Joseph L. Barloon

Skadden

Partner, Washington, D.C.

Civil and Criminal Litigation, and Government Enforcement

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Education

J.D., Georgetown University Law Center, 1996 *(summa cum laude)*

M.A., University of Pennsylvania, 1991

A.B., Harvard University, 1989 *(cum laude)*

Bar Admissions

District of Columbia

Maryland

U.S. Court of Appeals for the District of Columbia Circuit

U.S. District Court for the District of Columbia

U.S. Supreme Court

Experience

Law Clerk, Hon. Douglas H. Ginsburg, U.S. Court of Appeals for the District of Columbia Circuit (1996-1997)

Joseph L. Barloon is the co-leader of Skadden's Consumer Financial Services practice. He represents a wide range of financial institutions in federal and state civil, criminal and enforcement agency investigations and actions. In addition, Mr. Barloon frequently conducts internal investigations, provides compliance advice regarding consumer financial services, internal controls and related issues, and regularly assists with due diligence for financial services transactions.

Mr. Barloon has litigated numerous matters in federal courts throughout the country and regularly represents financial institutions before the Department of Justice, the Consumer Financial Protection Bureau, the Federal Deposit Insurance Corporation, the Federal Reserve Board, the Office of the Comptroller of the Currency, the Federal Trade Commission and various state agencies.

Illustrative cases include the representation of:

- more than 12 regional and national lenders in Department of Justice fair lending inquiries;
- a national financial institution in connection with Consumer Financial Protection Bureau investigation of allegations of unfair, deceptive or abusive acts and practices;
- a national mortgage lender in Federal Trade Commission and state attorney general investigations of allegations of discriminatory pricing and unfair or deceptive acts or practices;
- current and former directors and officers in Federal Deposit Insurance Corporation receivership-related investigations and litigation;
- a national accounting firm in tax shelter-related matters; and
- an investment bank in a grand jury investigation alleging official misconduct.

Mr. Barloon has lectured and published on various topics, including the Dodd-Frank Act and consumer financial services litigation and enforcement. He has been repeatedly selected for inclusion in *Chambers USA: America's Leading Lawyers for Business* and is a member of the American College of Consumer Financial Services Lawyers.

Recent Publications

"Supreme Court May Nix Disparate Impact in Fair Lending Enforcement," *Skadden Insights*, January 2015

"CFPB Defines 'Unfair,' 'Deceptive' and 'Abusive' Practices Through Enforcement Activity," *Skadden Insights*, January, 2015

"Financial Regulation," *Skadden's 2014 Insights*, January 2014

"Broad Reach of the 'Credit' Laws and Potential Compliance Pitfalls," *The Review of Banking and Financial Services*, December 2013

"'Leveling the Playing Field': Implications of CFPB Authority Over Non-Depository Financial Institutions," *Antitrust*, Spring 2013

"Financial Regulation," *Skadden's 2013 Insights*, January 2013

"Social Media: A New Fair Lending Frontier," *Mortgage Banking*, December 2012

"Social Media: Emerging Fair Lending Issues," *The Review of Banking and Financial Services*, July 2012

"Consumer Financial Protection Bureau Inquiry Into Overdraft Fees Highlights Focus on 'Unfair, Deceptive, or Abusive' Acts or Practices," *Skadden, Arps, Slate, Meagher & Flom LLP*, April 2012

"Financial Regulation," *Skadden's 2012 Insights*, January 2012

"Fair Lending Disparate Impact Litigation and Enforcement," *CMBA Legal News,* Winter 2011

"The Latest in Fair Lending 'Disparate Impact' Actions," *Law360*, November 2011

"Primer on the Consumer Financial Protection Bureau," *Skadden, Arps, Slate, Meagher & Flom LLP,* July 2011

"New Consumer Bureau To Focus on Fair Lending," *CMBA Legal News*, Summer 2011

"Developing and Maintaining an Effective Program to Combat Mortgage Fraud," *The Review of Banking and Financial Services*, February 2011

"Financial Regulation," *Skadden's 2011 Insights*, January 2011

"Bank Preemption After the Dodd-Frank Act," *Skadden, Arps, Slate, Meagher & Flom LLP*, September 2010

"Consumer Protection Provisions in the Dodd-Frank Wall Street Reform and Consumer Protection Act," *Skadden Commentary on the Dodd-Frank Act*, July 2010

"Fair Lending Issues in the Non-Mortgage Context," *The Review of Banking & Financial Services*, February 2010

"Is There a New Federal 'Watchdog'?" *Skadden, Arps, Slate, Meagher & Flom LLP*, January 2010

"Department of Justice Settles Pricing Discrimination, Redlining Charges Against Alabama Bank," *Skadden, Arps, Slate, Meagher & Flom LLP*, October 2009

"Proposed Legislation Would Create Powerful New Agency to Regulate Consumer Financial Services," *Skadden, Arps, Slate, Meagher & Flom LLP*, July 2009

"U.S. Supreme Court Decision Clears Way for States to Sue National Banks," *Skadden, Arps, Slate, Meagher & Flom LLP*, June 2009

"Ohio Court Rejects 'Public Nuisance' Claim Against Subprime Loan Securitizers," *Skadden, Arps, Slate, Meagher & Flom LLP*, May 2009

Recent Speeches

"'Big Data' and Fair Lending: Promises and Perils," *CBA Live 2015*: *Fair and Responsible Banking* - The Consumer Agenda, Orlando, FL, March 25, 2015

"The Newly Proposed HMDA Reporting Requirements," *2014 CRA and Fair Lending Colloquium*, San Diego, CA, November 3, 2014

