

Joseph A. Smith, Jr., National Settlement Monitor – Keynote Speaker



On March 12, 2012, the participants in the 49-state mortgage settlement appointed attorney Joseph A. Smith, Jr. as the Monitor who will oversee the agreement. Smith's appointment is for a three-and-a-half year term.

Smith served as North Carolina Commissioner of Banks beginning in 2002, and resigned from that position in February, 2012. As Commissioner, he oversaw the licensing and regulation of banks and thrifts. He also helped implement the North Carolina Mortgage Lending Act, North Carolina Secure and Fair Mortgage Licensing Act and State Home Foreclosure Prevention Project. While Commissioner, Smith also served from 2009 to 2010 as chairman of the Conference of State Bank Supervisors. He was an organizer and member of the Board of Managers of State Regulatory Registry, LLC, an organization dedicated to creating a nationwide mortgage licensing system.

Prior to his tenure in state government, Smith spent 27 years practicing corporate, securities and banking law in North Carolina, Connecticut and New York. He is the former general counsel and secretary of a North Carolina bank holding company, and also is of counsel to North Carolina law firm Poyner Spruill, LLP.

Smith earned a bachelor's degree from Davidson College in 1971 and his Juris Doctor from the University of Virginia in 1974.

Terry Goddard, Arizona Attorney General (2003-2010)



Terry Goddard served as the Arizona Attorney General from 2003 to 2010, addressing major issues ranging from the fallout of the financial services market and the mortgage crisis to border smuggling and money laundering, and protecting consumers and the environment. During his tenure, Goddard compiled an unprecedented record of successful criminal prosecutions and civil settlements across a wide range of cases. From 1995 to 2002, he served as Arizona Director for the U.S. Department of Housing and Urban Development. In 2000, Goddard was elected to the board of the Central Arizona Water Conservation District.

From 1984 to 1990, Goddard was mayor of Phoenix which, under his leadership, made significant strides in expanding and modernizing law enforcement and setting up nationally recognized programs in economic development, the arts, and historic preservation. A graduate of the College of Law at ASU, he was elected President of the National League of Cities in 1989 and was named "Municipal Leader of the Year" by *City and County Magazine*.

Mike Orr, Director of the Real Estate Center, W.P. Carey School of Business – ASU



In 2012 Mike Orr was appointed Director of the Real Estate Center at the W.P. Carey School of Business at Arizona State University.

Orr left the computer industry and California to focus on Arizona real estate in 2002. He obtained an Arizona real estate license in 2005 and started studying real estate statistics the same year. Orr partnered with ARMLS and the Information Market LLC in 2008 to create the Cromford Report (www.cromfordreport.com), which provides daily real estate market insight for realtors and investors covering the Greater Phoenix residential market.

Orr holds a masters degree in mathematics from the University of Oxford in England and spent 31 years in the computer industry, working for IBM, Amdahl, Splash Technology and the Santa Cruz Operation.

Orr is married with three children. When not working with computers and real estate, his main interests are music and canals.

Panel Speakers

Thomas K. Chenal, Chief Counsel, Public Advocacy and Civil Rights Division – Arizona Attorney General's Office

Thomas K. Chenal is the Chief Counsel for Public Advocacy and Civil Rights Division of the Arizona Office of the Attorney General. The Division handles consumer fraud, antitrust, environmental enforcement, tobacco litigation, civil rights compliance and litigation for the State, representation of nearly one hundred Arizona state agencies. Mr. Chenal also serves as Chairman for the Office of the Attorney General's Task Force Against Senior Abuse. The Task Force works to protect Arizona's seniors by providing consumer information about scams and fraud, taking legal action against those who prey on seniors and supporting legislation to protect seniors and toughen penalties against those who commit crimes against them.

Before joining the Arizona Attorney General's Office, Mr. Chenal was a senior member of Sherman & Howard LLC, a law firm of 200 attorneys, with offices located in Arizona, Colorado, and Nevada. Mr. Chenal has 31 years of experience in municipal law, commercial litigation and transactional work. He was an elected member of the executive committee of Mohr, Hackett, Pederson, Blakely & Randolph PC and was responsible for hiring attorneys for the firm for over 20 years.

