

We offer clients various staffing and pricing options and have substantial experience with alternative fee arrangements, including fixed fee agreements.

UDAAP review arrangements include:

Basic Review	
Receive a privileged UDAAP risk report with recommendations	One consumer product line's homepage and jump pages; sales scripts; up to 10 pieces of printed marketing materials
Basic Plus	
Receive a privileged report with recommendations; plus up to 5 hours of Q&A or training	One consumer product line's homepage and jump pages; sales scripts; up to 10 pieces of printed marketing materials; and customer service and compliant response scripts and protocols
Review & Assembly	
Receive a privileged report with recommendations; oversight of staff and vendors, up to 10 hours of Q&A or training; plus six-month checkup	One consumer product line's homepage and jump pages; sales scripts; up to 10 pieces of printed marketing materials; customer service and compliant response scripts and protocols; and oversight of steps necessary to execute improvements

About Carlton Fields

Carlton Fields has nearly 400 attorneys and government and financial services consultants serving clients from 10 U.S. offices. The firm is known for its national litigation and regulatory practices; and its handling of sophisticated business transactions and corporate counseling for domestic and international clients.

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For additional information, visit www.carltonfields.com.

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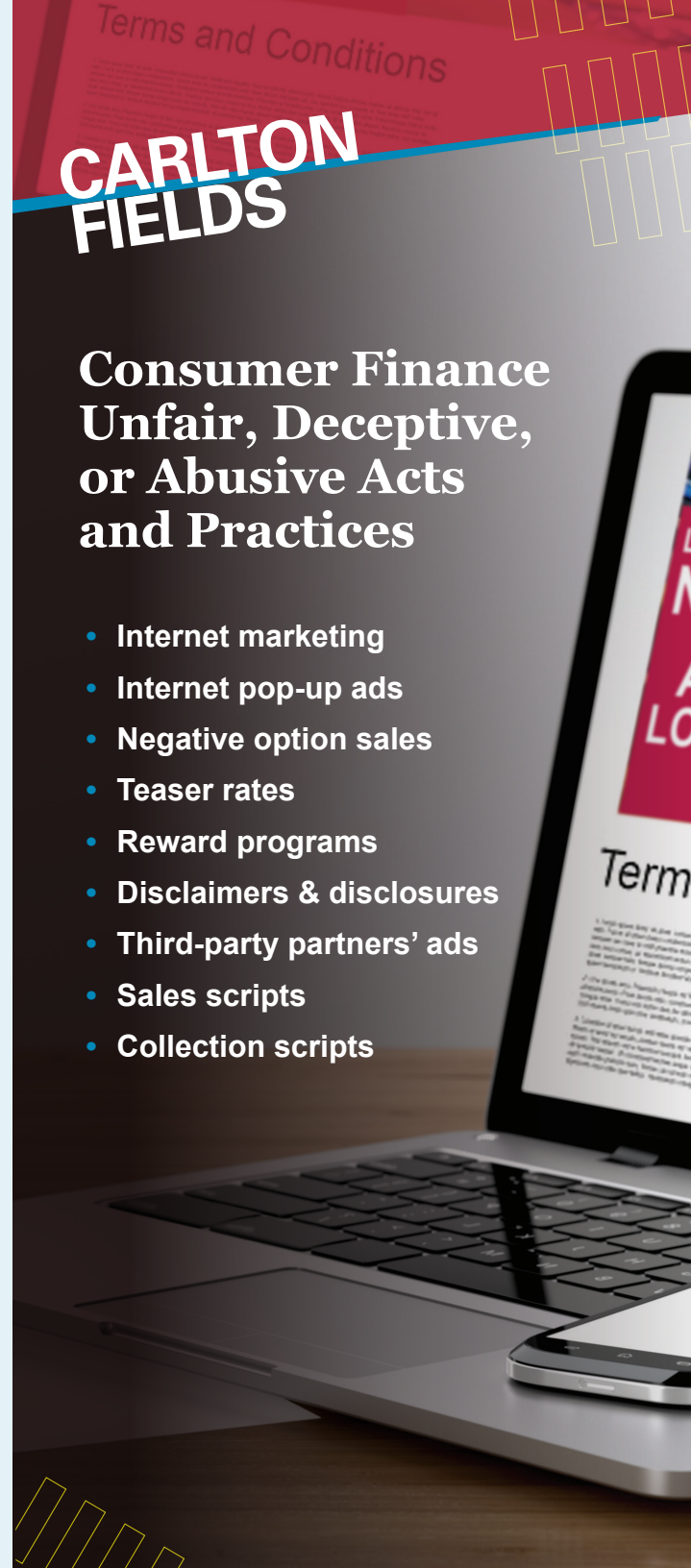
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Carlton Fields practices law in California through Carlton Fields Jordan Burt, LLP.

