

# Banking, Commercial, and Consumer Finance

# Overview

Carlton Fields represents banks and other financial institutions in connection with commercial finance transactions and consumer lending litigation and regulatory matters. Our commercial finance lawyers represent many of the country's largest and most sophisticated institutions, including national and regional banks, in the full range of commercial finance transactions, with an emphasis on commercial real estate and asset-backed financing. Our consumer finance lawyers represent banks, servicers, and other industry clients in high-stakes individual and class action consumer litigation with the goal of limiting or eliminating portfolio-level risk. We also provide regulatory and compliance advice on data security, cyber risk, and compliance with federal and state consumer financial protection laws and regulations.

## **Consumer Finance**

Carlton Fields has extensive experience representing banks and other financial service industry clients in state, federal and bankruptcy court litigation, and arbitration. In addition to defending banks in high-stakes individual and class action consumer litigation, our lawyers counsel and advise the industry on data security, cyber risk, and compliance with federal and state consumer financial protection laws and regulations, including Consumer Financial Protection Bureau (CFPB) regulations. Learn more about our consumer finance practice.

## Creditors' Rights and Bankruptcy

Our extensive insolvency, reorganization, and restructuring practice includes the representation of foreign and domestic commercial lenders, creditors' committees, unsecured creditors, Chapter 11 and Chapter 7 trustees, court-appointed receivers, assignees, landlords, bondholders, and purchasers of assets of bankruptcy estates. We have also represented debtors in possession in several large Chapter 11 cases. Learn more about our creditors' rights and bankruptcy practice.

## Distressed Asset and Workout

We provide strategies and solutions throughout all phases of problem loan resolution, including workouts, litigation, and bankruptcy proceedings. Our representation begins with a thorough review of the debt relationship, which includes an analysis of credit and litigation risk from which we develop a timely, cost-effective strategy. Learn more about our distressed asset and workout representation, and our real estate workouts and problem loan resolution practice.

## Lending

Our team of commercial lending lawyers offers a multidisciplinary approach that spans the spectrum of real estate finance at all levels of the capital stack. We routinely handle a diverse range of transactions in various roles and capacities, from large, complex structured finance matters to more conservative balance sheet loans, and everything in between. We represent Wall Street investors, life companies, commercial banks, REITs, private equity funds, pension funds, conduits, master and special servicers and rating agencies in a wide range of sophisticated real estate transactions, including the negotiation, documentation, and closing of CMBS, balance sheet, mezzanine, construction, development, and other loans (participations and syndications) involving properties of all types. Learn more about our lending services.

# Insights

#### 01.29.2024

Can You Live Local? Benefits and Challenges of Developing Affordable Housing in Florida

#### 07.18.2022

Eleventh Circuit Addresses Potential Conflict Between FDCPA and TILA, Holds That Debt Collector Must Comply With Both

#### 05.06.2022 Why Every State Should Require Financial Literacy Education, as Florida Does *Tampa Bay Business Journal*

## 11.04.2021 FTC Sharpens Its Cyber Enforcement Tool by Amending and Expanding the Safeguards Rule

#### 10.22.2021 Hunstein and the FCCPA

#### 10.11.2021 Payment for Order Flow (PFOF): Your Questions Answered

07.19.2021 UPDATED: House Bill 59 Creates Delays on the Filing of New Comprehensive Plan Amendments

05.12.2021 Food for Thought: Can the Small Business Reorganization Act Be a Path for Restaurant Franchises?

05.06.2021 Certain Debtors Are Now Eligible to Apply for PPP Loans

05.05.2021 More Is Not Merrier: Eleventh Circuit Sends Message to Debt Collectors Using Third-Party Vendors

03.04.2021 COVID-19 Economic Stimulus Programs: Different Countries, Similar Programs *Business Law Today* 

01.22.2021 Can Doing Nothing as a Creditor Get You Sanctioned – In re Fulton Part II

12.28.2020 Stimulus Package Ushers in New Loan Opportunities and Support for Small- to Medium-Sized Businesses / Extends FFCRA Tax Credit

