



→ Moorari K. Shah

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Moorari Shah, a financial services partner based in the Orange County and San Francisco offices, specializes in fintech representations and is Leader of the firm's Consumer Finance Team and a member of the *Chambers-ranked* Blockchain and Fintech Team.

"Moorari Shah is a clear industry expert and leader in his field."
- Legal 500 US (2023)

Areas of Practice

Moorari is a highly respected and trusted adviser known for his strategic thinking. He combines deep in-house and law firm experience to deliver practical, business-minded legal advice. He represents banks, fintechs, mortgage companies, payment processors, auto lenders, and other nonbank institutions in transactional, licensing, regulatory compliance, and government enforcement matters covering mergers and acquisitions, consumer and commercial lending, equipment finance and leasing, and supervisory examinations, investigations, and enforcement actions involving state and federal agencies.

Moorari has an active regulatory practice, representing nonbanks and financial institutions in matters before governmental agencies, including the Consumer Financial Protection Bureau (CFPB), Federal Trade Commission (FTC), Federal Reserve Board (FRB), Federal Deposit Insurance Corporation (FDIC), Office of the Comptroller of the Currency (OCC), and state attorneys general as well as other state regulators such as the New York Department of Financial Services (NYDFS), the California Department of Financial Protection and Innovation (DFPI), and state banking departments.

He frequently handles matters involving:

- Compliance with federal and state consumer protection laws, including the Equal Credit Opportunity Act (ECOA), the Real Estate Settlement Procedures Act (RESPA), the Truth in Lending Act (TILA), the Fair Credit Reporting Act (FCRA), Electronic Funds Transfer Act (EFTA), Electronic Signatures in Global and National Commerce Act (E-SIGN), Telephone Consumer Protection Act (TCPA), Military Lending Act (MLA), and the Fair Debt Collection Practices Act (FDCPA)
- Allegations of unfair, deceptive, or abusive acts in violation of the Federal Trade Commission Act (UDAP), the Consumer Financial Protection Act (UDAAP), and similar state laws
- Application of federal rules governing electronic payments, state and federal money transmitter laws, compliance with Bank Secrecy Act/anti-money laundering (BSA/AML) laws and regulations, and the structuring and negotiation of critical third-party relationships.

Clients rely on Moorari's prudent and pragmatic approach to compliance with state and federal consumer protection laws and regulations. His expansive knowledge of state licensing requirements and product structuring options aids companies in carefully crafting compliant solutions, taking into account reputational, operational, and enforcement risks. He is a Certified Information Privacy Professional (CIPP/US), and his advisory work for clients includes implementation of programs, policies, and procedures for purposes of complying with state and federal laws such as the Gramm-Leach-Bliley Act (GLBA), the California Consumer Privacy Act (CCPA), and the New York Cybersecurity Regulations.

Moorari is also nationally recognized by *Legal 500* for his M&A/Corporate and Commercial expertise and has significant experience negotiating asset- and stock purchases, bank partnership arrangements for fintech platforms, start-up company financings through IPO, payment processing and acquiring transactions, loan purchase and servicing agreements, and complex on-shore and off-shore information technology and business process outsourcing transactions. He also has experience in real estate, asset-based, and unsecured financings, as well as enforcing rights and remedies against corporate debtors in non-bankruptcy workout negotiations. His comprehensive approach emphasizes navigation of contractual, operational, and regulatory hurdles to achieve real-world business outcomes.

Moorari regularly counsels companies on California-specific financing topics, including new legislation impacting consumer and commercial lenders and lessors. He is the Chair of the Legislative and Regulatory Subcommittee of the Equipment Leasing and Finance Association (ELFA), whose membership includes more than 500 manufacturers, banks, and captive and independent leasing and finance companies.

Moorari started his career as a prosecutor in the Manhattan District Attorney's Office, spent several years in private practice and then worked in-house at Toyota Motor Credit Corporation for nine years, handling a range of commercial transactional and regulatory matters, before rejoining private practice in 2013. He is an active member of the South Asian Bar and National Asian Pacific American Bar Associations and a certified Six Sigma Black Belt.

Honors

Notable Practitioner, *Chambers Fintech Legal*, 2024

Recognized Lawyer - Media, Technology and Telecoms/Cyber Law (including Data Privacy and Data Protection), *Legal 500 US*, 2023

Edward A. Groobert Award for Legal Excellence, Equipment Leasing and Finance Association, 2023

Top Author, *JD Supra* Readers' Choice Awards, 2022-2024

David H. Fenig Distinguished Service in Advocacy Award, Equipment Leasing and Finance Association, 2019

Experience

Representative matters include assisting:

- Financial institutions develop new products and services, including consumer and small business financing products, banking services, point-of-sale financing options, and home acquisition and investment alternatives
- Payments companies, e-commerce platforms, digital asset and cryptocurrency firms, and retailers in addressing electronic payment regulations, money transmitter licensing, and FinCEN compliance, including

obtaining required approvals nationwide

- Private equity companies in acquisitions and regulatory due diligence of mortgage, commercial equipment, automobile, and specialty finance company targets
- Banks and nonbanks in Consumer Financial Protection Bureau (CFPB), Federal Trade Commission (FTC), Office of the Comptroller of the Currency (OCC), Federal Deposit Insurance Corporation (FDIC), and state regulatory examinations and investigations involving bank vendor activities
- Purchasers and sellers of consumer and commercial loan receivables, including in connection with securitizations of the same
- Equipment finance, merchant cash advance, and factoring companies in connection with state licensing and disclosure laws and federal data collection and reporting regulations under the Equal Credit Opportunity Act
- “Challenger banks” and other fintech platforms in bank partnership agreements
- Equipment lessors in financing transactions and state regulatory and licensing matters
- Mortgage companies in warehouse financings, affiliated business arrangement joint ventures, and loan purchase and sale agreements
- Fintech companies preparing for funding rounds and initial public offerings
- Financial institutions in acquiring core provider, information technology, and business process outsourcing services from domestic and foreign-based service providers
- Fintechs and fintech-focused venture capital and private equity funds in connection with evaluating permissible investments and activities of bank investors from a regulatory perspective
- Captive and independent consumer auto and commercial vehicle finance companies in developing retail finance and white label programs, inclusive of negotiating dealer program agreements to originate and purchase leases and loans through both indirect and direct finance models
- Online lending platforms in development of auto refinance and retail installment products offered through a bank partner, including development of compliance protocols for advertising, user interfaces, privacy and data protection, underwriting, financing of ancillary products (e.g., GAP), and down-stream processes for title, taxes and loan servicing

