I. Report from the Chair (Smith).
II. Report from the Reporter (Harris).
III. Enforcement.
   A. Right to record assignment of mortgage upon mortgagor’s default (IL § IV.H.).
   B. Strict foreclosure as the only way to “waive” the prohibition on private sale to secured party (IL § IV.H.).
   C. Conform heading of § 9-625(c) to text (IL § IV.H.).
   D. Disposition via Internet (IL p. 20).
IV. Repeal of Article 11 (IL § IV.I.).
V. Payoff letter (IL § IV.B.)
VI. Expansion of § 9-317(d) (IL § IV.D.).
VII. Conforming Article 9 to other uniform texts.
   A. Definition of “authenticate” (IL § IV.A.).
      Materials: UCC § 7-102(a)(11).
   B. Definition of “control” (IL § IV.A.; III.A.).
      Materials: UCC § 7-106; Delaware nonuniform §§ 9-104; 9-106; 8-106.
VIII. Effectiveness of filed financing statement with respect to property acquired after debtor’s relocation to another jurisdiction.

IX. Effectiveness of financing statement with respect to property acquired by new debtor
   A. New debtor located in same jurisdiction (IL p. 18).
   B. New debtor located in different jurisdiction (IL § IV.E.).

X. Treatment of consumer-goods related intangibles (IL § IV.C.).

XI. Difference between control requirements under § 8-106 and control requirements under §§ 9-104 and 9-106 (IL p. 16).

XII. Certificates of title.
   A. Definition of “certificate of title” (IL § IV.A.).
   B. Certificates of title and § 9-316 (IL p. 17).

XIII. Effect of anti-assignment clauses (IL § IV.F.).


XIV. Effect of filing with respect to sales of payment intangibles (IL p. 17).

   Materials: Memorandum from Kenneth C. Kettering (Aug. 6, 2008).

XV. Classification of “stripped” rentals (IL § II.A.).

   Materials: Letter from the UCC Committee of the California State Bar (Nov. 6, 2006).

XVI. Ratification of unauthorized filing on priority (IL p. 19).

XVII. Irrelevance of parties’ intention to characterization of transaction (IL p. 16).

XVIII. Filing (discussion of filing issues to begin on Saturday morning, February 7, 2009).

A. Transmitting utilities.
   1. Lapse period (IL § IV.B.).
   2. Choice of governing law (IL p. 19).

B. Name of registered organization; definition of “registered organization” (IL §§ I.A.II.; IV.A.).

C. Application of § 9-503(a) to debtor that is both trust and registered organization (IL § I.A.III.).

D. § 9-307(c)
   1. Application to registered organizations (IL § IV.G.).


   2. Application to collateral in question (IL p. 16).

E. Location of registered organization organized under federal law (IL § III.B.).

F. Correction statements (IL § I.D.).

G. Official forms (IL § I.C.).

H. Secured party’s authorization to file amendments.

I. Application of § 9-506 to § 9-706(c) information (IL p. 20).

J. Name of individual debtor (IL § I.A.I.).

   Materials: Memorandum from the UCC Committee of the California State Bar (May 4, 2008).

Nebraska, Tennessee, and Texas nonuniform amendments.

XIX. New issues.

A. Debtor with respect to property held in trust.
B. Comment on hybrid chattel paper.
   Materials: * Memorandum from Thomas J. Buiteweg (December 23, 2008)

C. Comment that § 9-318 is not a priority rule.
   Materials: * Memorandum from Kenneth C. Kettering (October 7, 2008)

D. Revision of § 9-322(c).
   Materials: * Memorandum from Kenneth C. Kettering (October 7, 2008)

E. Potpourri of technical and policy issues.
   Materials: * Memorandum from Professor Stephen L. Sepinuck (December 10, 2008)

F. Boats covered by a certificate of title.

G. Minimum filing-office electronic system and data field capabilities.

H. Rights of transferee of funds from deposit account.

I. Location of governmental units.

J. Inclusion of nonnegotiable instruments in § 9-406.


L. Updating comments to reflect amendments to Bankruptcy Code and other UCC articles.

XX. Agenda for next meeting.

XXI. Adjournment (by 12:00 noon, February 8, 2009).