be made through the meeting [website](#) and registration information and details about the programs will be circulated in late August.

### **Resources for Commercial Finance Lawyers**

*Cross-Border Security over Tangibles* is a resource for the commercial finance lawyer. Harry Sigman, a long-time member of ComFin, is co-editor of this new book on security interests in tangible property in a number of European countries, as well as a comparison of those laws with Revised Article 9. Read [Ed Smith's review](#) of this new resource in this issue of the Commercial Law Newsletter.

*Words, Words, Words.* Our new Task Force on Commercial Finance Terms is gathering and grouping words in preparation for publishing a dictionary of terms used in finance transactions. Visit the Task Force [website](#), take a look at the current list and email [Meredith Jackson](#) or [Carl Bjerre](#), the Taskforce co-chairs, with suggestions for additional terms, definitions and market usages. "Words are only postage stamps delivering the object for you to unwrap" said George Bernard Shaw – we need stamps and letters!

*Surveys of State Commercial Laws.* A comprehensive summary of state commercial lending and real estate finance laws is available on the ComFin [website](#). The summary provides a tremendous resource on local lending laws of a type that is not available anywhere else. Our

Task Force is in the process of updating and republishing these materials, as described in the Task Force report included in this issue of the Commercial Law Newsletter.

**ComFin Website.** Please visit the ComFin [website](#) for updates about the UNCITRAL Secured Transactions Guide and the current project on how the Guide should be applied to intellectual property, and on our taskforces on the Model Deposit Account Control Agreement, Model Intercreditor Agreement, UCC Filing Office Operations and Search Logic, Syndications Chapter for the Ruda ABL Treatise and more activities.

If you have other suggestions for making ComFin a resource for members, please let me know.

*Lynn*

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