Articles

- CFPB Reality Check: Video Game Cash Is Still Money
Law360, 05.10.2024
- Regulatory Trends Offer 4 Lessons For Debt Relief Providers
Law360, 03.01.2024
- Eye on Privacy: 2023 Year in Review
01.26.2024
- A Lease, or Not a Lease: That Is the Question
Equipment Leasing and Finance Association, 11.20.2023
- Regulators' Focus On AI Highlights Risks For Lenders
Law360, 10.16.2023
- CFPB Notches Multibillion Dollar Settlement with Credit Repair Operation
Daily Journal, 09.26.2023

- Consumer Financial Services Answer Book (2024 Edition)
Practising Law Institute, 09.25.2023
- Equipment Leases v. Equipment Financings: Acknowledging the Similarities
Monitor, 08.15.2023
- How Fed's Crypto Denial Fits Into Broad Regulatory Movement
Law360, 03.06.2023
- Eye on Privacy 2021 Year in Review
01.11.2022
- Decade in the making: CFPB proposes Dodd-Frank Section 1071 Regulations
Daily Journal, 10.27.2021
- Regulation of Commercial Finance Ramps Up
State legislation and enforcement aimed at commercial lessors and lenders continue at frenzied pace
Leasing Law, 2021

Consumer Finance and Fintech Blog Posts

- "States Sue the Biden Administration to Stop Loan Relief Plan," April 12, 2024
- "CFPB and FTC Argue Consumer Reporting Companies Have an Obligation to Correct Errors in Joint Amicus Brief," April 5, 2024
- "Report Signals CFPB Taking Aim at Video Game and Virtual Worlds Industries," April 5, 2024
- "Lenders Sue to Block Colorado's Interest Rate 'Opt-Out' Law," March 29, 2024
- "CFPB Issues Guidance on Deceptive Practices by Remittance Transfer Providers," March 29, 2024
- "Wisconsin Signs Earned Wage Access Bill into Law," March 29, 2024
- "Third Circuit Ruling Gives CFPB Green Light to Enforce Against Student Loan Trusts," March 22, 2024
- "New Hampshire Enacts Comprehensive Consumer Privacy Law," March 22, 2024
- "CFPB Renews Push on 'Junk Fees' with Closing Costs in its Sights," March 15, 2024
- "FTC Announces Major Expansion of Telemarketing Sales Rule," March 15, 2024
- "Louisiana Becomes Latest State to Introduce Commercial Financing Disclosure Legislation," March 15, 2024
- "The CFPB Finalizes Credit Card Late Fee Rulemaking," March 8, 2024
- "New York Attorney General Brings \$1.4 Billion Lawsuit Against Merchant Cash Advance Lenders," March 8, 2024
- "Trade Groups Continue Fight Against CFPB's 1071 Small Business Rulemaking," March 8, 2024
- "Minnesota AG Bans Tribal Lender from Doing Business within the State," March 8, 2024
- "CFPB Issues Risk-Based Supervision Order Against Installment Lender," March 1, 2024
- "FDIC Issues Consent Order Against Tennessee Bank," March 1, 2024
- "Justice Department Hire's First Chief AI Officer," March 1, 2024
- "Auto Finance Company Faces Class Action Lawsuit for Targeting Military Families," March 1, 2024
- "The CFPB Takes Aim at Digital Comparison Shopping Websites and Lead Generators," March 1, 2024

- "California AG Warns State-Chartered Banks and Credit Unions on Fees," March 1, 2024
- "Congress Continues to Pressure Payment Apps to Change their Fraud Policies," February 23, 2024
- "CFPB's Enhanced Supervisory Appeals Process: A Potentially Beneficial Shift for Financial Institutions," February 23, 2024
- "CFPB Ramps Up Auto Finance Scrutiny: A Look at the New Data Collection Initiative," February 23, 2024
- "DOJ and SEC Officials Issue Harsh Warnings Concerning the Misuse of AI," February 16, 2024
- "NLRB Finds Common Provisions in Mortgage Lender Employment Contract Illegal," February 16, 2024
- "South Dakota Lenders on Tight Deadline for BSA/AML Compliance," February 16, 2024
- "Crypto Platform Settles SEC and State Regulator Charges over Interest Bearing Feature on Customer Accounts," February 16, 2024
- "DOJ and North Carolina Attorney General Reach \$13.5M Settlement in Discriminatory Lending Case," February 9, 2024
- "FTC Announces Settlement of Junk Fee Enforcement Action," February 9, 2024
- "Bank Partnership Moves to Dismiss Class Action Asserting Violations of Georgia Rate Cap Law," February 9, 2024
- "Bank Groups Sue to Overturn New Community Lending Rules," February 9, 2024
- "More States on the Cusp of Enacting 'True Lender' Laws," February 2, 2024
- "California Bill Proposes to License All Commercial Loan Brokers," February 2, 2024
- "New York Governor Consumer Protection Agenda Targets Unfair and Deceptive Practices and BNPL Providers," February 2, 2024
- "Federal Reserve and NYDFS Penalize Large Global Bank for BSA/AML and Other Compliance Failures," February 2, 2024
- "FTC Cracks Down on Data Aggregator, Bans Sale of Precise Consumer Location Data," February 2, 2024
- "CFPB and Attorneys General Sue Debt-Relief Enterprise," January 26, 2024
- "FTC Settles with Cash-Advance Fintech for Alleged Deceptive and Discriminatory Practices," January 26, 2024
- "FTC Opens Inquiry Into Generative AI Investments and Partnerships," January 26, 2024
- "CFPB Continues its War on Fees," January 26, 2024
- "CFPB Continues Focus on Credit Reporting with Guidance on FCRA Compliance," January 26, 2024
- "CFPB Brings String of Enforcement Actions to Round Out 2023," January 26, 2024
- "Washington D.C. Introduced Rate Exportation Opt-Out and 'Anti-Evasion' Bill," December 28, 2023
- "Florida Introduces 'True Lender' Legislation," December 28, 2023
- "OIG Issues Audit Memorandum to FDIC's Regional Service Provider Examination Program, Impacts Fintechs," December 28, 2023
- "Federal Judge Upholds California's Small-business Lending Disclosures," December 28, 2023
- "President Biden Vetoes Congressional Review Act Disapproval of CFPB's Small Business Lending Data Collection Rule," December 28, 2023