Mr. Chenal is a Past President of the Scottsdale Bar Association; the Past Chair of the State Bar of Arizona, International Law Section; former Town Attorney of the Town of Carefree, Arizona; and Former Elected Carefree Town Council Member.

Mr. Chenal earned his Juris Doctor from the University of Arizona James E. Rogers College of Law where he served on the Editorial Board of the Arizona Law Review. Mr. Chenal received his Bachelor of Arts in History with a Minor in French, graduating cum laude, from the University of Notre Dame.

JoAnn Gibbs, Chief Multistate Counsel – Bureau of Consumer Protection, Nevada Attorney General’s Office

Jo Ann joined the Nevada Attorney general's office in July 1996, serving as a Deputy in the Attorney General’s Bureau of Consumer Protection. In addition to utility advocacy for consumers, the Bureau is responsible for the enforcement of state deceptive trade practices and antitrust laws. JoAnn was recently appointed Chief Multistate Counsel, and is currently responsible for the oversight and administration of the settlement funds awarded to the state of Nevada through the national settlement as well as the funds received from the Attorney General’s separate Bank of America settlement.

Prior to her current appointment, JoAnn served as Senior Deputy Attorney General for the Bureau beginning in February 2001. In 2005 she became the Bureau’s primary multistate counsel, working with other states through the National Association of Attorneys General on consumer protection cases of mutual interest.

JoAnn received her undergraduate degree from the University of California, Berkeley and graduated Magna Cum Laude from Gonzaga University in Spokane, Washington in 1994. Upon graduation from Gonzaga, Jo Ann served as a law clerk to Clark County District Court Judge John McGroarty in Las Vegas, Nevada.

Prior to becoming an attorney, Jo Ann had an extensive career as a real estate broker in Scottsdale Arizona, served as a Peace Corps Volunteer in Bolivia and as the Coordinator for the Peace Corps Office of Special Services, Latin American Division, in Washington D.C.

Karen J. Meyers, Assistant Attorney General and Director, Consumer Protection Division – New Mexico Attorney General’s Office

Karen J. Meyers is an Assistant Attorney General and Director of the Consumer Protection Division for the Office of the New Mexico Attorney General Gary King. (2007 to the present) Ms. Meyers graduated from Northeastern University Law School in 1978.

She served as a Reginald Heber Smith Fellow in Kentucky as a legal services attorney from 1979-1981 and as a legal services staff attorney from 1981 – 1984. She became the Executive Director of the Legal Aid Society of Albuquerque in 1984 and served in that position for 13 years.

After leaving legal services, she represented plaintiffs in civil rights and personal injury litigation for 10 years. She has taught as an adjunct professor at the University of New Mexico School of Law. Ms. Meyers serves as a New Mexico Supreme Court appointee to the New Mexico Commission for Legal Services and frequently presents on issues of consumer protection and access to justice.



Katherine Porter, California National Settlement Monitor

Katherine Porter is Professor of Law at the University of California, Irvine School of Law. She specializes in commercial and consumer law, including bankruptcy, mortgage foreclosure, and credit cards, and her research focuses on empirical studies of consumer bankruptcy. Her most recent publications include *Broke: How Debt Bankrupts the Middle Class* (Stanford University Press, 2012) and *The Pretend Solution: An Empirical Study of Bankruptcy Outcomes*, 90 *Texas L. Rev.* 103 (2011).

In March 2012, Prof. Porter was appointed by California Attorney General Kamala Harris to be the state's independent monitor of banks in a nationwide \$25 billion mortgage settlement. Her role is to provide advice and support to the California Attorney General on the implementation of the settlement. Under her leadership, the California Monitor Program has handled over one thousand homeowner complaints and done two dozen outreach or education events.

Professor Porter previously was on the faculty at the University of Iowa College of Law and has been a visiting professor at Harvard Law School, UC Berkeley Law, the University of Illinois College of Law, and the UNLV Boyd School of Law. She practiced bankruptcy law in Portland, Oregon, and clerked for the Honorable Richard S. Arnold of the Eighth Circuit. She earned her J.D. from Harvard Law School and her B.A. from Yale University.