10.26.2020 Florida's Uniform Commercial Real Estate Receivership Act

07.24.2020 Florida's New Receivership Act Offers Some Clarity for Commercial Real Estate Stakeholders

#### 07.23.2020 Bank Regulator Clarifies Crypto Custody Rules

06.24.2020 Is the CARES Act Caring Enough?

06.10.2020 Federal Reserve Board Expands Main Street Lending Program

05.14.2020 Lessons Learned: Receiverships

05.04.2020 Update on the Reserve Board's Main Street Program: Moves to Assist Larger Businesses

04.24.2020 New Funds Available Under the Small Business PPP and EIDL Programs

04.23.2020 Economic Impact Payments Authorized by the CARES Act Are Not Exempt From Garnishment in Florida

04.10.2020 Federal Reserve Moves to Assist Larger Businesses

03.31.2020 Small Business Administration Loans Summary Under the CARES Act

02.10.2020 Big Changes for Small Business Bankruptcies

01.25.2020 Can Doing Nothing as a Creditor Get You Sanctioned?

#### 12.23.2019 Changes to Florida Notarization Statutes Effective January 1, 2020

04.17.2019 Senate Follows House Seeking to Make Cannabis Banking "S.A.F.E."

04.01.2019 Caps Off to You: DOL Proposes Raising Salary Cap

04.01.2019 Is Cannabis Banking "SAFE"? Marijuana and Its Secure and Fair Enforcement

11.19.2018 Three Takeaways from the DOL's New Labor Condition Application Form

10.01.2018 NIST Provides Guide and Example Solution for IT Asset Management

10.01.2018 In California, a New Era in U.S. Privacy

09.26.2017 Jump in Credit Scores Means Dip in Underwriting Predictability

09.30.2006 Fringe Banking

05.30.2006 Journey to the Fringe: A Survey of Select Fringe Lending Products

# Our Team

**Key Contacts** 



W. Gregory Null Shareholder



Gina A. Hough SHAREHOLDER

Additional Members



Nader A. Amer ASSOCIATE

Miami \$ 305.539.7205



Frank A. Appicelli SHAREHOLDER

Hartford **\$** 860.392.5015



Erin E. Banks SHAREHOLDER

Tampa



Naomi M. Berry SHAREHOLDER

Miami **\$** 305.539.7210



Dane R. Blunt SHAREHOLDER

Tampa



Alexandra D. Blye

West Palm Beach \$ 561.650.8016



Justan C. Bounds SHAREHOLDER

Atlanta **\$** 404.815.3410



Alicia Whiting Bozich

Tampa



Cathleen Bell Bremmer

OF COUNSEL

Tampa



Jeffrey A. Cohen SHAREHOLDER

Miami **&** 305.539.7289



Jeffrey Michael Cohen OF COUNSEL

Miami \$ 305.539.7304



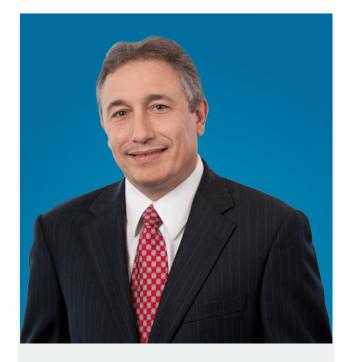
Chris S. Coutroulis SHAREHOLDER

Tampa



Kate S. D'Agostino

Hartford **\$** 860.392.5001



Richard A. Denmon

Tampa



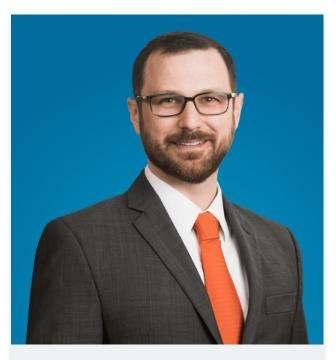