- "FDIC Issues Order Against Bank Over Fintech Partnership," December 8, 2023
- "FTC Approves Compulsory Process for AI-related Products and Services," December 8, 2023
- "CFPB Settles Claims Against Operator of Training Program for Activities Arising out of Income Share Agreements," December 8, 2023
- "CFPB Files Action Against Fintech for Allegedly Violating Previous Order, Deceiving Customers, Withdrawing Funds Without Consent," November 17, 2023
- "FTC Settles with Fintech for \$18M over Deceptive Cash Transfers and Difficult-to-Cancel Memberships," November 17, 2023
- "FTC, Florida Settle with Chargeback Mitigation Company for \$150K," November 17, 2023
- "CFPB Report: Credit Card Companies Charged Consumers \$130B in Interest and Fees," November 17, 2023
- "OCC Issues Bulletin on Risks Related to Venture Lending," November 9, 2023
- "California Court Denies DFPI's Motion for Preliminary Injunction Against Fintech," November 9, 2023
- "CFPB Publishes New Report on State Community Reinvestment Laws," November 9, 2023
- "FTC Amends Safeguards Rule, Requires Non-Banks to Report Data Security Breaches," November 3, 2023
- "FTC and Wisconsin DOJ Agree to \$1.1M Settlement with Auto Dealers over Unlawful Junk Fees and Discrimination Against American Indian Customers," November 3, 2023
- "Federal Jury: Trade Association and Real Estate Brokerages Conspired to Inflate Commissions, \$1.8B in Damages to Plaintiffs," November 3, 2023
- "Federal Court Issues Nationwide Injunction of CFPB's Small Business Lending Rule," November 3, 2023
- "CFPB Issues Proposed Rule to Regulate Personal Financial Data Rights," October 19, 2023
- "Senate Votes to Repeal CFPB Small Business Lending Rule," October 19, 2023
- "CFPB, DOJ Joint Statement: Financial Institutions May Not Use Immigration Status to Illegally Discriminate Against Credit Applicants," October 19, 2023
- "CFPB Acts Against Fintech Operator of Mobile App for Illegal International Money Transfers," October 19, 2023
- "CFPB, FTC, California Make Significant Moves on 'Junk Fees'," October 19, 2023
- "NY Federal Court Rules CFPB Vicarious Liability Suit Can Proceed," October 19, 2023
- "CFPB Initiates FCRA Rulemaking on Medical Debt and Data Brokers," October 5, 2023
- "CFPB 2022 Loan Data: Decrease in Originations; Increase Loan Payments, Fees," September 29, 2023
- "US District Court Grants HUD's Summary Judgment Motion in Disparate Impact Case," September 29, 2023
- "FTC Judge Orders Tax Filing Software Company to Stop Advertising Products as 'Free'," September 21, 2023
- "FTC Settles FCRA Suit Against 'People-Search' Companies," September 21, 2023
- "CFPB Adjusts Long Time Position Relating to Loan Originator Compensation," September 21, 2023
- "Kentucky Court Grants Injunction on Small Business Lending Rule," September 15, 2023
- "Texas Court Strikes Down CFPB UDAAP Policy," September 15, 2023
- "CFPB Reaches \$2.6 Billion Settlement with Credit Repair Company," September 15, 2023

