



FINANCIAL SERVICES

Guidance Through Change

Financial services entities rely on our firm for operational know-how, regulatory acumen, and our understanding of products and services. From community banks to global financial services companies, our clients turn to us, in diverse economic climates, for our unique blend of experience, depth and perspective that only industry longevity can bring.

The financial services industry is one of Barnes & Thornburg's most significant areas of practice. We advise a diverse group of financial services providers in matters ranging from regulatory compliance and corporate governance, to mergers and acquisitions, complex financing transactions, and litigation.

Our financial services clients include:

- Local, regional and global banking and lending institutions
- Federal and state banks and thrifts
- Savings associations and credit unions
- Issuers of credit cards and other forms of consumer credit
- Payment processing companies
- Mortgage companies and mortgage servicers
- Insurance companies
- Accounting firms
- Investment banking firms
- Governmental lending agencies
- Pension funds
- Financial advisors

Why Barnes & Thornburg?

Finding new ways to help clients identify solutions and new business opportunities, across industries, is at our core. We are, at times, more than lawyers, we are advisers bringing new ideas to light. We understand what keeps you up at night and work collaboratively to find practical and creative solutions, at the heart of business.

AREAS OF CONCENTRATION

Bank/Thrift/Credit Union Regulatory Practice

Banking and Financial Institutions - Securities

Broker-Dealer and Investment Advisor Regulation

Corporate Governance and Sarbanes-Oxley

Financing

Mergers and Acquisitions - Financial Services

Treasury Management

RELATED PRACTICES

Consumer Financial Services and Litigation

Corporate

- Financing companies
- Real estate investment trusts (REITs)
- Institutional investment funds

We regularly advise our financial services clients on complex regulatory matters and represent them before state and federal banking agencies. This includes guiding our clients through formal and informal enforcement proceedings and negotiating supervisory agreements and cease and desist orders on their behalf. We also represent financial services clients in M&A and capital-raising transactions, such as issuances of common and preferred stock, warrants, and subordinated debt, that raise complex securities law issues.

We also assist our financial institution clients on a broad range of treasury management issues, including the development of new products, customer agreements, UCC issues, regulatory matters, and technology and outsourcing agreements.

Our team also regularly advises financial service providers on cybersecurity and data protection compliance matters and helps them develop risk-based approaches to managing data privacy. Our work in this area includes helping clients investigate and respond to data breaches, negotiating and drafting data privacy agreements and policies, and developing comprehensive data protection programs that prepare clients to face the legal challenges in this fast-evolving area.

We also advise our financial services clients on consumer regulatory compliance matters, including those arising under the Truth in Lending Act and Regulation Z, the Real Estate Settlements Procedures Act, and the other regulations of the Bureau of Consumer Financial Protection. We also assist our financial services clients with holding company formations, charter flips and thrift conversions, and guide them through bankruptcies, restructurings, foreclosures, and general operational matters involving, for example, real property, employment and intellectual property.

We also negotiate, draft and close lending and financing transactions across a broad spectrum, including asset-based and unsecured commercial loans, acquisition financings, securitized asset financings, syndicated real estate loans, construction loans, tax-exempt financings, and commercial real estate and project financings. We also assist with debtor-in-possession financings, credit and equity transactions, public and bond financings, capitalized leases, dealer financings, and other floor plan arrangements.

Our litigators have experience resolving virtually all types of financial services disputes and litigation claims. Over the last decade, we have tried some of the largest and most complex high-stakes securities fraud, enforcement and corporate control cases to verdict involving, for example, Enron and Global Crossing, and litigation arising out of the Madoff and Petters Ponzi schemes.

Financial Services Practice Leaders



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