

Financial Institutions

In the ever-changing legal and regulatory landscape affecting financial institutions, our banking attorneys bring significant experience to the representation of our clients throughout California and Nevada. We represent a wide array of national banks, regional and community banks, credit unions, and insurance companies, as well as their investors and directors, in all facets of the law. Our banking attorneys serve not only as trusted outside legal advisors on specific transactions and disputes, but also in a broad role as inside and outside general counsel.

Our banking attorneys skillfully resolve complex problems for a wide variety of financial institutions including national banks, regional banks, community banks, credit unions, consumer finance companies, special servicers, leasing companies, and agricultural lending cooperatives, in diverse creditors' rights matters, complex commercial litigation (including class actions), and bankruptcy cases. In litigation, we focus on solving problems, not on the process. We are tenacious and creative; our experience and efficiency bring value and yield success.

We have particular expertise in matters involving:

- Defense of lender liability claims;
- Defense of regulatory compliance claims;
- Prosecution and defense of claims related to loan enforcement and fraudulent business schemes;
- Prosecution and defense of fraudulent transfer claims under the Uniform Fraudulent Transfer Act;
- Enforcement of personal property liens, including Civil Code and Commercial Code, Article 9 liens;
- Analysis of security first rules and anti-deficiency statutes;
- Assistance with judicial and non-judicial foreclosures;
- Protecting collateral and securing claims through writs of possession and writs of attachment;
- Protecting collateral by obtaining receivers;
- Disputes related to negotiable instruments under Article 2 of the Commercial Code;
- Protecting cash collateral;
- Obtaining relief from bankruptcy stay;
- Opposing and promoting plans of reorganization;
- Defense of preference and fraudulent transfer avoidance actions;
- Creditors' committee representation.

Selected Experience

- Defended large California financial institution in multi-million-dollar breach of contract suit filed by software vendor after client terminated contract for non-performance; at mediation, vendor dismissed case in its entirety.
- Defended large California credit union in defense of putative class action challenging debit card overdraft practices. Matter was favorably resolved for the client at mediation, while the client's motion for summary

judgment adjudication on putative class' claims alleging violation of Federal banking regulations was pending.

- Successfully handled litigation on behalf of bank against former officer who misappropriated bank's technology and trade secrets. Obtained temporary restraining order and preliminary injunction at the outset of case requiring former officer to return bank's intellectual property.
- On-going representation of one of the nation's largest credit unions in compliance, real estate and litigation matters.

Trade Groups

- California Bankers Association (CBA)
- California Society of CPAs (CalCPA)
- Greater Sacramento Economic Council