

Mike W. Lochmann

PARTNER

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Mike is a trusted and strategic advisor to banks, financial service companies and FinTech innovators on complex regulatory and compliance issues and financing transactions.

Mike focuses on financial services regulation and compliance, mergers and acquisitions of banks and financial companies, consumer finance and financing transactions nationwide. Mike has helped dozens of banks, FinTech companies, prepaid card issuers, and e-banking, e-lending, e-payments and technology companies create new regulatory-compliant products and services.

“Mike and his team remain our #1 choice for trusted, relevant and actionable external legal advice” said one S&P 500 client. *The Best Lawyers in America*® recognized Mike as the 2018 “Lawyer of the Year” in the practice area of Financial Services Regulation Law in Kansas City, MO.

Recognized for helping clients grow their businesses with practical legal advice and workable solutions, Mike advises on the design and marketing of innovative financial products and services. He applies his CPA background and deep knowledge of banking, corporate, securities and tax laws to counsel companies and individuals dealing with federal and state regulatory compliance issues and defend regulatory investigations and enforcement actions.

PRACTICES & INDUSTRIES

Bank M&A and Capital Markets
Banking & Financial Services
Consumer Financial Services
FinTech, Payments & Financial Products

ADMISSIONS

Missouri, 1984

EDUCATION

Australian National University, M.A.,
International Law, *with distinction*, 1986

- Rotary International Graduate Scholar

Washington University in St. Louis, J.D., 1984

- Order of the Coif

Valparaiso University, B.S.B.A., *with highest distinction*, 1981

CPA Exam, Missouri Gold Medalist, May 1981

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EXPERIENCE

Mike negotiated H&R Block Bank's sale of assets and deposits to Bank of the Internet (BoFI).

He has developed national programs and financings for refund advances, refund anticipation loans, refund transfers, and other tax related products, including state RAL/RT facilitator licensing and disclosures.

He negotiated a prepaid card program management agreement for nationwide card issuer and program manager, including regulatory compliance.

Clients trust Mike to ensure online marketplace lending programs' compliance with state usury laws, loan broker and debt collector laws, money transmitter laws and "true lender" issues.

Mike completed the sale of assets and insured deposits of a troubled federal savings bank in nine separate branch sales transactions, followed by the voluntary dissolution of the federal savings bank, without a bank failure or FDIC receivership.

Mike has extensive experience structuring joint venture and financing programs between commercial banks and online lenders to address federal preemption, true lender, loans to one borrower, third party vendor and other regulatory compliance issues.

Mike helped a state-licensed lender design an internet and storefront military lending program, including complex choice of state law matrix for out of state and joint loan applicants.

Mike advises non-bank clients on consumer loan origination, sale and servicing programs, including small loan lender and debt collector licensing, disclosures and compliance.

He has advised clients on money transmitter and payment systems, including federal and state licensing and regulatory compliance.

Mike has helped clients *de novo* charter national banks, federal savings banks and state-chartered banks.

Mike advises clients on permitted activities of banks and bank holding companies.

Mike advises banks and holding companies on mergers and acquisitions, and capital markets financing transactions.

Mike defends federal and state regulatory investigations and enforcement actions.

He negotiated the recapitalization of eBank, including regulatory supervision and enforcement.

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RECOGNITIONS

Listed in *Best Lawyers in America*® for Banking and Finance Law, Financial Service Regulation Law, Mergers & Acquisitions Law, and Corporate Law and 2020 “Lawyer of the Year” for Financial Services Regulation Law in Kansas City, MO.

PROFESSIONAL & CIVIC ACTIVITIES

American Bar Association, Banking Law Committee

The Missouri Bar

Kansas City Metropolitan Bar Association

Missouri Bankers Association, Legal Counsel Section

Kansas City Repertory Theatre, Distinguished Director

Troop 50 Boy Scouts, Heart of America Council

National Eagle Scout Association

Order of the Arrow and Tribe of Mic-O-Say

Ward Parkway Presbyterian Church, Elder

NEWS

Lochmann Opines on the FDIC’s Proposed Regulations for Bank M&A in *The Banker*
03.29.2024

Stearns Bank Acquires Majority of Contract Capital Corporation; Stinson Serves as Legal Counsel
09.15.2023

175 Stinson Attorneys Selected to the 2024 *Best Lawyers in America* List
08.17.2023

Stinson’s Pro Bono Nonprofit Legal Clinic Continues to Serve Kansas City-Area Communities
06.29.2023

Lochmann Provides Insight to Banking M&A Slowdown in *Law360* Article
03.31.2023

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Stinson Ranked Among Top Firms in S&P Global's Year-End Banking Tables; Wraps Up 2022 with 12 M&A Transactions

03.29.2023

Lochmann Discusses Bank Failures, Lessons for Business Owners with *Kansas City Business Journal*

03.21.2023

Stinson Represents Stearns Bank Holdingford National Association in Sale

09.13.2022

152 Stinson Attorneys Selected to the 2023 *Best Lawyers in America* List

08.18.2022

Stinson Serves as Legal Counsel to Northeast Kansas Bancshares in Orrick Bank Acquisition

05.24.2022

Stinson's Bank M&A and Capital Markets Divisions Wrap Up 2021 With 13 Transactions

02.01.2022

103 Stinson Attorneys Selected to the 2022 *Best Lawyers in America* List

08.19.2021

Stinson Serves as Legal Counsel to IFB Holdings in Acquisition by Grey Mountain Holdings

01.25.2021

Stinson's Bank M&A and Capital Markets Divisions Wrap Up 2020 With 13 Transactions

01.19.2021

112 Stinson Attorneys Selected to the 2021 *Best Lawyers in America* List

08.20.2020

Freedom Bancshares of Southern Missouri Acquisition Closes, Stinson Serves as Legal Counsel

06.15.2020

First State Holding Co. Transaction Closes, Stinson Serves as Legal Counsel

06.08.2020

Stinson Served as Counsel to First State Holding Co. in its Acquisition of Plattsmouth State Bank

01.22.2020

Country Club Bank Transaction Closes, Stinson Serves as Legal Counsel

01.06.2020

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Stinson Attorneys Represent Freedom Bancshares of Southern Missouri, Inc. in Merger Transaction
01.06.2020

SPEAKING ENGAGEMENTS

"Lessons Learned From a Cross-Border Acquisition of a Specialty Finance Lender that Became an Operating Subsidiary of a National Bank," Bank Director's Acquire or Be Acquired, January 2024

"M&A Case Studies for Thinly Traded & Private Companies," Bank Directors Acquire or be Acquired, January 2017

"New FDIC Brokered Deposit FAQs," Stinson LLP Banking Seminar, September 2016

"Permitted Activities for Bank Holding Companies," Stinson LLP Banking Seminar, January 2016

PUBLICATIONS

"White Paper: Federal Preemption for Farm Credit Institutions," September 2018

"Winds of Change in Financial Services Regulation," *Ingram's Magazine*, March 2017

"Your New, Thousand-Page Definition of a 'Fiduciary'," *Ingram's Magazine*, June 2016

"Second Circuit Gets it Wrong by Applying Usury Law to Assignments of Charged-Off Credit Card Debt," *Clarks' Secured Transactions Monthly*, July, 2015

"A Momentous Court Decision May Hurt Bank Lending Powers," *Issues: Regulation*, BankDirector.com, July 2015

"Tricking TRUPs Threaten BHCs", *Western Independent Bankers, CFO & Finance Digest*, November 2014

Interview and quote, *Ingram's Magazine* article on current trends in banking, "Change? Bank On It."

Bank Holding Companies MUST Review Their Shareholder Agreements

04.10.2023

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