- "Federal Reserve Issues Guidance on Supervision of "Novel Activities" by Banks, Impacts Bank-Fintech Partnerships," September 1, 2023
- "California DFPI Finalizes Small Business UDAAP Rule," September 1, 2023
- "CFPB Sues Installment Lender for Alleged Loan Churning Operation," September 1, 2023
- "FTC Publishes INFORM Act Guidance for Third Party Sellers," August 25, 2023
- "CFPB Sues Auto-Loan Servicer for Allegedly Harming Consumers," August 18, 2023
- "CFPB Forecasts New Rule Cracking Down on Consumer Data Sales," August 18, 2023
- "State Privacy Law Roundup: What Financial Services Entities Need to Know," August 18, 2023
- "Texas Court Enjoins CFPB's Enforcement of Small Business Lending Rule," August 4, 2023
- "Nevada EWA Legislation Creates Novel Regulatory Framework," August 4, 2023
- "Latest CFPB Supervisory Highlights Detail UDAAPs Across Range of Areas," August 4, 2023
- "FTC Reaches Settlement with Crypto Platform," July 20, 2023
- "CFPB, other Federal Agencies Seek Public Comment about Medical Debt," July 20, 2023
- "CFPB Sues Lease-to-Own Finance Company for Allegedly Deceiving Consumers," July 20, 2023
- "Michigan Supreme Court Limits Applicability of Usury Savings Clauses," July 10, 2023
- "Texas, Louisiana Enact Digital Asset Licensing Legislation," July 10, 2023
- "Hsu Suggests Caution in Rollout of AI and Tokenization in Banking," July 10, 2023
- "CFPB Warns of Privacy Risks Arising from Automated Workplace Surveillance Technology," July 10, 2023
- "CFPB Report Identifies Issues with Increased Servicemember Use of Digital Payment Apps," June 23, 2023
- "FTC Notifies Online Marketplaces of Obligations Under INFORM Act," June 23, 2023
- "FDIC, FRB & OCC Issue Final Guidance on Risk Management for Third-Party Relationships," June 9, 2023
- "CFPB Warns of Risks Related to AI Chatbots in Banking," June 9, 2023
- "CFPB Highlights Risks of Storing Funds in Digital Payment Apps," June 9, 2023
- "Reminder: The FTC "Safeguards Rule" Compliance Date is June 9," June 2, 2023
- "Georgia Introduces New Commercial Financing Disclosure Requirements," June 2, 2023
- "Pennsylvania AG Targets Rent-to-Own Company for Alleged Deceptive and Predatory Practices," June 2, 2023
- "Colorado Approves DIDMCA Opt-Out, Raising Concerns for Consumer Credit Access," May 26, 2023
- "New CFPB Circular: Reopening Closed Accounts May Violate CFPA," May 26, 2023
- "CFPB, FTC Continue Crack Down on Debt Relief Schemes," May 19, 2023
- "Washington State Enacts Credit Repair Law," May 12, 2023
- "New York Settles with Crypto Company, Proposes Crypto Legislation," May 12, 2023
- "CFPB Issues Guidance to Protect Homeowners from Zombie Mortgages," May 5, 2023
- "Lawsuit Challenges CFPB Reporting Rule for Small Business Lending," May 5, 2023

- "CFPB Statement of Interest Highlights Focus on Discriminatory Access to Credit," May 1, 2023
- "Federal Regulators Remain Focused on AI-based Discrimination," May 1, 2023
- "Junk Fees Continue to be Focus of CFPB, Biden Administration," May 1, 2023
- "CFPB Director Elevates Priorities for Data Privacy & Repeat Offenders," April 14, 2023
- "CFPB Issues Guidance on "Abusive" Conduct in Financial Markets," April 10, 2023
- "CFPB: TILA Does Not Preempt State Commercial Financial Disclosures," April 10, 2023
- "NYDFS Examination of Crypto Payment Service Provider Ends in Settlement," April 10, 2023
- "CFPB Issues Small Business Lending Rule," March 30, 2023
- "FTC Examining Small Business Credit Reporting System," March 24, 2023
- "CFPB Launches Inquiry into the Business Practices of Data Brokers," March 24, 2023
- "CFPB, FTC Seek Public Comment on Tenant Background Checks," March 24, 2023
- "California DFPI Publishes New Guidance on Remote Work by MLOs," March 16, 2023
- "CFPB Report Details Financial Profiles of BNPL Borrowers," March 16, 2023
- "CFPB and NLRB Enter Information Sharing Agreement," March 16, 2023
- "FTC Seeks to Block Deal Between Top Mortgage Loan Technology Providers," March 16, 2023
- "CFPB Provides Guidance on Auto Finance Data Pilot," March 3, 2023
- "Recent CFPB Actions Focus on Protecting Military Families," March 3, 2023
- "Massachusetts AG Settles Enforcement Action Against Auto Lender," March 2, 2023
- "FTC Provides CFPB with Letter on ECOA," February 17, 2023
- "CFPB's RESPA Advisory Addresses Digital Mortgage Comparison-Shopping Platforms, Lead Generation," February 17, 2023
- "District Court Dismisses CFPB Redlining Action Against Nonbank, Limits ECOA's Reach," February 17, 2023
- "FDIC Settles with Bank for Repeat RESPA Violations, Doubling Previous Fine," February 10, 2023
- "Latest CFPB Rule Proposal Takes Aim at Credit Card Late Fees," February 10, 2023
- "Recent Crypto Settlements Signal State and Federal Enforcement Trends," February 10, 2023
- "New York Adopts Final Commercial Financing Disclosure Regulations," February 2, 2023
- "FinTech Prevails in Texas "True Lender" Challenge," February 2, 2023
- "NY DFS Releases Custodial Guidance on Crypto Insolvency," February 2, 2023
- "Fed Board Denies Crypto Firm's Bid to Join Federal Reserve System," February 2, 2023
- "Colorado AG Secures Latest Settlement over Unearned GAP Fees," January 26, 2023
- "CFPB Report: ID Theft Among Servicemembers Increasing," January 26, 2023
- "CFPB: Negative Option Marketing Practices May Violate CFPA," January 26, 2023
- "CFPB Proposes Registry of Terms and Conditions for Nonbanks," January 19, 2023
- "Iowa AG Usury Investigation into Bank Partnership Ends in Settlement," January 19, 2023
- "CFPB Settles with "Debt Collection Mill"," January 19, 2023

