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ACCFSL | American College of
Consumer Financial Services Lawyers

PRACTICE AREAS



Business Funding



FinTech

Professional Experience

Kate is a partner in the firm's Maryland office. Her practice focuses on the areas of Consumer Financial Services and Small Business Financing. Kate represents banks, finance companies, private equity and investment bank investors, merchant cash advance companies, and small business lenders establishing new programs and products, and conducts due diligence and compliance reviews of consumer lending and business financing portfolios. Kate is a founding member of the Alternative Finance Bar Association, an organization of attorneys who represent merchant cash advance companies and lenders providing financing to small businesses.

Kate's practice also includes assisting clients with compliance with state and federal consumer protection and related laws as they develop and maintain mortgage lending, automobile finance and other credit programs.

Kate has testified before the United States House of Representatives Small Business Subcommittee regarding improving small business capital access. She recently testified before the Maryland House Economic Matters

Committee and Senate Finance Committee regarding proposed bills to regulate sales-based business financing transactions and has appeared several times before the California legislature and New Jersey Senate Committee on Commerce regarding proposed disclosures for business finance transactions.

Kate graduated first in her class from the University of Oregon Law School in 2005 and is a member of the Order of the Coif. Kate is the Vice Chair of the Maryland Bar Association's Consumer Credit and Financial Institutions Committee and was elected to serve on the Oregon Bar Association's Business Section Executive Committee.

Kate was a Business Organizations and Transactions Associate with Hershner Hunter LLP, Eugene, OR from 2005 to 2010, where she advised regional banks and small to medium-sized businesses regarding financing and real property issues and helped business clients navigate issues such as choice of entity, limitation of liability and buy-sell agreements. She also negotiated and drafted contracts including work-out agreements, commercial leases, real estate purchase and sale agreements, merger agreements and purchase and sale agreements for asset sales and stock sales.

Kate was a Litigation Associate with Hershner Hunter LLP from 2005 to 2007. She assisted in all aspects of civil litigation including drafting pleadings and motions, jury instructions, and appellate briefs. Kate also assisted with depositions, trial preparation, jury selection and arguments.

Kate has held various law clerk positions and was also a Research Assistant for The Boston Foundation. She has also held multiple positions as a Reporter, Copy Editor and Correspondent for *The Bulletin* and *The Oregonian* newspapers.

Kate holds a Bachelor of Arts in Journalism from the University of Montana.

Professional Activities

Fellow, American College of Consumer Financial Services Lawyers

Co-Chair, Subcommittee on Consumer Credit, Maryland State Bar Association

Founding Member and Treasurer, Alternative Finance Bar Association

Speaking Engagements

- "Making Compliance More Than an Afterthought," OLA Compliance University, July 2022
- "The Art of Arbitration," Alternative Finance Bar Association Annual Conference, June 2022
- "Regulation and Compliance: Focus on Upcoming Regulations," Funders Forum 2022, March 2022
- "SBFA Industry Certification for Small Business Finance Providers," Broker Fair, December 2021

- "Buy Now, Pay Later: How to Automate the Merchant Onboarding Process," Lend360, October 2021
- "Regulatory Developments: In-Depth look at New York and California disclosure regulations," Alternative Finance Bar Association Webinar, October 2021
- "Commercial Finance Disclosures and Expanded State Enforcement Powers - Are You Ready?," 2021 Virtual Financial Services Conference, May 2021
- "Don't Be 'That Guy': Lessons Learned from the Lead Gen Space," OLA Compliance University, May 2021
- "Unfair or Deceptive Acts or Practices in Small Business Financing: What Is On the Horizon?," ABA Business Law Section Virtual Spring Meeting, April 2021
- "Merchant Cash Advance Legal & Regulatory Updates," Hudson Cook Webinar, March 2021
- "Legal Updates," Alternative Finance Bar Association Webinar, February 2021
- "How Is the Current Regulatory Environment Impacting Small Business Lending?," Lend360 Virtual Conference, November 2020
- "Small Business Finance Regulatory Developments in New York and Beyond," Hudson Cook Webinar, August 2020
- "Litigation under the Paycheck Protection Program," Hudson Cook Webinar, May 2020
- "Roundtable Discussion on the CARES Act - What You Need to Know," Online Lenders Alliance Webinar, April 2020
- "Consumer Protection Considerations for Small Dollar Lenders During Covid-19," Hudson Cook Webinar, April 2020
- "Small Business Finance Considerations during the COVID-19 Crisis," Hudson Cook Webinar, April 2020
- "AFBA 2020: What's happening in the state legislatures?," Alternative Finance Bar Association Webinar, March 2020
- "Regulatory Favor or Fervor - Decoding mixed messages about Wage Advance," Short-Term Loan Bar Association, November 2019
- "How to Protect Small Businesses with Best Collections Practices," FundersForum, November 2019
- "Diversity in Fintech: How Women are Leading the Way," Lend360, September 2019
- "Federal and State Legislative and Policy Updates Small Business Lenders Need to Know," Lend360, September 2019
- "Small Business Lending Roundtable: A Conversation about Privacy, Collections, Payments and the Secondary Market," Lend360, September 2019

