

## Financial Services Litigation

The financial services industry is dynamic and ever changing, requiring experienced legal counsel who understands the market and the client's business needs. Krieg DeVault's **Financial Institutions Practice** is well-respected on local, state and national levels, and our firm's Financial Services Litigation team is an integral part of that practice. We have a long history of advocating for financial institutions on a broad range of regulatory, enforcement and liability issues. Krieg DeVault has played a major role in shaping the financial institutions landscape in Indiana over the last several decades. Our litigators have been at the forefront of developing new law having significant impact on the financial services industry, their services and operations.

### **The Krieg DeVault Difference**

Our firm brings a true team approach to any financial services litigation matter. This involves the strategic collaboration of our seasoned banking lawyers and our formidable litigators, who together share a sophisticated grasp of the legal landscape and can offer the necessary depth and resources to take on the most complex of cases. Our bench strength comes from former bank executives and in-house counsel, leaders and advisers to financial service providers, regulators and industry organizations, and a former U.S. Attorney, making us well-equipped to address the diverse challenges those in the financial services industry face. This combination of skills, experience and collective knowledge of the substantive law and regulations enables us to pursue optimal and efficient outcomes for our clients. Krieg DeVault is the go-to litigation firm for financial institutions of all sizes.

### **The Work We Do**

We represent community and regional banks, state and nationally chartered banks, federally regulated financial institutions, specialty finance companies, investment banks, bank holding companies, broker/dealers and investment advisors, as well as other entities and individuals in the financial services industry. As we continue to monitor and stay abreast of regulatory and litigation trends in the financial services industry, we have seen an increasing number of lawsuits filed against financial institutions alleging violations of consumer protection statutes, including:

- Fair Credit Reporting Act (FCRA)
- Fair Debt Collection Act (FDCPA)
- Telephone Consumer Protection Act (TCPA)

We regularly defend against these types of claims. We also have experience representing individuals and entities in the financial services industry in a wide variety of other litigation matters listed below. In addition to traditional litigation services, we offer specialized consulting, policy development and training to assist those in the financial

services industry with regulatory compliance. Areas in which we have provided such services include:

- General business ethics
- Patriot Act
- Anti-money laundering
- Financial privacy and data protection
- Foreign Corrupt Practices Act and OFAC compliance

Our Financial Services Litigation team is experienced in effectively and efficiently resolving disputes not only in the state and federal courts, but also through arbitration, mediation and other forms of alternative dispute resolution.

## **Focus Areas**

**Antitrust issues**

**ATM litigation**

**Broker-dealer non-compete/non-solicitation disputes**

**Broker, broker-dealer, and registered investment advisor disputes involving banking and securities laws**

**Check liability issues (forged checks, endorsement issues, etc.)**

**Class actions**

**Collection and guaranty enforcement actions**

**Deposit account disputes**

**Disposition of distressed/contaminated properties**

**Employment disputes (wages, non-compete/non-solicitation agreements, etc.)**

**Employee embezzlement and theft**

**Fiduciary litigation**

**Fraud claims (money laundering, False Claims Act, Patriot Act, Foreign Corrupt Practices Act, RICO, etc.)**

**Government agency investigations**

**Grand jury and internal investigations**

**Lender liability actions**

**Mortgage foreclosure actions**



**Mortgage fraud and lending litigation (non-foreclosure)**

**NASD (now FINRA) arbitrations**

**Negligence actions**

**Overdraft and bank fee litigation**

**Personal injury claims**

**Property damage and trespass claims**

**Securities litigation**

**Trust and estate litigation**

**UCC violations**

**Wire transfer and electronic payment issues**