- "CFPB and New York AG File Suit Against "Predatory" Auto Lender," January 12, 2023
- "AZ Attorney General Concludes Non-Recourse EWA Not a Loan," January 12, 2023
- "CFPB Files Amicus Brief in TILA Suit, Impacts How Banks Collect on HELOCs," January 4, 2023
- "OCC Revises Policies and Procedures for Civil Money Penalties," December 15, 2022
- "CFPB Fall Supervisory Highlights Find Credit Reporting Failures, Junk Fees, Mishandling of Covid-19 Protections," December 15, 2022
- "CFPB and State Regulators Hone in on Interest-Bearing Crypto Accounts," December 15, 2022
- "CFPB Targets Financial Services Company for Deceptive Advertising," December 8, 2022
- "Treasury Report Sets Guidelines For Oversight on FinTech Participation in Core Finance Markets," December 2, 2022
- "FTC Extends Deadline for Safeguards Rule Compliance to June 9, 2023," November 16, 2022
- "FTC Action Alleging Dark Patterns Forces Software Company to Pay Damages and Adopt New Practices," November 11, 2022
- "FTC, DFPI Shut Down Mortgage Relief Operation," November 11, 2022
- "CFPB Issues Proposed Rulemaking on Data Access and Portability," November 11, 2022
- "CFPB Issues Latest Crack Down on Junk Fees," November 11, 2022
- "Fifth Circuit Rules CFPB Funding Structure Unconstitutional in Next Turn of Litigation," October 27, 2022
- "CFPB Annual Report: End to Mortgage Refinancing Boom, Increase in Home Purchase Loans," October 27, 2022
- "CFPB Sues Payment Platform as the Crack Down on Dark Patterns Continues," October 20, 2022
- "CFPB Supervisory Examinations Find Violations by Student Loan Servicers and University-Owned Lenders," October 7, 2022
- "FTC Reports Rise in "Dark Pattern" Tactics in Consumer Markets," September 23, 2022
- "2021 CFPB Annual Report Shows Increase in Home Purchase Loans, Decrease in Refinancing," September 23, 2022
- "New York Publishes Proposed Rules on Commercial Financing Disclosures," September 15, 2022
- "Eleventh Circuit Dismisses Debt Collection Letter Case For Lack of Standing," September 15, 2022
- "California Regulator Proposes Changes to Student Loan Servicing Laws," September, 15, 2022
- "CFPB Warns of Consumer Risk Over New Payment Products, Foreshadows Supervision of BNPLs," September 15, 2022
- "OCC Highlights Focus on Crypto and Bank-FinTech Partnerships, Anticipates Stricter Scrutiny Going Forward," September 15, 2022
- "FTC Targets Credit Services Company For False "Pre-Approved" Credit Offers," September 9, 2022
- "FTC Signals Focus on Increasing Protections Around Personal Data," September 9, 2022
- "New York Proposes Cybersecurity Rules for Financial Institutions," August 26, 2022
- "Georgia and Rhode Island Amend Consumer Finance Laws to Add Licensing Exemption, Remote Work Authorization," August 26, 2022

- "Court Orders Injunctive Relief Against Tech Company for Deceptive Advertising, Unfair Fee Practices," August 26, 2022
- "House Passed SECURE Notarization Act of 2022," August 18, 2022
- "CFPB's New Interpretive Rule Sets Sights on Digital Marketing Vendors," August 18, 2022
- "CFPB Circular: Safeguard Consumer Data or Face Liability," August 18, 2022
- "CFPB Targets FinTech for Faulty Automated Savings Algorithm," August 18, 2022
- "Connecticut Banking Commission Releases Advisory on Money Transmission," August 11, 2022
- "Payment Processor Agrees to Refund Customers After FTC Alleges Surprise Exit Fees and Zombie Charges On Small Businesses," August 11, 2022
- "Regulators Remind Auto Industry of Servicemember Protections," August 11, 2022
- "CFPB, DOJ Propose \$22 Million Penalty Against Nonbank Mortgage Lender for Illegal Redlining," August 5, 2022
- "4th Circuit: Borrower Must Return Loan Proceeds After Rescission Despite Lender's Failure to Meet TILA Requirements," August 5, 2022
- "CFPB's Chopra Has Payments and Crypto In Focus," August 5, 2022
- "Fed Reports on Cybersecurity and Financial System Resilience," August 5, 2022
- "CFPB Continues Efforts to Promote Competition in Financial Markets," August 5, 2022
- "FSB Highlights Vulnerabilities Crypto-assets for Global Financial System," July 28, 2022
- "DOJ Investigating FinTech Over PPP Loans," July 28, 2022
- "DFPI Second Rulemaking Proposal on Debt Collection Licensing," July 28, 2022
- "CFPB Issues Rule Clarifying States' Rights to Protect Consumers Through Fair Credit Reporting Laws," July 14, 2022
- "CFPB Advisory Opinion: Pay-to-Pay, "Convenience" Fees Prohibited by FDCPA," July 14, 2022
- "Industry Groups to CFPB: Take Back UDAAP Anti-Discrimination Policy," July 14, 2022
- "CFPB Discusses Consumer Finance Data, Sets Priorities," July 7, 2022
- "CFPB Examines Credit Card Late Fees," July 7, 2022
- "FTC Targets Junk Fees, Bait-and-Switch Advertising by Auto Dealers," July 7, 2022
- "CFPB Rescinds Special Regulatory Treatment for EWA Company," July 7, 2022
- "DFPI Issues Proposed Rules for Commercial Financing," June 30, 2022
- "CFTC: Agency Prepared to Regulate Crypto," June 27, 2022
- "CFPB Aims to Simplify Rules and Guidance," June 27, 2022
- "CFPB Blogs About Need for Standardized Credit Reporting," June 27, 2022
- "CFPB Targets Student Loan Debt Relief Scam Reboot," June 15, 2022
- "FTC Captures \$2.7 Million in Restitution from Small Business Financer," June 13, 2022
- "California Approves Commercial Financing Disclosure Regulations," June 13, 2022
- "New York Releases Stablecoin Guidance," June 13, 2022

