

FINANCIAL REGULATORY

Practice

PRIMARY CONTACTS

CRAIG S. UNTERBERG
T +1 212.659.4987
F +1 212.884.8206

Our Financial Regulatory lawyers possess extensive experience counseling and representing financial institutions, holding companies, and non-bank entities that are subject to the complex mix of federal and state statutes and regulations affecting their businesses. Our lawyers have represented clients before various state banking, insurance, and securities regulatory agencies in addition to the following federal agencies: the Federal Deposit Insurance Corporation; the Board of Governors of the Federal Reserve System; the Office of the Comptroller of the Currency; the Office of Thrift Supervision; the Consumer Financial Protection Bureau; the National Credit Union Administration; the Securities and Exchange Commission; the Financial Industry Regulatory Authority; the Financial Crimes Enforcement Network; and the Office of Foreign Assets Control.

We advise clients concerning compliance with the numerous federal and state laws applicable to their businesses, including:

- Regulatory agency examination advice and strategy
- Bank acquisitions and divestitures
- Anti-money laundering/Bank Secrecy Act
- Affiliate transactions
- Insider loans
- Loans to one borrower
- Consumer protection laws
- Permissible activities for banks and subsidiaries
- Permissible activities for holding companies
- Regulatory reporting
- Privacy, identity theft and breach response
- Capital and prompt corrective action
- Fair lending laws
- Community Reinvestment Act

We also represent clients in mergers, acquisitions, bank charters, bank failures, branch purchases and divestitures, holding company formations, holding company bankruptcies, initial public offerings, and capital raise transactions through private and public offerings.

Our lawyers also have experience in defending financial institutions, officers and directors in regulatory enforcement actions brought by federal and state banking agencies, including negotiated resolutions to such actions and advising clients regarding compliance with administrative actions. We also represent broker-dealers and registered individuals in SEC, FINRA, state and foreign examinations, investigations, regulatory and enforcement matters, including preparing and defending witnesses in FINRA “on the record” interviews and SEC testimony.

Finally, our lawyers in the Banking and Financial Services Litigation group have represented clients in federal and state courts in addition to various alternative dispute resolution procedures.