

McGuireWoods



BANKING REGULATION AND ENFORCEMENT



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When the government investigates, banks need skilled defense counsel who know the industry and can navigate these matters to resolution. McGuireWoods defends and counsels banks in their most sensitive, high-stakes matters.

Our Banking Regulation and Enforcement team includes seasoned lawyers who defend the world's largest banks in inquiries by the Department of Justice, SEC, OCC, FRB, CFPB, FDIC, state attorneys general, and several other regulators. Our successes have led to repeated recognition as a Banking Practice Group of the Year and White Collar Practice Group of the Year. With experience in nationwide securities fraud investigations, OCC enforcement actions alleging unsound banking practices, data breaches, and defense of banks in BSA/AML-related inquiries, our Banking Regulation and Enforcement lawyers have been there. Over the past 20 years, McGuireWoods has built strong relationships with government lawyers and earned a reputation for knowing how to navigate the life cycle of a large-scale investigation.

The complexity of large investigations, often involving multiple agencies and significant public attention, requires counsel who know the banking industry and the regulators that govern it.

- We have defended national banks in multi-year enforcement actions by DOJ, SEC, OCC, and attorneys general.
- We have developed and implemented comprehensive compliance programs for several banking clients and their subsidiaries.
- We have trained a national bank's entire investigations workforce on conducting effective internal investigations.
- We have defended banks in several enforcement matters regarding BSA/AML compliance.
- We have represented bank clients in matters involving the largest Ponzi schemes in history.

In every matter, we understand the heightened privacy concerns and risk-based planning unique to our bank clients, and we keep these issues top of mind when advocating on their behalf.

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ABOUT OUR TEAM

McGuireWoods' Banking Regulation and Enforcement team is part of an elite Government Investigations & White Collar Litigation Department with decades of bank-related experience. We hold a robust presence in all the major U.S. banking markets and have been recognized as a Law360 White Collar Practice Group of the Year. The firm also has been recognized as a Banking Practice Group of the Year. With decades of experience handling investigations and litigation in the banking sector, our Banking Regulation and Enforcement team includes former senior enforcement officials from a variety of governmental agencies, including the DOJ, SEC, OCC, and FINRA. We also draw upon the acumen of seasoned litigators in our Financial Services Litigation, Business Securities Litigation, and Complex Commercial Litigation departments, as well as our financial institutions industry team, our broker-dealer team, and our SEC enforcement team. McGuireWoods leverages experience across the full spectrum of regulatory, compliance, and business issues to ensure our banking clients receive well-tailored advice and a comprehensive defense team to handle the many complex issues presented in government inquiries.

EXPERIENCE HANDLING INQUIRIES FROM:

DOJ

SEC

OCC

FRB

FDIC

FinCEN

CFPB

State AGs

NYDFS and other state regulators

ABOUT MCGUIREWOODS

McGuireWoods has 1,100 lawyers in 21 offices across the United States and other countries. Over its 187-year history, we have earned the loyalty of our many longstanding clients with deep understanding of their businesses and broad skills in complex regulatory and compliance matters, high-stakes disputes, and transactional matters. For more than a decade, McGuireWoods has been ranked on BTI Consulting Group's "Client Service 30" list of law firms serving Fortune 1,000 companies — elite firms singled out for client service excellence based on unprompted feedback from corporate counsel. Its full-service public affairs arm, McGuireWoods Consulting LLC, offers infrastructure and economic development, strategic communications and grassroots advocacy, and government relations solutions. For more information, visit www.mcguirewoods.com.

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HOW WE HELP

Given this special combination of skills, experience and relationships, McGuireWoods' Banking Regulation and Enforcement team helps clients develop successful strategies to navigate high-stakes investigations to resolution. From the receipt of a grand jury subpoena or supervisory letter to a full-blown investigation with significant media interest, we gauge the potential legal, business and reputational consequences, counseling clients on charting the best path forward to resolve the issue while avoiding damaging missteps.

Our team also helps banking clients limit the collateral consequences of government investigations by developing strategies to reduce and address the impact on licensing, private litigation and potential criminal exposure. In collaboration with McGuireWoods' strategic risk and crisis management group, the [Congressional Investigations team](#) and McGuireWoods Consulting, we manage ancillary issues associated with bank investigations, including congressional investigations, board and shareholder relations, media inquiries and other crisis management matters.

