

BANKING & FINANCIAL SERVICES AUTO FINANCE

Bradley's experienced attorneys advise clients in all facets of automotive consumer finance. We provide full-service representation to banks, non-bank private lenders, and captive automotive lenders on critical matters including automotive finance regulations, compliance, government enforcement, and litigation, as well as licensing and insurance. Our attorneys have significant experience with installment contract compliance and litigation, servicing, and portfolio purchases and sales.

Our team comprises attorneys with deep interdisciplinary knowledge of the automotive field. We understand the players, their values and priorities, and how financial services fit into the larger picture of the industry. The firm also boasts a deep bench of lawyers focused on litigation, federal and state regulatory compliance, state licensing, and government enforcement.

Our partners have experience both in-house at financial institutions and with regulatory agencies, such as the Consumer Financial Protection Bureau (CFPB), and have built a reputation for credibility and integrity in the industry. Bradley attorneys are leaders in developing state and federal law concerning arbitration clauses in the automotive finance context, and are at the forefront of complex issues such as disparate impact. Our services to automotive lenders include the following, but are not limited to:

Litigation

When a dispute lands our clients in a courtroom, Bradley lawyers have the skills to successfully defend litigation, from initial assessment all the way through trial and appeal, if necessary. Our attorneys are trusted to defend complex cases, including class action matters with significant business and reputational risks to our clients. At the same time, our attorneys also assist automotive lenders with a variety of smaller state and federal court litigation matters. Among the litigation services we provide our clients are:

- Defending automotive lenders against claims brought under the Truth in Lending Act and Servicemembers Civil Relief Act
- Litigating consumer claims brought against clients concerning data furnisher reporting and reinvestigation
- Litigating disputes concerning dealer fraud, title releases, and consumer fraud claims on behalf of automotive lender clients
- Advising clients concerning disparate impact issues and defending lawsuits brought in the context of the Equal Credit Opportunity Act
- Providing other litigation support involving financial services, privacy and information security, bankruptcy, and appellate work

Regulatory Compliance

We believe in taking proactive measures to avoid investigations, enforcement, and litigation whenever possible. Our attorneys advise automotive lenders regarding compliance with a litany of state and federal consumer credit statutes to shield their exposure to harmful fines and penalties. Bradley's regulatory and compliance services for automotive finance clients include:

- Advising clients on day-to-day compliance with all applicable federal consumer protection laws, including the Truth in Lending Act, Equal Credit Opportunity Act, Fair Credit Reporting Act, Electronic Funds Transfer Act, Gramm-Leach-Bliley Act, Fair Debt Collection Practices Act, Servicemembers Civil Relief Act, and Consumer Leasing Act
- Helping clients with compliance with state repossession noticing statutes, installment contract requirements, state regulatory guidance, and federal consumer protection statutes
- Providing services related to maintaining compliance with Consumer Financial Protection Bureau (CFPB) and Dodd-Frank regulations, such as conducting risk assessments, gap analyses, mock audits, and other reviews of account records, policies, procedures, forms, and all levels of operation
- Assisting clients in responding to state and federal regulatory inquiries
- Helping clients develop more robust compliance and best-practice programs, often under the guidance of pending consent orders or regulatory directives

Licensing

Members of the firm's Financial Services Licensing Group assist clients in all 50 states, Washington, D.C., and relevant U.S. territories. Our licensing attorneys advise clients concerning dealer floor plan financing, state installment contract requirements, consumer finance licensing, and other state and federal lending statutes. Bradley attorneys also are regularly engaged to assist in strategic acquisitions of licensed entities and work with relevant regulatory agencies to secure the necessary approvals to allow these complex regulatory transactions to move forward.

Insurance

Bradley attorneys have decades of experience in providing sophisticated representation on automobile insurance matters. Our lawyers are well-equipped to provide advice on Guaranteed Auto Protection (GAP) insurance offerings, federal and state insurance regulations, and on GAP insurance risk transfer transactions.

Bradley and its team of attorneys serve as counsel for a broad range of banks, lenders and financial services clients across the United States. As part of our nationwide practice, the team (which includes more than 80 members) advises captive and indirect auto lenders, banks, mortgage lenders and servicers, installment and small dollar lenders, and other consumer finance companies on a wide spectrum of legal issues, including regulatory compliance, state licensing, governmental investigations, risk assessments, audit and exam support, business transactions, litigation, and multi-state settlements. The firm's unique, cross-disciplinary team has a national reputation as a leader in the consumer finance industry.

Large diversified firm with more than 500 attorneys licensed in more than 30 states

Industry Involvement

The members of Bradley's Auto Finance Practice Group have demonstrated their preeminence and leadership in a number of prominent industry groups

- American Financial Services Association (AFSA)
- Online Lending Association (OLA)
- Financial Service Centers of America (FiSCA)
- Consumer Bankers Association (CBA)
- Payday Loan Bar Association
- American College of Consumer Financial Services Lawyers (ACCFSL)



Bradley's Auto Finance team:



C. Meade Hartfield
Auto Finance Team Lead
Partner, Birmingham
mhartfield@bradley.com
205.521.8196

Keith S. Anderson
Partner, Birmingham
kanderson@bradley.com
205.521.8714

Anna-Katherine G. Bowman
Senior Attorney, Birmingham
abowman@bradley.com
205.521.8299

Alexandra Dugan
Partner, Nashville
adugan@bradley.com
615.252.4638

Brian R. Epling
Associate, Nashville
bepling@bradley.com
615.252.2340

Christopher K. Friedman
Associate, Nashville
cfriedman@bradley.com
615.252.3504

Michael Gordon
Partner, Washington, D.C.
mgordon@bradley.com
202.719.8263

J. Riley Key
Associate, Birmingham
rkey@bradley.com
205.521.8247

Andrew J. Narod
Associate, Washington, D.C.
anarod@bradley.com
202.719.8271

Preston H. Neel
Partner, Birmingham
pneel@bradley.com
205.521.8491

E. Sawyer Neely
Partner, Dallas
sneely@bradley.com
214.939.8722

Robert S. Niemi, CMB
Senior Advisor, Charlotte
bniemi@bradley.com
704.338.6019

Haydn J. Richards Jr.
Partner, Washington, D.C.
hrichards@bradley.com
202.719.8217

Amy Magdanz Rose
Associate, Washington, D.C.
arose@bradley.com
202.719.8264

Jared C. Searls
Associate, Birmingham
jsearls@bradley.com
205.521.8151

Richard W. F. Swor
Associate, Nashville
rswor@bradley.com
615.252.2360

Clarence Webster III
Counsel, Jackson
cwebster@bradley.com
601.592.9906