Robert W. DiUbaldo SHAREHOLDER

New York \$ 212.380.9635



Michael P. Donaldson SHAREHOLDER

Tallahassee



Aaron C. Dunlap

Tallahassee



Steven C. Dupré SHAREHOLDER

Tampa



David B. Esau SHAREHOLDER

West Palm Beach \$ 561.650.8015



Robert S. Freedman SHAREHOLDER

Tampa



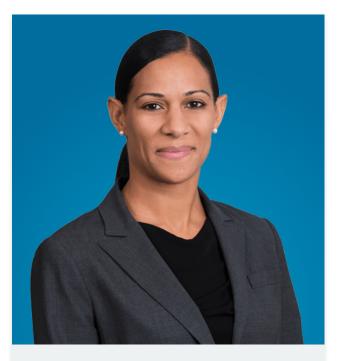
David L. Gay SHAREHOLDER

Miami \$ 305.539.7265



Robert N. Gilbert SHAREHOLDER

West Palm Beach \$ 561.650.8007



Kristin A. Gore SHAREHOLDER

West Palm Beach \$ 561.650.8046



Shannon B. Gray OF COUNSEL

Tampa



Merrick L. Gross

Miami **\$** 305.530.4046



Clifton R. Gruhn SHAREHOLDER

Miami **\$** 305.347.6990



Alan M. Grunspan SHAREHOLDER

Miami \$ 305.539.7209



M. Derek Harris SHAREHOLDER

West Palm Beach \$ 561.650.8006



Brian A. Hart SHAREHOLDER

Miami **\$** 305.539.7221



Jourdan R. Haynes SHAREHOLDER

Tampa



Emil Hirsch SHAREHOLDER

Washington, D.C. \$ 202.965.8184



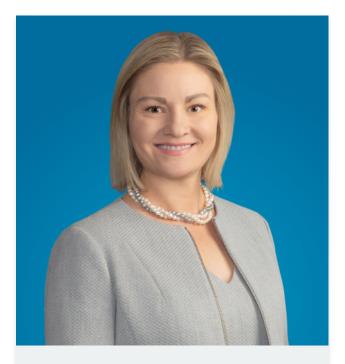
Aaron A. Holman ASSOCIATE

Orlando 407.244.8229



Matthew H. Jacobson SHAREHOLDER

Miami \$ 305.539.7372



Amanda Romfh Jesteadt SHAREHOLDER

West Palm Beach \$ 561.650.0354



Donald R. Kirk SHAREHOLDER

Tampa



Jocelyn M. Kirsch ASSOCIATE

Tampa



Paul E. Kisselburg OF COUNSEL

Washington, D.C. \$ 202.965.8148



Alon Lagstein OF COUNSEL

Los Angeles \$ 310.843.6316



Joseph H. Lang Jr. SHAREHOLDER

Tampa



Hywel Leonard OF COUNSEL

Tampa



Edgel C. Lester Jr. OF COUNSEL

Tampa



Markham R. Leventhal SHAREHOLDER

Washington, D.C. \$ 202.965.8189



William Mark Levinson

SHAREHOLDER

Los Angeles



Jin Liu Shareholder

Tampa



Brad S. Markoff SHAREHOLDER

Los Angeles



Julianna Thomas McCabe SHAREHOLDER

Miami **\$** 305.347.6870



Kathleen S. McLeroy

SHAREHOLDER

Tampa



George J. Meyer OF COUNSEL

Tampa



H. Scott Miller SHAREHOLDER

Hartford **\$** 860.392.5011



Dean A. Morande SHAREHOLDER

West Palm Beach \$ 561.650.8014



Jeremy J. Mudd SHAREHOLDER

Hartford **\$** 860.392.5035



Mark A. Neubauer SHAREHOLDER

Los Angeles



Duy Duc "Dewey" Nguyen SHAREHOLDER

Washington, D.C. \$ 202.965.8192



Ilan A. Nieuchowicz SHAREHOLDER

West Palm Beach \$ 305.539.7381



Christopher M. Paolini SHAREHOLDER

Orlando \$ 407.244.8253



Jason Perkins SHAREHOLDER

Orlando \$ 407.244.8250



Jimmy Pham ASSOCIATE

Orlando **\$**407.481.5439



Robert M. Quinn SHAREHOLDER

Tampa



Shayaan S. Raja ASSOCIATE

Orlando **\$** 407.849.3593



Rahul P. Ranadive

Miami **\$** 305.539.7237



Alan Rosenthal SHAREHOLDER

Miami **\$** 305.539.7301