- "California Regulator Seeks Comment on Reworking Consumer Complaint Rules," June 7, 2022
- "CFPB Affirms Compliance with ECOA Adverse Action Notice Requirements," June 7, 2022
- "California Regulator Seeks Comment on Future Crypto Guidance," June 7, 2022
- "CFPB Announces Opening of New Office of Competition and Innovation," June 7, 2022
- "Connecticut Stops FinTech from Unlicensed Lending Activities," June 7, 2022
- "FinCEN Highlights Responsible Crypto Innovation, Warns Service Providers," June 1, 2022
- "OCC Acting Comptroller: Recent Crypto Events Provide a "Wake-Up Call," "Opportunity to Reset and Recalibrate";" May 31, 2022
- "CFPB, NY Reach \$4M Settlement with Debt Collection Operation," May 31, 2022
- "FTC Strengthens Advertising Guidelines Against Fake Reviews," May 31, 2022
- "FTC Takes Action Against Payment Processor," May 31, 2022
- "Stablecoin Regulation Update," May 20, 2022
- "FDIC and CFPB Take Action to Protect Against Misrepresentations about FDIC Insured Status and Misuse of Name and Logo," May 20, 2022
- "CFPB Report on Mortgage Servicers Examines Industry Responses After Pandemic Protections End," May 20, 2022
- "CFPB Affirms that ECOA Protects Consumers After Receiving Credit," May 16, 2022
- "Treasury Department Proposes Non-Loan Status for Earned Wage Access," May 16, 2022
- "No Relief in Sight: CFPB and FTC Continue to Take Action Against Debt Settlement Companies," May 13, 2022
- "CFPB Issues Spring 2022 Supervisory Highlights," May 13, 2022
- "CFPB Blog: Stop Overcharging for Auto Loan Add-on Products," May 13, 2022
- "Governor Newsom Signs Blockchain Executive Order," May 5, 2022
- "FTC Proposes Updates to Telemarketing Sales Rule, Business to Business Exemption in Order To Protect Small Businesses," May 4, 2022
- "California Reinstates Licensing Exemption for Single Commercial Loan Made During 12-month Period," May 3, 2022
- "FTC, DOJ Seek to Enjoin Internet Provider From Facilitating Illegal Robocalls," April 29, 2022
- "California Strikes Back: Filing Cross-Complaint Alleging FinTech is "True Lender," Seeks \$100M Penalty," April 28, 2022
- "FinTechs in Crosshairs as CFPB Invokes Dormant Authority to Examine Nonbanks," April 28, 2022
- "CFPB and NY AG Sue Remittance Provider, citing "Repeat Offender" ," April 28, 2022
- "FTC Finalizes Order Against Leading Provider of Business Credit Reports," April 28, 2022
- "CFPB Director Testifies Before Congress," April 28, 2022
- "CFPB Signals Foray into Protecting Small Businesses from Abusive Debt Collectors," April 21, 2022
- "CFPB Director Critical of Small Bank Core Service Providers," April 21, 2022

- "DFPI: Virtual Currency Platform is not Money Transmitter," April 19, 2022
- "CFPB Sues Credit Reporting Agency and Former Senior Executive," April 18, 2022
- "State Investor Advisory Addresses DeFi Risks," April 18, 2022
- "Crypto Round-up: Executive Order Coincides with Uptick in Enforcement Actions," April 18, 2022
- "FDIC Warns Insured Institutions Engaging in Crypto Activities About Risks," April 11, 2022
- "Acting Comptroller Discusses Architecture of Stablecoins," April 11, 2022
- "CFPB Fines Student Loan Servicer \$1 Million to Settle Alleged UDAAP Violations," April 8, 2022
- "Utah Enacts Commercial Financing Disclosure Requirement," April 8, 2022
- "Interagency Task Force Unveils Action Plan to Address Racial Discrimination in Home Appraisals," April 8, 2022
- "FTC Imposes Record-Setting \$10M Fine Against Multistate Auto Dealer, Settling Charges of Racial Discrimination and Unauthorized Charges," April 8, 2022
- "May 1st is Around the Corner: Bank Computer-Security Incident Notification Requirements," April 1, 2022
- "FTC, DOJ Halt Credit Repair Operation Over Deceptive Practices," March 25, 2022
- "Recent Transaction Transfers Ownership of Digital Mortgage Loans via Blockchain," March 25, 2022
- "CFPB Flexes UDAAP Muscle Over Contractual "Gag" Clauses and Fake Consumer Reviews," March 24, 2022
- "Regulation by Definition: CFPB Broadens Definition of "Unfairness" to Rein in Discrimination," March 17, 2022
- "Online Investment Site Settles with FTC, \$2.4M Fine," March 16, 2022
- "Fintech Flips Script, Sues California Regulator Over 36% Rate Cap Law," March 11, 2022
- "Virginia Approves Bill Allowing Banks to Offer Cryptocurrency Custody Services," March 9, 2022
- "Biden Administration Issues Executive Order on Cryptocurrencies," March 9, 2022
- "FTC Bans Operators of Alleged Debt Relief Scam, \$5.3M penalty," March 7, 2022
- "CFPB: Auto Loan Servicers Must Ensure Lawful Repossessions," March 7, 2022
- "DFPI Approves EWA Provider," March 7, 2022
- "CFPB Seeks to Prevent Algorithmic Bias in Automated Home Valuation Models," March 7, 2022
- "CFPB to Monitor Lenders During Expected Increase in Auto Loan Debt," February 25, 2022
- "Federal Agencies Issue Interagency Statement on Special Purpose Credit Programs Under ECOA, Regulation B," February 25, 2022
- "California and Georgia Reach Settlement with Rent-to-Own Companies," February 25, 2022
- "Auto Finance Companies May Face Risk From Holder Rule, Pending California Supreme Court Case," February 22, 2022
- "CFPB Takes Aim at Prepaid Card Providers Distributing Government Benefits," February 18, 2022
- "House Financial Services Committee Focuses on PWG Stablecoin Report," February 10, 2022
- "OCC Prevails in Challenge to "Valid When Made" Rule," February 9, 2022
- "DC OAG Reaches \$4 Million Settlement with FinTech Over Claims of Predatory Lending," February 9, 2022

