

→ Financial Services

The financial services industry has undergone significant change over the last ten years including, importantly, the Dodd Frank Act (“DFA”), and more recently the roll back of a number of DFA provisions. In addition, the rise of financial technology has brought about significant change to the financial services industry at an ever increasing speed. We work with our bank and nonbank clients on both the transactional and litigation fronts to design creative solutions to the issues they face. Whether the engagement involves bringing new financial products to market, structuring debt and equity liquidity transactions, corporate transactions, navigating the patchwork of federal, state and local regulations applicable to such matters, or representing clients in bet-the-company litigation matters, Sheppard Mullin’s Financial Services Group brings innovative problem solving to the matter at hand.

The Financial Services Group is an interdisciplinary collection of attorneys who represent financial services companies in all areas of law, providing not only commercial, transactional counsel, but also advice relating to financings, fund formation, intellectual property, labor and employment, tax and the full range of commercial, securities and other litigation. Our clients include domestic and foreign banks, investment banks, broker-dealers, investment advisors, indenture trustees, credit opportunity funds, master servicers, special servicers and other financial services companies. We emphasize straightforward and incisive analysis of complex legal and business issues, clear communication and common-sense solutions as the best, most efficient tools for serving our clients.

We advise a wide range of financial market participants including banks, marketplace lenders and alternative capital providers, lessors, sellers, investors and, at times, lessees and borrowers in a host of commercial financing transactions, including acquisition, bridge, mezzanine and asset-based financings (syndicated and direct facilities), structured finance and securitization transactions, real estate secured transactions and energy related financings, including loans, leases, syndications/participations, loan pool and chattel paper portfolio purchases and sales. The team also includes industry-leading bankruptcy attorneys which represent financial services clients in the restructuring and workout of troubled loans and the representation of creditors in bankruptcy proceedings.

Many of our Financial Services attorneys understand both the financial and technology industries so are ideally positioned to help FinTech companies effectively manage the many legal and policy issues they face. Among our particular capabilities are securities, security and privacy and cybersecurity, and the technology surrounding platform solutions.

Our Financial Services team provides a full range of services to the mortgage industry and is a leading participant in bank mergers and acquisitions transactions. We represent a number of mortgage banking clients on such matters as purchase and sale transactions involving mortgage loans and mortgage servicing rights, warehouse facilities, repurchase agreements, netting agreements, securities agreements, and participations, managing the licensing and chartering process, advising on regulatory strategies and issues including developing policies and procedures to address regulatory concerns, and representation in regulatory proceedings and litigation.

In addition to our transactional and regulatory experience, we offer financial services clients some of the best litigation resources in the country. Attorneys in our Financial Services Litigation practice represent financial services clients at every stage of dispute resolution, in state and federal trial and appellate courts, as well as in arbitrations, mediations and other alternative dispute resolution proceedings. We are regularly involved in advising clients on consumer financial compliance, enforcement and litigation.

Working with our Securities Enforcement team (which includes former state and federal prosecutors and regulators) we regularly represent financial institutions dealing with the agencies, departments and authorities that regulate them. We regularly represent clients dealing with the Department of Justice, the FBI, U.S. Postal Inspection Service, the SEC, FRB, OCC, CFTC, state Attorney General's offices, District Attorney's offices, state securities regulators, and FINRA.