

Miller & Martin's Financial Services Group employs a cross-disciplinary, diverse team approach to representing companies based on the individual needs and goals of each business.

The Group consists of professionals drawn from many of the firm's practice areas, including, [Securities](#), [Corporate](#), [Tax](#), [Litigation](#), [Real Estate](#), [Intellectual Property](#), [Employee Benefits & Executive Compensation](#) and [Labor & Employment](#), as well as other areas within the firm.

Our Financial Services Group includes lawyers and other professionals who are focused on issues facing regulated financial services companies including:

- bank holding companies and financial holding companies
- state and national commercial banks
- regional banks
- broker-dealers and institutional investors
- state and federal credit unions
- non-depository trust companies
- business and industrial development corporations (BIDCOs)
- community development financial institutions
- mortgage loan originators, servicers and lenders
- other regulated providers of financial services

Our team has also provided training to a number of state and federal banking agencies. Team members are named in *The Best Lawyers in America*®, *Mid-South Super Lawyers* and *Georgia Super Lawyers* who regularly publish and speak to financial services industry associations and professional organizations including the Tennessee Bankers Association and the Tennessee Credit Union League.

SELECTED EXPERIENCE

- Advisors to organizers of more than 25 de novo commercial banks and trust companies established in Tennessee between 1996 and 2008. Total initial capital raised by these companies exceeded \$450 million.
- Advisors to organizers of 26 de novo commercial banks established in Georgia between 1999 and 2008. Total initial capital raised by these companies exceeded \$250 million.
- Advisors to commercial banks in connection with the purchase and sale of bank branches.
- Advisors to client in connection with interstate merger of affiliated banks with assets totaling over \$1.97 million.
- Successfully assisted a private equity firm in security regulatory approval to operate as a bank holding company and acquire interests in financial institutions throughout the United States.
- Routinely assist commercial banks with bank holding company formations and regularly counsel bank management and boards on strategic opportunities using the bank holding company structure.
- Successfully assisted client with merger of a Georgia bank holding company with a Georgia-chartered bank and the subsequent merger of the surviving Georgia-chartered bank with a national banking association.
- Represented Tennessee bank holding company in its sale of a subsidiary bank to an investor group (deal value \$5.8 million).
- Assisted in the mergers of bank holding companies into bank subsidiaries.
- Advisor to commercial bank in establishing a dividend re-investment plan.
- Advisors to commercial banks in connection with federal stimulus initiatives, including the Troubled Asset Relief Program/Capital Purchase Program and the Asset Guarantee Program, including post-transaction limitations placed on participating companies.
- Counselors to Georgia, Tennessee and Kentucky banks operating under informal and formal supervisory actions issued by state and federal banking regulators.
- Advisors to commercial banks, credit unions, and non-depository financial institutions with respect to compliance with consumer protection laws and regulations.

- Obtained dismissal of client in class action suit on “NSF” funds, with the principal action against other institutions carried on for a number of years.
- Defended a number of financial institutions in lender liability matters.
- Successfully obtained enforcement of arbitration provision in widely disseminated form agreement for financial institution on appeal.
- Obtained summary judgment in purported class action involving single interest insurance products.
- Successfully defended clients in alleged mortgage fraud litigation.
- Represent and counsel financial services companies with general employment matters such as employment agreements, compliance, protected class litigation, training, dismissals for cause and hiring.
- Successfully settled IRS-proposed \$1 million adjustment against commercial bank for less than 10% of original assessment.
- Advisors to commercial banks in “going private” transactions.
- Lender’s counsel to commercial and regional banks in Tennessee and Georgia.
- Counsel to commercial banks, credit unions and non-depository financial institutions with respect to trademark selection and registration and in contentious proceedings involving bank names and trademark rights, software licenses and Internet and technology patents.
- Successfully defended commercial bank in hostile take-over attempt.

RELATED PRACTICES

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Mike Marshall
CHAIR
Member
404.962.6442 | Email

Kane Shepherd

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