Patricia Garcia Duarte, President & CEO of Neighborhood Services of Phoenix

Ms. Garcia Duarte oversees all affordable housing programs and services provided by Neighborhood Housing Services of Phoenix (NHS Phoenix), a not-for-profit organization established in 1975 in Phoenix, Arizona. Program and services include pre- and post-purchase counseling; foreclosure prevention counseling; financial literacy and homebuyer education; individual credit counseling; mortgage lending; and financing and development of affordable housing projects.

Ms. Garcia Duarte has been instrumental in forming creative public and private partnerships to promote the development of affordable homes in neighborhoods targeted for revitalization. During her five year tenure at NHS Phoenix she has greatly expanded programs and services offered to the public by doubling the size of the organization (to 39 employees), but she has done so in a responsible manner which has strengthened the organization's overall financial position.

As a President and CEO, Ms. Garcia Duarte directs and manages the not-for-profit organization which is dedicated to revitalizing blighted neighborhoods by creating first-time homeowners who will help these neighborhoods thrive. She is responsible for a \$2.5 million operating budget, \$13.8 million in assets and 39 employees.

Patricia graduated from Arizona State University in 1987 with a bachelor of science from the ASU College of Business Administration & Finance.

Monique Branscomb Wilhite, Director – Homeowner Advocacy Unit, Civil Justice Clinic – Sandra Day O’Connor College of Law

Monique Branscomb Wilhite joined the Homeowner Advocacy Unit as the director in May 2012. Prior to her appointment, Professor Branscomb Wilhite served as a criminal defense attorney, handling major felony cases in state and federal court. At the same time, she taught Trial Practice as an Adjunct Professor at Phoenix School of Law, and assisted victims of wrongful foreclosure and mortgage fraud.

Prior to that, she served as a Deputy County Attorney and later worked in private practice where she represented clients in the areas of criminal defense, personal injury, medical malpractice defense, small business representation, and employment discrimination.

She has tried well over 100 cases in city, state and federal court and has argued, on several occasions, before the 9th Circuit Court of Appeals. Professor Branscomb Wilhite received her Bachelor of Arts from Arizona State University, and received her Juris Doctorate from the Sandra Day O’Connor College of Law in 1991.

Beth K. Findsen, Law Office of Beth K. Findsen, PLLC

Beth Findsen has litigated complex commercial cases for 13+years, first in Houston, Texas, then in Arizona. Her extensive trial practice encompasses a broad array of business litigation matters including foreclosure defense; business torts; class actions; construction disputes; contract disputes; fiduciary disputes; officer and director liability; oil & gas matters; partnership cases; real estate disputes; and securities fraud. Ms. Findsen has represented both plaintiffs and defendants in state and federal courts before judges and juries. Ms. Findsen has practiced before federal district courts, the Fifth Circuit, the National Labor Relations Board, Arbitration Panels for securities arbitration, and Texas state courts; Arizona federal district courts, Arizona state courts.

Ms. Findsen graduated magna cum laude from the University of Houston College of Law where she served as Articles Editor for the Houston Law Review, and was a member of the Order of the Coif and Order of the Barons. Ms. Findsen received her Bachelor of Science from the University of Texas at Austin.

Reginald H. Givens, Foreclosure Assistance Administrator – Arizona Department of Housing

Reginald H. Givens is the Foreclosure Assistance Administrator with the Arizona Department of Housing. Currently Reginald is working on the implementation and continuing development of the State's foreclosure prevention program, Save Our Home AZ, which is a part of the U.S. Department of Treasury's Hardest Hit Fund. Reginald successfully coordinated the State's Your Way Home AZ program which is a part of the Neighborhood Stabilization Program. Additionally, Reginald works on the National Foreclosure Mitigation Counseling program. A program designed to help homeowners facing foreclosure by providing them with much needed loss mitigation counseling. Through the combination of these programs and his extensive lending experience Reginald is helping to bring stability back to the Arizona housing market.

