
Operations, Outsourcing and Vendor Arrangements

We regularly assist our financial institution clients on operational issues and matters, including the review of vendor and servicing agreements, the acquisition and sale of real property, the leasing of bank office space, and other types of financial and commercial transactions. Our services in this area include the following:

Vendor Agreements

Our attorneys review and negotiate all types of vendor agreements for financial institutions, including complex core processing agreements, software license agreements, online banking agreements, networking agreements for the sale of non-deposit investment products, and agreements for many other products and services. We often deal with the same vendors on behalf of many different clients, allowing us to offer insightful and cost-efficient representation.

Servicing Agreements

We offer industry-leading experience in the review and negotiation of mortgage servicing and sub-servicing agreements as well as other types of servicing agreements for financial institutions. When financial institutions outsource certain functions or engage in loan sales (whether on a servicing-retained or servicing-released basis), we assist by drafting agreements that provide comprehensive legal protections. Our attorneys have prepared and reviewed servicing and related agreements for virtually every type of transaction, including simple “one-off” loan sales, loan sales conducted as part of the participation process, and loans extended as part of the sale and servicing-transfer of portfolios in the billions of dollars. Our experience also includes preparing and negotiating servicing agreements with Fannie Mae and other government-sponsored enterprises (GSEs).

Acquisition and Sale of Bank Property

We represent financial institutions in routine and complex transactions involving the acquisition and sale of real property. We have worked with institutions on the sale and lease-back of branch office locations, and we routinely handle all types of real estate transactions for large and small financial institutions.

Leasing

We represent financial institutions in the leasing of real property for bank branches and office locations. In addition to sale and lease-back transactions, we also routinely negotiate commercial leases and subleases

outside of the context of bank property sales.