- "FTC Order: Auto Marketing Company and Owner Banned From Industry for Misleading Consumers," February 1, 2022
- "CFPB Provides Guidance on How Consumers Can Obtain and Dispute Inaccuracies in Credit Reports," January 28, 2022
- "DFPI Reminds Licensees to Submit Annual Reports by March 15," January 27, 2022
- "CFPB Addresses "Confusion" Over Earned Wage Access Program," January 27, 2022
- "CFPB Requests Comments on "buy now, pay later"," January 27, 2022
- "CFPB to Examine College Lending Practices," January 26, 2022
- "FTC Says the Holder Rule Does Not Prevent State Law From Requiring Payment of Costs or Attorneys' Fees Against Loan Holders," January 25, 2022
- "CFPB Bans Payment Processor for Engaging in Fraudulent Practices," January 21, 2022
- "Federal Reserve Examines Pros and Cons of a Central Bank Digital Currency," January 21, 2022
- "OCC: Bank Regulation Would Mitigate Crypto Risk," January 21, 2022
- "FTC: Provider of Business Credit Reports Engaged in Deceptive and Unfair Practices, Refunds Customers," January 21, 2022
- "CFPB Likely to Delay Data Sharing Rule Until 2023," January 18, 2022
- "Lead Generator Settles with FTC Over Alleged FCRA and FTC Act Violations," January 13, 2022
- "CFPB Report: Major Credit Bureaus Failed to Meet Statutory Obligations in Response to Consumer Complaints," January 7, 2022
- "FTC Bans Merchant Cash Advance Provider from Industry," January 7, 2022
- "CFPB Takes Action Against Purchaser of Structured Settlements," January 5, 2022
- "New York Makes Remote Online Notarizations Permanent," January 3, 2022
- "CFPB Closes Online Lending Fintech for Violating ECOA and CFPB Consent Order," January 3, 2022
- "DFPI Issues Consent Order to Auto Title Lender," January 3, 2022
- "DFPI Extends NMLS Transition for CFL Licensees to March 15, 2022," January 3, 2022
- "CFPB Issues Orders to Companies Offering BNPL Credit," December 20, 2021
- "CFPB Published Reg. Z Amendments to Facilitate Libor Transition," December 16, 2021
- "Federal Bank Regulators Approve New Cybersecurity Incident Notification Rule," December 8, 2021
- "DFPI Reports Increase in Consumer Loans Under \$2,500, Decrease in Consumer Loans Between \$2,500 and \$10,000," December 3, 2021
- "OCC Chief Counsel Clarifies Bank Authority to Engage in Crypto," December 1, 2021
- "Banking Agencies Provide Crypto-Asset Roadmap as a Result of Interagency "Policy Sprints"," November 24, 2021
- "Eleventh Circuit orders en banc rehearing in *Hunstein*," November 19, 2021
- "New York Enacts Consumer Credit Fairness Act, Impacting Debt Collection Actions," November 17, 2021
- "OCC: Modernize the Bank Regulatory Perimeter on Bank-Fintech Partnerships," November 17, 2021

- "Banking Agencies: Mortgage Servicers Should Prepare For Increased Scrutiny," November 12, 2021
- "New Commissioner Appointed to lead CA DFPI: Cloey Hewlett," November 12, 2021
- "OCC Calls for Regulation of Crypto Banking," November 9, 2021
- "NMLS Transition for California Financing Law Licensees: December 31, 2021 Deadline," November 9, 2021
- "President's Working Group Releases Report on Stablecoins," November 5, 2021
- "FTC to Increase Enforcement Against "Dark Patterns" Directed at Consumers," November 3, 2021
- "FTC Finalizes Safeguard Rules for Non-Bank Financial Institutions," November 3, 2021
- "CFPB Director Chopra Appears at First House Hearing Since Approval as Director," November 1, 2021
- "CFPB, DOJ and OCC Take Action Against National Bank for Alleged Redlining," October 25, 2021
- "CFPB to Tech Companies: Submit Payment System Information," October 25, 2021
- "First CFPB Enforcement Action Under New Director: \$6 Million Fine Against Prison Financial Services Company," October 25, 2021
- "NYDFS Issues Proposed Rules to Implement New Commercial Financing Disclosure Law," October 25, 2021
- "Hawaii Amends Small Dollar Lending Law," October 21, 2021
- "NMLS Transition for California Financing Law Licensees: December 31, 2021 Deadline," October 21, 2021
- "CFPB Updates Supervision and Examination Manual, Adds IT Examination," October 21, 2021
- "CFPB Opts Not to Take Action Against Banking App," October 13, 2021
- "OCC: Crypto and DeFi Must Avoid Another Financial Crisis," October 4, 2021
- "Chopra Confirmed as CFPB Director," October 1, 2021
- "More Regulatory Clarity on the Horizon for FinTech," September 30, 2021
- "Court Agrees with FTC: Can Seek Relief under Section 19," September 27, 2021
- "CFPB Alleges that Service Provider Helped Credit-Repair Businesses Charge Illegal Fees," September 22, 2021
- "CFPB Sues Online Lender for Alleged Violations 2016 Consent Order," September 21, 2021
- "Money Transmission Licenses Required for Virtual Currency Activities in Arkansas and Florida," September 21, 2021
- "Wyoming and Maine Issue New Licensing Requirements Potentially Impacting Passive Loan Investors," September 21, 2021
- "Are Income Share Agreements Loans? The CFPB Says Yes," September 10, 2021
- "FTC Approves Changes to FCRA Rules; Clarifies Application to Motor Vehicle Dealers," September 9, 2021
- "CFPB Issues Proposed Rule Under Section 1071 of Dodd-Frank to Collect Small Business Lending Data," September 3, 2021
- "Banking Agencies Release Due Diligence Guidance on Community Bank-FinTech Relationships," August 31, 2021
- "FFIEC Issues Updated Guidance on Authentication and Access to Financial Institution Services and Systems," August 26, 2021