Marci P. Schmerler SHAREHOLDER

Atlanta **&** 404.815.2676



Samantha T. Schneck

SHAREHOLDER

Washington, D.C. \$ 202.965.8191



Alex B. Silverman

New York



Daniel B. Simonds ASSOCIATE

Los Angeles



William P. Sklar SHAREHOLDER

Tallahassee



Christopher Smart

SHAREHOLDER

Tampa



R. Jeffrey Smith OF COUNSEL

Hartford **\$** 860.392.5018



Michele B. Softness

OF COUNSEL

Miami \$ 305.539.7234



Charles W. Throckmorton

Miami **%** 305.539.7284



Nora A. Valenza-Frost OF COUNSEL

New York \$ 212.380.9631



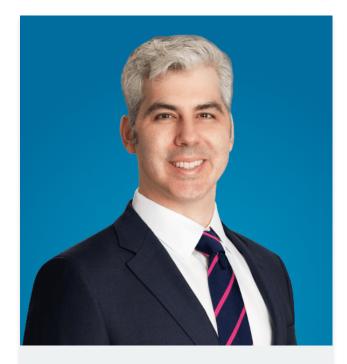
Aaron S. Weiss SHAREHOLDER

Miami **\$** 305.539.7382



Peter J. Winders SHAREHOLDER AND GENERAL COUNSEL

Tampa



Michael L. Yaeger SHAREHOLDER

New York



Michael G. Zilber ASSOCIATE

Miami **\$** 305.530.4058



Alana Zorrilla-Gaston

West Palm Beach \$ 561.659.7070

# **Related Capabilities**

## Practices

- Appellate & Trial Support
- Business Transactions
- Consumer Finance
- Creditors' Rights and Bankruptcy
- Cybersecurity and Privacy
- Distressed Asset and Workout
- Financial Services Regulatory
- Institutional Investment and Finance

# Industries

- Life, Annuity, and Retirement Solutions
- Technology
- Real Estate
- Health Care

- Litigation and Trials
- Real Property Litigation
- Title Insurance
- Real Estate Workouts and Problem Loan Resolution
- Public and Private Offerings
- Estates, Trusts and Probate
- International: Asia
- International: Brazil
- International: Cuba
- International: Europe
- International: Latin America
- International: Mexico
- Investment and Ownership
- Lending
- Development
- Technology
- Real Estate
- Securities Transactions and Compliance
- Public-Private Partnerships
- Private Equity and Venture Capital
- Mergers and Acquisitions
- Investment Funds
- Corporate Law and Governance
- Construction Transactions
- International Privacy Compliance
- Technology & Intellectual Property Transactions
- Intellectual Property Litigation
- International Litigation & Arbitration
- Employee Benefits, Compensation & ERISA
- Discrimination
- Antitrust and Trade Regulation
- Tax Litigation & Controversy
- Blockchain and Digital Currency

- AdTech
- False Claims Act, Qui Tam, and Whistleblower Defense
- Internal Investigations
- Eminent Domain
- White Collar Crime & Government Investigations
- Tax
- Securities Litigation and Enforcement
- Multifamily Finance and Affordable Housing
- Health Care
- Labor & Employment
- Education
- Government Law & Consulting
- Class Actions
- Cannabis Law