**CARLTON
FIELDS**

**Consumer Finance
Unfair, Deceptive,
or Abusive Acts
and Practices**

- Internet marketing
- Internet pop-up ads
- Negative option sales
- Teaser rates
- Reward programs
- Disclaimers & disclosures
- Third-party partners' ads
- Sales scripts
- Collection scripts



Consumer Finance Risks

From its 2011 inception through 2015, the Consumer Financial Protection Bureau brought 122 public law enforcement actions that generated over \$11 billion in consumer redress and forgiven debts—without losing a single case.

Partner agencies, like the Comptroller of the Currency, FDIC, or state enforcers, collaborated with the CFPB on over 90% of that relief.

Consumer deception is the principal allegation. Over 90% of all consumer relief was awarded in CFPB cases in which the bank or other financial company deceived consumers.

No bank has contested a public CFPB enforcement action.

“Contrary to what most people believe, trust is not some soft, illusive quality that you either have or you don’t; rather, trust is a pragmatic, tangible, actionable asset that you can create.”

Stephen M.R. Covey,
The Speed of Trust (2006)



Sarah J. Auchterlonie *Special Counsel, Carlton Fields*

Sarah Auchterlonie is one of few attorneys in the nation to have worked as both a federal prudential regulator, in the Office of Thrift Supervision, and in the CFPB’s Office of Enforcement. As a result, she has the insight and experience to serve as a resource for consumer banking clients on enterprise-wide regulatory issues.



As a trial attorney at OTS, Ms. Auchterlonie represented and advised the agency through the height of the financial crises. As a CFPB assistant litigation deputy, and later an acting deputy enforcement director, Ms. Auchterlonie supervised dozens of enforcement attorneys on scores of matters, including the agency’s first administrative adjudication and the CFPB’s first joint fair lending action with the U.S. Department of Justice.

\$11 BILLION in redress and fines —generated by CFPB enforcement actions since 2011

As one of the CFPB’s founding attorneys, Ms. Auchterlonie wrote policies, advised agency leaders on procedure, supported supervision examiners on the very first CFPB exams and was the enforcement office’s liaison with supervision’s Southeast Region.

Her deep familiarity with the processes, personalities, and pressures at the CFPB give her an insider’s understanding of what transforms a suspected violation into a major public enforcement order with civil money penalties.

Preventing UDAAP Penalties

Services

Carlton Fields’ Consumer Finance and Banking practice offers comprehensive services. On behalf of our clients we:

- Review websites, customer-facing documents, and telephone scripts from the CFPB perspective to evaluate UDAAP and other statutory risk
- Rank UDAAP risks, recommend alternatives, perform analyses, and suggest steps to reduce risk
- Work with your staff to assemble documents, studies, and tests to assure your regulators that the claims you make about your products and services are substantiated and not misleading
- Train marketing employees, managers, and management to reduce UDAAP risk, which ultimately reduces the burden on the legal department
- Defend OCC, FDIC, CFPB, FTC, or DOJ enforcement actions through all phases from CID to resolution, including litigation if necessary
- Perform regulatory due diligence for acquiring new consumer lines of business
- Negotiate contract and/or performance disputes between banks and their vendors
- Consult on outsourcing contracts and purchase contracts to ensure regulatory compliance