- "CFPB To Issue Data Collection Regulations for Small Business Lenders in September," August 13, 2021
- "CFPB Confirms November 30 Effective Date for Debt Collection Final Rules," August 11, 2021
- "California Regulator Signals New Scrutiny of Student Lending Industry, Enters Into Consent Order with Servicer of Income Share Agreements," August 10, 2021
- "Maine Enacts "True Lender" Legislation, Amends Consumer Credit Code to Include Anti-Evasion Provisions," August 9, 2021
- "CFPB Reaches Correct Resolution On Juneteenth Disclosure Issues," August 9, 2021

Esports and Games: Game Counsel

- "Video Games, AI, and ...the Law?," April 28, 2022

Finance and Bankruptcy Law Blog Posts

- "Federal Agencies Request Comments on Risk Management Guidance for Third-Party Relationships," July 19, 2021
- "CFPB Takes Action Against FinTech Company for Originating Unauthorized Loans," July 19, 2021
- "FHFA Releases Policy Statement On Fair Lending," July 15, 2021
- "CFPB Blogs About Buy Now Pay Later," July 13, 2021
- "FDIC Chairman Discusses FinTech and Bank Innovation," July 7, 2021
- "CFPB and Georgia AG Settle With Debt-Relief Company," July 7, 2021
- "DFS Settles with Indirect Auto Lenders to Resolve Fair Lending Violations," July 7, 2021
- "CFPB Issues Summer 2020 Supervisory Highlights," July 7, 2021
- "House Votes to Repeal OCC True Lender Rule," June 28, 2021
- "Lina Khan Sworn in as New FTC Chair," June 28, 2021
- "CFPB to Resume Examinations Under the Military Lending Act," June 22, 2021
- "FTC Takes Novel Approach to Seek Civil Money Penalties in the Wake of AMG Capital Ruling," June 18, 2021
- "Second Circuit Reverses Ruling in FDCPA Case," June 15, 2021
- "House Subcommittee Launches Investigation into FinTech Companies' Role in Allegedly Fraudulent PPP Loans," June 15, 2021
- "CFPB Issues Mortgage Servicing FAQs," June 15, 2021
- "CFPB Issues FAQs on Electronic Fund Transfers," June 8, 2021

Eye On Privacy Blog Posts

- "Impact of FTC Safeguard Rules Amendment on Breach Notification Timing," November 20, 2023
- "CFPB Starts Year Seeking Comments on Proposals to Give Consumers Enhanced Control of Financial Data," January 9, 2023
- "CFPB Sues Payment Platform Over Dark Patterns," October 27, 2022
- "Connecticut Fifth State to Pass a Comprehensive Privacy Law," May 12, 2022
- "In First CCPA "Opinion", California AG Clarifies Scope of Access Requests," March 24, 2022

- "CFPB's Latest Orders Place Data Practices Front and Center for 2022," January 5, 2022
- "Non-Banking Institutions Will Want to Review Security Measures in Light of Update to Safeguards Rule," November 4, 2021

Retail Law: Retail Trend Spotter

- "New York Fashion Sustainability Act: Now In Committee," April 28, 2022

Media Mentions

How Has the Crypto Crash Affected You?

KQED, 08.02.2022

Fintech wants to pay workers faster. The CFPB might have a word.

Protocol, 07.25.2022

Speaking Engagements

- Panelist, "Navigating RESPA and the CFPB: Insights, Updates and Future Outlook," LendingTree Summit, November 14, 2023
- Presenter, "Legal News CEOs Can Use," Equipment Leasing and Finance Association Annual Convention, October 23, 2023
- Presenter, "Operational Preparedness: Are You Ready for the New CA and NY Disclosure Requirements?" Equipment Leasing Finance Association, July 28, 2022
- Panelist, "Counseling Disruption - Proactively lawyering the future of FinTech, Digital Assets, and the new age of Financial Services," SABA Conference 2022, July 15, 2022
- Speaker, "State Advocacy New Year's Resolutions: Prepare for Commercial Financing Disclosure Laws in New York and California," Equipment Leasing Finance Association, December 15, 2021
- Panelist, "Legal & Regulatory Issues – Next Wave of Regulatory Policy," Opal Group's Marketplace Lending & Alternative Financing Summit 2021, December 9, 2021
- Panelist, "Back to the Future: Hot Legal Topics for ELFA's 70th Anniversary," Equipment Leasing and Finance Association's Annual Convention, October 25, 2021
- Speaker, "Engagement Session: The Latest on Regulatory Expectations for Vendor Management," Mortgage Bankers Association Legal Issues & Regulatory Compliance Conference, May 26, 2021

Events

Who Turned Out the Lights?: FTC Steps Up "Dark Patterns" Enforcement of Retailers

Webinar, 02.02.2022

Memberships

Mentorship Chair, South Asian Bar Association of Southern California, 2017-2019

Podcasts & Webinars

Who Turned Out the Lights?: FTC Steps Up “Dark Patterns” Enforcement of Retailers
02.02.2022

Practices

Syndicated Credit Facilities
Asset Based Lending
Bankruptcy and Restructuring
California Antitrust and Unfair Competition Law
California Consumer Privacy Act (CCPA)
Commercial Lending and Financial Transactions
Commercial Mortgage Backed Securities (“CMBS”)
Consumer Protection
Corporate
Emerging Company & Venture Capital
Equipment Leasing
Joint Ventures and Strategic Alliances
Mergers and Acquisitions
Privacy and Cybersecurity
Private Equity
Technology Transactions
Telephone Consumer Protection Act (TCPA)

Industries

Artificial Intelligence
Blockchain
Blockchain and Fintech
Consumer Finance
Financial Services
Fintech
Mortgage Banking
Transportation

Education

J.D., Boston University, 1996, *cum laude*

B.A., Duke University, 1993

Admissions

California

New York

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court, Central District of California

Additional Office

San Francisco