- "[Money Smart for Older Adults](#)," various Maryland senior and community centers, 2018-2019
- "Diversity in Fintech: How Women are Leading the Way," Lend360, September 2019
- "Federal and State Legislative and Policy Updates Small Business Lenders Need to Know," Lend360, September 2019
- "Small Business Lending Roundtable: A Conversation about Privacy, Collections, Payments and the Secondary Market," Lend360, September 2019
- "Regulatory Download: The Complete Picture," Alternative Finance Bar Association, June 2019
- "The Latest in FinTech - Commercial & Consumer Program Developments, Emerging Trends," The Conference on Consumer Finance Law, May 2019
- "Case Study on Merchant Cash Advances," FTC Forum on Small Business Financing, May 2019
- "State of COJs," Broker Fair 2019, May 2019
- "Merchant Cash Advance and Small Business Lending Sessions: Regulatory Developments and Updates; and Government Investigations and State and Federal Enforcement," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2019
- "Regulatory Developments: In Depth Look at Federal and State Initiatives to Regulate the Alternative Finance Space," Alternative Finance Bar Association Webinar and Lunch, February 2019
- "Looking Ahead: The Factors Influencing Tomorrow's Market," iGlobal Forum 10th Specialty Finance Summit, September 2018
- "Merchant Cash Advance and Small Business Lending Sessions: Regulatory Developments and Updates; and Compliance Risk from Unlikely Sources," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2018

Publications

- "SDNY Sustains RICO Claims Against Revenue-Based Financing Companies," Hudson Cook *Insights*, July 2022
- "Utah Enacts Commercial Financing Disclosure Law," Hudson Cook *Insights*, March 2022, co-authored with Eric D. Mulligan
- "California DFPI Proposes Regulations Governing Providers of Small Business Finance," Hudson Cook *Insights*, August 2021, co-authored with Catherine Brennan
- "Gov. Cuomo Signs New York Small Business Finance Disclosure Law," Hudson Cook *Insights*, December 2020, co-authored with Caleb Rosenberg

- "CFPB Survey Seeks Information on Costs of Small Business Finance Data Collection," Hudson Cook *Insights*, August 2020, co-authored with Caleb Rosenberg
- "New York Passes Small Business Finance Disclosure Law," Hudson Cook *Insights*, July 2020, co-authored with Caleb Rosenberg
- "COVID-19 - Expanding Opportunities for SBA Lending," Hudson Cook *Insights*, April 2020, co-authored with Catherine M. Brennan and Caleb Rosenberg
- "COVID-19 and MCA Transactions: Emergency Circumstances Demand Servicing Changes," Hudson Cook *Insights*, March 2020, co-authored with Catherine M. Brennan and Caleb Rosenberg
- "Small Business Loans to Offer Relief from COVID-19 Economic Crisis," Hudson Cook *Insights*, March 2020, co-authored with Caleb Rosenberg
- "New York Court Voids MCA Contract Based on Merchant's Claims that Hurricane Matthew Caused Disruption of Business," Hudson Cook *Insights*, January 2019
- "The Fintech Approach to Bank Partnerships & National Charter," Hudson Cook *Insights*, February 2018

Recognition and Accomplishments

The Best Lawyers in America©2022 - Financial Services Regulation Law

Fellow, American College of Consumer Financial Services Lawyers

Education

University of Oregon School of Law, J.D., 2005, Order of the Coif

University of Montana, Bachelor of Arts in Journalism, 1996

Admissions

Maryland, 2010

Oregon, 2005