National banks, regional banks, credit unions, senior executives and boards of directors call on McGuireWoods to handle a range of matters in the investigations arena, including:

Coordinating the defense and response to grand jury and related investigations into banks' operations, compliance structures, and allegations of employee and customer misconduct

Conducting internal investigations and presenting to government counsel and bank regulators' supervisory and enforcement staffs regarding investigation progress and findings

Preparing witnesses for government interviews and testimony

Directing media and public relations and developing crisis management strategies

Training legal and investigations personnel on all aspects of internal and government-facing investigations

Overseeing board and shareholder relations, litigation, and other ancillary matters

REPRESENTATIVE MATTERS

- Defended a national bank in multiyear enforcement actions by the DOJ, SEC, OCC and multistate attorneys general into issues involving allegations of securities fraud and falsification of records.
- Represented national bank and litigation target in \$1 billion Ponzi scheme fraud in Southern District of Florida in federal investigation and related investor litigation.
- Represented a national bank in connection with an internal and DOJ investigation into suspicious activity reporting and fraud conducted through the bank.
- Represented a national bank in a DOJ investigation into fraud and elder abuse allegations.
- Represented multiple banks in enforcement actions and inquiries into BSA/AML compliance and SAR reporting requirements.
- Conducted an internal investigation into issues impacting a national bank's compliance with an OCC consent order.
- Trained a prominent national bank's entire investigations workforce on conducting effective and efficient internal investigations.
- Defended servicer in CFPB enforcement action related to marketing service agreements and allegations of deceptive practices, RESPA, FCRA and Regulation N violations.
- Represented a financial institution in a securities fraud case in which the plaintiffs alleged that the company, and specifically its CEO and CFO, made fraudulent statements about the adequacy of certain reserves.
- Serve as outside privilege and discovery counsel to a large national bank.
- Defended financial institution against OCC enforcement inquiry including regular discussions with Commission counsel and coordination of company's response.
- Represented a half-dozen employees of a major financial institution in responding to a CFPB investigation into alleged kickbacks between a lender and a title company in violation of RESPA.
- Defended numerous financial institutions in connection with Ponzi and pyramid schemes perpetrated by account holders resulting in enforcement actions and investigations by DOJ, OCC, SEC and FinCEN.
- Developed and led an innovative litigation and crisis management team for one of the world's largest financial institutions that allowed them to avoid significant legal, political, and reputational risk.
- Represented a financial institution in more than 40 FINRA arbitrations worth more than one billion dollars in damages.
- Conducted internal investigation and response to regulatory inquiries into alleged employee misconduct at a large financial institution, leading a team conducting more than 700 employee interviews over a two-month period.
- Conducted internal investigations for financial institutions regarding proactive company compliance and government enforcement actions.
- Represented financial institutions in responding to data breaches, including internal investigation, crisis management, notice requirements and responding to congressional inquiry.

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SENIOR BANKING REGULATION AND ENFORCEMENT TEAM CONTACTS

For more information please contact the following lawyers:



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ABOUT OUR GOVERNMENT INVESTIGATIONS & WHITE COLLAR LITIGATION DEPARTMENT

The Government Investigations & White Collar Litigation Department at McGuireWoods is a nationally recognized team of more than 80 attorneys representing Fortune 100 and other companies and individuals in the full range of civil and criminal investigations and enforcement matters at both the federal and state level. Our senior team is comprised of a deep bench of former federal officials, including former U.S. Attorneys, more than a dozen federal prosecutors, and an Associate Counsel to the President of the United States. Strategically centered in Washington, our Government Investigations & White Collar Litigation is proud to be recognized as an elite practice, most recently honored by Chambers USA with a highly regarded nationwide ranking for Corporate Crime & Investigations, honored twice as White Collar Practice Group of the Year by Law360, and consistently ranked among the world's leading investigations firms on the Global Investigations Review 100 guide to top cross-border investigations practices. The Legal 500 United States, a premier list of the country's best law firms, also commended McGuireWoods for the "exceptional quality" of our powerhouse white collar litigation practice.

For more information about the breadth of the capabilities of the Government Investigations & White Collar Litigation Department, please contact department chair Jason H. Cowley at jcowley@mcguirewoods.com or at +1 704 343 2030.



CHAMBERS

Nationwide highly regarded ranking for Corporate Crime & Investigations

BTI CONSULTING GROUP

One of only 10 firms named to “Client Service 30” list 13 times or more.

THE LEGAL 500

Nationwide ranking for corporate investigations and white collar criminal defense

GLOBAL INVESTIGATIONS REVIEW

Ranked among the world’s top 100 firms for four consecutive years for our “heavyweight team of white-collar investigators that bring decades of high-stakes work experience”

LAW 360

Named a Banking and a Government Investigations Practice Group of the Year.

THE NATIONAL LAW JOURNAL

Multiple partners named “White Collar, Regulatory & Compliance Trailblazers”

BEST LAWYERS

Multiple government investigations partners named “Lawyers of the Year”

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