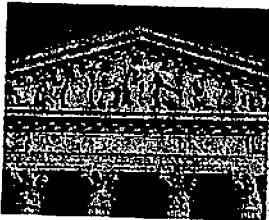


# CONSUMER DEBT COLLECTION:

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**August 17, 2007**

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Presented by Stephen L. Burton, Brian R. Condon,  
Joshua P. Friedman, Leo G. O'Biecunas Jr.  
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# CONSUMER DEBT COLLECTION

## Who Will Teach You

**STEPHEN L. BURTON** is a sole practitioner in Sherman Oaks, California. Mr. Burton practices primarily in bankruptcy representing debtors and creditors in bankruptcy court dealing with advisory proceedings and relief from stay matters in chapters 7, 11 and 13. He practices real estate law as well. Mr. Burton is a member of the San Fernando Valley Bar Association, Central District Consumer Bankruptcy Attorneys Association, Beverly Hills Bar Association and Sherman Oaks Chamber of Commerce. He earned his B.A. degree from the University of California at Los Angeles and J.D. degree from Whittier College School of Law.

**BRIAN R. CONDON** is a sole practitioner in the Los Angeles, where he practices in the areas of collections, consumer protection, business litigation and False Claims Act cases. He has previous lecture experience related to elder abuse and collections. Mr. Condon earned his B.A. degree from Duke University and his J.D. degree from Stanford University. He is a member of the Beverly Hills Bar Association (former Barristers President), the Inns of Court, Public Council Board of Directors and the Beverly Hills Bar Association Foundation.

**JOSHUA P. FRIEDMAN** is a shareholder in the law firm of Joshua P. Friedman & Associates where he practices in the areas of consumer and commercial collections. He is the principal that oversees everything at the firm. Mr. Friedman has spoken for the Santa Clarita Bar Association. He earned his B.A. degree from the University of Pennsylvania and J.D. degree from Loyola Law School of Los Angeles. Mr. Friedman is a member of the American Bar Association, the Los Angeles County Bar Association, ACA International, CAC and the California Association of Judgment Professionals.

**LEO G. O'BIECUNAS JR.** is an attorney at the law firm of Zide & O'Biecunas, LLP, and has over 25 years of experience in the collection field. A graduate of Southwestern University School of Law, Mr. O'Biecunas is a member of the Los Angeles County and Ventura County Bar, State Bar of California, Financial Lawyers Conference, Commercial Law League of America (serving as a member of the Executive Council of the Western Region, serving as chair (1993-1994) and on the Executive Council of the Young Members' Section (1989-1991) and the Los Angeles Bankruptcy Forum (serving as a member of the Board of Governors (1983-1990)). Mr. O'Biecunas is admitted to practice before all courts in the State of California; the Federal Court in the Central, Southern and Eastern Districts of California; the Ninth Circuit Court of Appeals and the United States Supreme Court. He has served as judge pro tem for the Los Angeles Municipal Court and as panel mediator/arbitrator for Los Angeles and Ventura Superior courts.

**KATHRYN E. VAN HOUTEN** is a partner in the Glendale law firm of Irsfeld, Irsfeld & Younger LLP, where she practices in the areas of civil litigation, creditor bankruptcy, debtor collections, estate planning, probate and family law. She has a background in the film industry and finance. Ms. Van Houten earned her B.A. degree, magna cum laude, from the University of California at Los Angeles and her J.D. degree from Loyola Law School of Los Angeles. She is a member of the Los Angeles County Bar Association, the Women Lawyers Association of Los Angeles, the California Women Lawyers and the California State Bar.

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# What You Will Learn

## I. PUT PREVENTATIVE PRACTICES TO WORK

*Leo G. O'Biecinus Jr., 9:00 - 9:45*

- A. Red Flags When Starting Up Credit
- B. What You Can Learn From Analyzing Financial Statements
- C. Use Personal Guarantees to Prevent Problems
- D. How Security Interests Can Help With Prevention
- E. Put Limits on Invoice Terms

## II. IMPLEMENT SOLID PRE-SUIT COLLECTION STRATEGIES

*Leo G. O'Biecinus Jr., 9:45 - 10:30*

- A. Why Knowing the Debtor is Critical
- B. Asset Investigation Methods You Can Count On
- C. Should or Shouldn't You Pursue Collection
- D. Pre-Suit Settlement Options - Urge Your Clients to Consider These!
- E. The Advantages of Self-Help Repossession

## III. COMPLY WITH THE FAIR DEBT COLLECTION PRACTICES ACT (FDCPA)

*Joshua P. Friedman, 10:45 - 11:15*

- A. What the FDCPA Says - In a Nutshell
- B. How the FDCPA and State Laws Overlap
- C. The Provisions Under the FDCPA for Damages

## IV. AVOID ETHICAL PITFALLS IN COLLECTIONS

*Brian R. Condon, 11:15 - 12:15*

- A. Follow Codes of Ethics Under Federal and State Laws
- B. How Zealous Representation and Vexatious Practices Become Ethical Nightmares
- C. How to Know Right From Wrong in Your Practice
- D. Your Liability as a Lawyer: Avoid Ethical "Gorchas"

## V. FILE A LAWSUIT WHEN PREVENTATIVE MEASURES FAIL

*Kathryn E. Van Houten, 1:15 - 2:00*

- A. Pre-Judgment Remedies - What Many Lawyers Don't Know
- B. How to File the Lawsuit and Other Important Considerations
- C. How to Get the Judgment Your Client Rightfully Wants
- D. Post-Judgment Remedies: What Are Your Options?
- E. Tips for Determining Attorney's Fees

## VI. COLLECT THE JUDGMENT

*Kathryn E. Van Houten, 2:00 - 3:00*

- A. Important Factors When Conducting Post-Judgment Discovery
- B. Conduct a Debtor's Examination and Make It Work for You
- C. Should You Pursue a Judgment Lien on Real Property?
- D. Judgment Liens on Personal Property
- E. How to Use a Writ of Execution to Start the Process of Seize and Sale by Sheriff
- F. Know Your Legal Wage Garnishment Options
- G. Which Property Is Exempt From Enforcement

## VII. BANKRUPTCY AND COLLECTIONS: KNOW YOUR RIGHTS AND OBLIGATIONS

*Stephen L. Burton, 3:15 - 4:30*

- A. How Automatic Stay Impacts Your Client
- B. The Scope of Protection Provided By the Bankruptcy Code and Chapters 7, 13 and 11
- C. Where to Find a Proof of Claim and How to File a Claim Objection
- D. Choose Between Reaffirmation and Redemption
- E. How Debtors Use Preferences and Fraudulent Conveyances to Your Disadvantage
- F. Exemptions - Don't Be Surprised by the Limits
- G. How to Contest the Dischargeability of Debts

**Who'll be there...**

**This intermediate level seminar is designed for attorneys, collections practitioners, bankers, credit managers and other professionals who deal with collections everyday and want to collect more money owed - faster.**

\* If needed, the above agenda may be changed to best accommodate all our attendees.