

## **BANKING & FINANCIAL INSTITUTIONS PRACTICE**

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Lewis R. Cohen and Michael D. Nicoleau have more than 50 years of combined experience in Banking and Finance and understand the business needs and objectives of the financial community. At Cohen Nicoleau, we strive to meet the legal needs of our clients efficiently and expeditiously by employing a practical, business-oriented approach designed to achieve your financial institution's objectives. The firm's practice areas include, but are not limited to, the following:

- ❖ Interpretation and Application of State and Federal Laws, including:
  - ◆ Patriot Act
  - ◆ Bank Secrecy Act
  - ◆ Graham-Leach-Bliley Act
  - ◆ Dodd-Frank Act
  - ◆ Uniform Commercial Code
  - ◆ Electronic Funds Transfer Act
  - ◆ Fair-Credit Reporting Act ("FCRA")
  - ◆ Truth-in-Lending Act ("TILA")
  - ◆ Fair Debt Collection Practices Act
  - ◆ Debtor & Creditor Law
  - ◆ Checks, Drafts, and Other Negotiable Instruments
  
- ❖ Regulatory Compliance, including:
  - ◆ Office of the Comptroller of the Currency
  - ◆ Federal Deposit Insurance Corporation
  - ◆ Office of Foreign Asset Control
  - ◆ Federal Reserve Board
  - ◆ Consumer Financial Protection Bureau
    - Regulation CC (Funds Availability)
    - Regulation B (Equal Credit Opportunity Act)
    - Regulation Z (Truth-In-Lending)
    - Regulation U (Margin Loans)
    - Regulation O (Insider Loans)
    - Regulation C (Home Mortgage Disclosure Act)
    - Regulation Q (Deposit Accounts)
    - Formal Regulatory Opinions including, but not limited to:
      - Legal Lending Limit
      - Cuban Blocked Accounts
      - Anti-Money Laundering ("AML")
      - Know Your Customer ("KYC")
      - Customer Identification Program ("CIP")
      - Bank Secrecy Act ("BSA")
      - Patriot Act
      - Graham-Leach-Bliley Privacy Act ("GLBA")

- ❖ Financing, Lending, & Leasing, including:
  - ◆ Real Estate Acquisition, Development, and Construction Loans
  - ◆ Documenting and Closing Mortgages, Commercial Loans, and other financial transactions
  - ◆ Examining Title and Issuance of Title Insurance
  - ◆ Asset-Based Financing
  - ◆ Equipment Leasing
  - ◆ Commitment Letters
  - ◆ Restructuring and Disposition of Non-Performing Loans
  - ◆ Letters-of-Credit
    - Commercial
    - Standby
  
- ❖ Commercial Litigation, including:
  - ◆ Lender Liability Claims
  - ◆ Wrongful Dishonor
  - ◆ Forged & Counterfeit Checks
  - ◆ Work-outs
  - ◆ Collections
  - ◆ Foreclosures
  - ◆ Other Legal Processes, including but not limited to responding to:
    - Subpoenas
    - Garnishments
    - Writs
    - Levies
    - Freeze Orders
    - Receivership Orders
  
- ❖ Private Wealth Management, including:
  - ◆ Trust Review & Analysis
  - ◆ Probate & Estate Matters
  - ◆ Trust & Probate Litigation
  - ◆ Evaluation of Court Orders pertaining to Estate, Guardianship, & Trust Accounts
  
- ❖ Document Preparation, including:
  - ◆ Bank Agreements including Wire Transfer, ACH Origination, Safe Deposit Box, Bill Pay, Positive Pay, Remote Deposit Capture, Deposit Account, and other applicable agreements between bank and client and vendors
  - ◆ Business Entity Resolutions
  - ◆ Contracts
  - ◆ Loan Documentation
  - ◆ Banking Forms, Disclosures, and Notifications
  - ◆ Policy & Procedure Manuals