"Unfair, Deceptive or Abusive Acts or Practices (UDAAP)," *22nd Annual Fair Lending Conference*, Washington, DC, April 14, 2014

"The Disparate Impact Doctrine," *2014 National Community Reinvestment Coalition Annual Conference*, Washington, D.C., March 14, 2014

"Marketing, Social Media and Compliance Implications: Emerging Issues around Social Media," *CRA & Fair Lending Colloquium*, San Antonio, TX, November 4, 2013

"Update on Actions of Consumer Financial Protection Bureau," *Mortgage Regulatory Forum*, Washington, D.C., September 24, 2013

"Major issues in Fair Lending," *Skadden's 21st Annual Fair Lending Conference*, Washington, D.C., April 15, 2013

2013 Insights Financial Regulation Webinar, March 5, 2013

"Lending and Pricing Discretion," *CRA & Fair Lending Colloquium*, San Antonio, Texas, November 14, 2012

"Handling a Regulatory Compliance Investigation," *Institute of International Bankers' Annual Seminar on Risk Management and Regulatory Examination/Compliance Issues Affecting International Banks,* New York, New York, October 18, 2012

"Fair Lending – Year in Review," *Skadden's 20th Annual Fair Lending Conference*, Washington, D.C., April 16, 2012

"Online Issues and Fair Lending: A Brave New World," *2012 CBA Live: Fair Lending Forum*, Austin, Texas, March 21, 2012

"A Banker's Guide to the Dodd-Frank Regulatory Horizon," *CRA & Fair Lending Colloquium*, Baltimore, Maryland, November 7, 2011

"The Changing Regulatory Focus on Mortgage Fraud: The Role of FFETF, FDIC, the U.S. Attorney's Office, the FED, and Beyond,"

Recent Speeches (continued)

American Conference Institute's 7th National Forum on Preventing, Detecting and Resolving Mortgage Fraud, Washington, D.C., October 24, 2011

"Home Mortgage Disclosure Act and Fair Credit Reporting Act," *Mortgage Bankers Association's Regulatory Compliance Conference*, Washington, D.C., September 25, 2011

"Making Sense of Fair Lending in Origination and Default Servicing," *Mortgage Regulatory Forum*, Washington, D.C., September 20, 2011

"Fair Lending Oversight Initiatives," *California Mortgage Bankers Association's Mortgage Quality and Compliance Committee Webinar*, July 28, 2011

"Fair Lending Enforcement," *Mortgage Bankers Association's Legal Issues and Regulatory Compliance Conference*, Boca Raton, Florida, May 17, 2011

"Home Mortgage Disclosure Act and Fair Credit Reporting Act," *Mortgage Bankers Association's Legal Issues and Regulatory Compliance Conference*, Boca Raton, Florida, May 15, 2011

"Fair Lending — Year in Review," *Skadden's 19th Annual Fair Lending Conference*, Washington, D.C., April 18, 2011

"Fair Lending: The View from Washington, D.C." *Marquis 2011 National Conference on CRA, HMDA & Fair Lending*, Fort Lauderdale, Florida, April 6, 2011

"Mortgage Reform," *American University Law Review Symposium on Financial Reform*, Washington, D.C., March 3, 2011

"Fifteen Day/Thirty Day Letter: The Clock is Ticking, Organizing and Executing on the Response Strategy," *2010 CRA & Fair Lending Colloquium*, Las Vegas, Nevada, November 8, 2010

"Dodd-Frank Act: Hidden Gems," *Women in Housing & Finance Colloquium*, Washington, D.C., November 1, 2010

"Conducting a Self-Assessment of Your Fraud Prevention and Detection Program," *ACI's 6th National Forum on Preventing, Detecting and Resolving Mortgage Fraud*, San Francisco, October 29, 2010

"Alphabet Soup: HMDA and FCRA/FACT Act," *Mortgage Bankers Association's Legal Issues and Regulatory Compliance Conference*, Washington, D.C., September 26, 2010

"Understanding the New Consumer Financial Protection Act," *5th Annual Credit and Collection News Credit Grantor Consortium*, Washington, D.C., August 12, 2010

"The Impact of the Dodd-Frank Act on Retailers," *Skadden, Arps, Slate, Meagher & Flom LLP Webinar*, Washington, D.C., August 5, 2010

"The Dodd-Frank Act: Impact on Consumer Financial Services Compliance and Enforcement," *Skadden, Arps, Slate, Meagher & Flom LLP Webinar*, August 3, 2010

"Confidential Business Information Litigation and Enforcement," *Skadden, Arps, Slate, Meagher & Flom LLP Privacy Law Seminar*, New York, New York, May 18, 2010

"State Fair Lending Enforcement," *Marquis 2010 National CRA, HMDA and Fair Lending Forum*, Dallas, Texas, April 28, 2010

"Fair Lending — Year in Review," *Skadden's 18th Annual Fair Lending Conference*, Washington, D.C., April 26, 2010

"Building an Effective Compliance Program," *ACC America/ WMACCA Chapter*, Arlington, Virginia, April 22, 2010

"A View From the Bench: Judicial Perspective on Heightened Scrutiny of Lenders, Loan Modification Litigation, Bankruptcy, Removal Under CAFA, and Municipal Lawsuits and Foreclosure Injunctions," *ACI Residential Mortgage Litigation & Regulatory Enforcement*, Dallas, Texas, October 27-28, 2009

"Emerging Risks in Non-Mortgage Products," *Consumer Bankers Association's Fair Lending Conference*, Washington, D.C., October 19, 2009

"Resurface with Your Peers: How Do Medium/Large Lenders Navigate HMDA Data Analysis?" *2009 CRA & Fair Lending Colloquium*, New Orleans, Louisiana, October 5-6, 2009