



Hudson Cook January 2018 Update

February 1st, 2018

Hudson Cook in the News

[Tom Hudson](#) and [Nikki Munro](#) had an article published in the January issue of *Texas Dealer* magazine. The article reported on activities with an impact on the auto sales, financing and leasing world, and included a “Case of the Month.” Tom and Nikki again scored with their CARLAW article, appearing in the [January issue](#) of *MidAtlantic Dealer News*.

Tom also co-authored an article with [Eric Johnson](#), “Avoid Miscommunication to Stay Out of Court,” which appeared in the [January edition](#) of *RV News*.

Eric had an article entitled “Look at Me, I’m the Captain Now – Turning the CFPB Ship Around” appear in the [January/February](#) edition of *Non-Prime Times*, the official publication of the Automotive Finance Association. Erik Kosa’s article, “Who’s Properly in Charge of the CFPB,” ran in the same issue.

An article by [Kavitha Subramanian](#), [Cathy Brennan](#) and [Meghan Musselman](#) entitled “[The CFPB’s New Payday Rule](#)” was published in the January/February issue of *Collection Advisor* magazine.

Also in January, Nick Zulovich, senior editor of *Subprime Auto Finance News*, chatted with Hudson Cook partners [Patty Covington](#) and Eric Johnson, who serve as the instructors for the Consumer Credit Compliance Certification Program orchestrated by the National Automotive Finance Association. In the interview, Patty and Eric described the educational requirements and potential benefits of the program. The program takes an in-depth examination of how vehicle installment contracts originate and ways that federal and state regulators oversee that process. To listen to a podcast of their interview, click [here](#).

LEND360 published an article by Cathy Brennan and [Kate Fisher](#) entitled “[The Fintech Approach to Bank Partnerships & National Charter](#).” **LEND360 is the event that exclusively focuses on the unique needs of online lending providers.**

[Philadelphia Citybizlist.com](#) mentioned that [Jed Mayk](#), a partner in the Pennsylvania office of **Hudson Cook**, will participate in an American Bankers Association webinar on “TRID 2018 – Understanding the Updates” on February 6.

Hudson Cook Notable Achievements

[Rebecca Kuehn](#) and [Allen Denson](#), partners in the Washington, D.C., office of Hudson Cook, filed an amicus brief in the Supreme Court of the United States on behalf of the Consumer Data Industry Association (CDIA) in support of a Petition for a Writ of Certiorari in *Spokeo, Inc. v. Robins*. In

the amicus brief, Kuehn and Denson argued on behalf of the CDIA that the Ninth Circuit's decision had deepened a significant split among lower courts, which differ on whether plaintiffs must suffer a "real world" harm versus a hypothetical risk of harm to proceed with a lawsuit in federal court.

The high court justices considered Spokeo's petition at a January 19 conference. To read the amicus brief filed by Hudson Cook on behalf of the CDIA, click [here](#).

Hudson Cook partners [Lucy Morris](#) and [Ryan Stinneford](#) have been elected as Fellows of the [American College of Consumer Financial Services Lawyers](#) (ACCFSL). Membership in the ACCFSL is limited to those attorneys who have achieved preeminence and made repeated and substantial contributions to the promotion of learning and scholarship in the field of consumer financial services law through teaching, lecturing and published writings.

Hudson Cook on the Road

[Katie Hawkins](#), Eric Johnson, Lucy Morris and [Jean Noonan](#) participated in the [American Bar Association's Consumer Financial Services Committee \(CFSC\) 2018 Winter Meeting](#) from January 6-9 in Park City, Utah.

Hudson Cook attorneys [Michael Benoit](#), [Patty Covington](#) and [Nikki Munro](#) spoke at the first [American Financial Services Association \(AFSA\) Law & Compliance Symposium](#), held in San Diego from January 29-31, 2018.

All three attorneys spoke during a State Government Affairs (SGA) Committee Meeting about state actions against lenders and finance companies. Later, Michael was one of four speakers discussing "**Conscious Uncoupling – The Bureau after Cordray,**" which looked into recent enforcement actions, current rulemaking efforts, compliance challenges and what can be expected from the Consumer Financial Protection Bureau (CFPB) in 2018. Patty spoke on the topic of AFSA's new policies and procedures guide. AFSA's first Law & Compliance Symposium will provide insights and guidance on critical federal and state compliance issues for the financial services industry.

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