Fintech and Marketplace Lending

Our deep experience has helped us gain a thorough understanding of our clients’ processes, products, and systems, as well as their market challenges and legal needs. We understand the evolving needs of the participants in this space and combine creative legal acumen with business and market insight. We were proud to be named “Law Firm of the Year” for fintech and marketplace lending at the inaugural LendIt Industry Awards in 2017.

Financial Technology Practice

Chapman’s interdisciplinary fintech team maintains a leading position within the emerging fintech space. Our fintech practice draws upon our banking and financial services, regulatory, corporate, and other practice groups, as well as our strategic footprint with offices in leading financial centers, including New York, Chicago, San Francisco, and Washington, DC. We routinely advise fintech clients on a variety of matters, including:

- Development and implementation of compliance programs, policies, and procedures
- Regulatory matters (applications, advocacy before regulators, and risk analysis)
- Strategic transactions (partnerships, chartering/licensing, restructuring)
- Product and platform design and development
- Mergers and acquisitions of both equity and nonequity assets
- Capital markets and credit financing transactions

Digital Assets and Blockchain

Chapman attorneys have been at the forefront of developments in the digital asset and blockchain space. As the ecosystem of Bitcoin, digital assets, and blockchain technology has matured, so have the diversity, breadth, and depth of our representation. To date we have advised clients across legal products, including regulatory, corporate, investment management, tax, and litigation matters, and across borders on multi-jurisdictional mandates. We also maintain close relationships with leading trade organizations that represent the industry before regulatory bodies and local and federal governmental bodies, including the US Congress and Securities and Exchange Commission (SEC).

Marketplace Lending

Chapman has extensive experience representing internet-based platforms engaged in consumer, student, and small business lending and providing other financial products. We also represent many other clients engaged in marketplace lending transactions, including loan purchasers, warehouse line providers and securitizers. We help our clients comply with the novel legal and regulatory issues presented by these programs and assist them in obtaining access to (or providing) a variety of funding solutions. We wrote the book on the regulatory landscape that the entire industry has come to rely upon: “The Regulation of Marketplace Lending: A Summary of the Principal Issues.”
Issuance Programs and Regulatory Advice. We represent start-up platforms in negotiating loan sale and related agreements with originating bank partners and advise both platforms and investors regarding federal and state consumer protection, lending, and licensing laws and related regulatory requirements.

Lending Facilities. We represent both lending platforms and loan investors in whole loan purchase programs, as well as commercial banks, investment banks and borrowers in the negotiation of warehouse loan facilities collateralized by marketplace loans.

Securitization. We represent sponsors, underwriters and indenture trustees in marketplace loan securitizations. We also represent platforms in connection with their issuance of pass-through notes representing fractional interests in underlying marketplace loans.

Investment Companies and Private Funds. We represent regulated investment companies and private funds in connection with investments in marketplace lending products and were the first to structure a closed-end fund filed with the SEC that focuses in marketplace lending investments.

INSIGHTS

- 5th Annual ABS Tech Conference
- Fordham Law Blockchain Regulatory Symposium
- 4th Annual Online Lending Policy Summit
- Digital Asset Strategy Summit
- Alternative Finance Summit 2019
- New York Blockchain Week
- The Regulation of Marketplace Lending: A Summary of the Principal Issues
- LendIT Fintech USA 019
- Colorado Ups the Ante—Sues SPV and Securitization Trusts
- Digital Asset Investment Forum
- 4th Annual Investors’ Conference on Online Lending
- Borrower Disclosures Now Required for Commercial Loans Made in California
- Digital Asset Strategies Summit
- 3rd Annual Online Lending Policy Summit
- Alternative Finance Summit 2018: Marketplace Lending, Cryptocurrency and Crowdfunding
- NICSA Crypto Economy Summit
- ABA 2018 Business Law Section Annual Meeting
- Distributed 2018
- Crypto Evolved
Fintech and Marketplace Lending (continued)

- Illinois Bankers Association Annual Conference
- Benzinga Global Fintech Awards
- 2018 Blockchain Technology, Digital Currency and ICO National Institute
- LendIt Fintech USA 2018
- Marc Franson Joins 'Talking Fintech' for a Podcast Interview on Marketplace Lending
- Investing in Cryptocurrencies
- Yahoo Finance All Markets Summit
- Bloomberg ETFs in Depth Conference
- First Treasury Report on Financial Reform — Possible Securitization Impacts
- Southern District of New York Issues Decision on Remand in Madden
- Chapman's Marc Franson Discusses "True Lender" Issues and the Madden Case (Video)
- Chapman Named “Top Law Firm” at the LendIt Industry Awards
- Madden Remand Decision
- Fintech: Friend or Foe of Banks?
- OCC Will Grant Limited-Purpose Bank Charters to Fintech Companies
- New Maryland Court Decision: Potential Impact on Consumer Marketplace Lenders
- U.S. Treasury Department Issues White Paper on Marketplace Lending
- FDIC Emphasizes Corporate Leadership to Address the Key Risk Management Issues Raised by Cybersecurity and Marketplace Lending
- Supreme Court Asks for Government View on Madden Appeal
- CFPB Turns Its Spotlight on Marketplace Lenders
- New Federal Court Decision Applies the "True Lender" Doctrine to Internet-Based Payday Lender
- Maryland Court Decision Could Affect Consumer Marketplace Lenders
- SFIG Comment Letter on Marketplace Lending
- Federal Court Decision Creates Uncertainty for Non-Bank Loan Assignees and Certain Marketplace Lenders Regarding the Scope of Federal Preemption of State Usury Laws
- Second Circuit Declines to Rehear Madden Case
- Bank Regulatory Newsletter
- Bank Regulatory Newsletter