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James H. Pannabecker

When the rules change, you need to change with them. LexisNexis introduces a comprehensive manual designed to help you understand, implement, and comply with the new regulations of the historic Dodd-Frank Wall Street Reform and Consumer Protection Act.

More than just a retelling of the complex bill, this resource offers the analysis, information, and in-depth knowledge that you need to save your financial institution both time and money and to prepare for and implement the new and changing regulations.

- AS Post

  Wall Street Portection Act

  Consumer Portection

  Consumer Porte
- Expert guidance and analysis from our eminent author, James Pannabecker, who breaks down the complexities of this historic bill.
- Executive Summaries that spotlight key issues, "take-aways" and talking points
- Quick-reference tables of regulations and regulatory activity, including deadlines

The Dodd-Frank Act is complicated, but staying on top of these historical regulatory changes doesn't have to be. Get the expert analysis, guidance and tools you need to understand and comply.

S PRINT • 1 volume, loose-leaf, updated 3 times per year, Pub. #04843, ISBN 9780769886138

## Truth-in-Lending Manual: Text and Forms

James H. Pannabecker

The Dodd-Frank Wall Street Reform and Consumer Protection Act means more risk for you and your clients. To a large extent, the early stages of legal and regulatory compliance were based on current laws and regulations. However, you can expect closer regulatory scrutiny of your current compliance, as well as your compliance with changing requirements from the new Consumer Financial Protection Bureau.

For the information and guidance you need to navigate in this shifting regulatory environment, look no further than the *Truth-in-Lending Manual*—the comprehensive, practical guide to Truth in Lending, Regulation Z, and Regulation M compliance. This two-volume reference offers clear analysis of the law, practical guidance for complying with regulations, and assistance in drafting forms and developing procedures that comply with truth-in-lending requirements.

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- Rules for cost disclosures at account opening
- Revisions that require itemizing interest charges for different types of transactions on monthly statements
- Expanded circumstances under which consumers must receive a written notice of changes in the terms applicable to an account
- Provisions that tighten the rules for what you must disclose in your advertising
- Additional provisions that affect how you handle mailed payments and advances that are separately underwritten
- Limitations on applying rate increases to credit card balances (with many exceptions, of course)
- Limitations on increasing rates and charges during the first year of a credit card account
- Requirement that card issuers consider a consumers ability to pay

- Limitations on marketing open-end credit to college students and disclosure of student marketing agreements between schools and lenders
- Limitations on offering credit cards to consumers under age 21
- Restrictions on over-the-limit fees on credit cards
- Rules on how to apply payments made on credit cards
- Procedures to enable administrators of decedents' estates to resolve outstanding credit card debt
- Online disclosure of credit card agreements
- Limitations on fee-harvester (subprime) credit cards
- Prohibition of double-cycle billing
- Prohibition of fees for using methods of payment on credit card debt
- Including minimum payment warnings on credit card statements

Addressing such issues as Dodd-Frank and implications of the CFPB, this must-have resource includes more than 100 sample forms and disclosures.

S PRINT • 2 volumes, loose-leaf, updated 3 times per year, Pub. #04829, ISBN 9780769878928 eBOOK • eISBN 9780769880341

## Compliance Guide to the 2013 Mortgage Lending Rules

James H. Pannabecker

With more than 3,500 pages of material related to mortgage regulations required by the Dodd-Frank Act, finding the key points necessary for full compliance is almost impossible for most mortgage professionals or compliance officers. The Compliance Guide to the 2013 Mortgage Lending Rules pinpoints each of the critical elements associated with each regulation and provides background information and clear explanations of how regulations have changed and what you need to do to implement them.

NS PRINT • 1 volume, softbound, Pub. #04864, ISBN 9780769885841



**Commercial and Consumer Lending Commercial and Consumer Lending** 

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## Clark's The Law of Secured Transactions Under the Uniform Commercial Code, Third Edition

Barkley Clark, Barbara Clark

The most trusted source of analysis and advice on shoring up assets, perfecting and enforcing security interests, and prevailing in the debtor's bankruptcy, this premier treatise has been the authoritative guide on secured lending for more than 30 years.

Authors Barkley Clark and Barbara Clark provide trusted legal analysis of trends and developments from the courts, Congress, and regulators as they pertain to secured transactions. Now in its Third Edition, this treatise includes a complete analysis of the new amendments to Article 9 so you can:

- Comply with the transition rules of the Article 9 Amendments
- Learn more about the continued impact of the Dodd-Frank Act as the Consumer Financial Protection Bureau (CFPB) wrestles with consumer credit regulation
- Find drafting tips, including suggested security agreement provisions and model financing
- Gain understanding of the entire process of secured financing from beginning to end
- Access critiques of case law: the Clarks always take a stand on court decisions and have been cited hundreds of times by state and federal courts

The treatise continues to be the place to look for answers to key questions secured lenders

- Analyzes the elements of Article 9 security interests in light of the 2010 amendments and
- Alerts you to the impact of the reforms, including a resolution of the "individual debtor name" problem that has plagued secured creditors and the courts
- Brings you practical strategies to prevent loss from the start of a secured transaction ... or ensure recovery in the event of default
- Examines the interplay between Article 9 and the two federal statutes that affect it most: the Federal Tax Lien Act and the Bankruptcy Code
- Explains the application of Article 9 to specific transactions and industries, including agricultural financing, oil and gas financing, titled motor vehicles, and investment property

A companion to this deep analysis is Clark's Secured Transactions Monthly, which covers timely hot topics.

S PRINT • 2 volumes, loose-leaf, updated twice per year, Pub. #04823, ISBN 9780769878867

## **Secured Transactions** Under the Uniform **Commercial Code**

James P. Nehf

understanding of Article 9 and its application to secured financing techniques. Unique in its breadth and depth of coverage, this treatise discusses not only the current state of the law of secured transactions under UCC Article 9, but also the historical evolution of the law and the application of the 1998 revision.

- Comprehensive coverage—Every facet of secured lending is examined and analyzed in detail, from basic topics to difficult or controversial issues. Both the old and revised versions of Article 9 are presented, facilitating contrast analysis former version of the law.
- Detailed analysis—Conflicting judicial interpretations of Article 9 and state variations are presented in preparing briefs and oral arguments.

S PRINT • 5 volumes, loose-leaf, updated 3 times per year, Pub. #00615, ISBN 9780820516158 eBOOK • eISBN 9781579118013

Develop a full and well-rounded

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## Clarks' Secured **Transactions Monthly**

Barkley Clark, Barbara Clark

Changes affecting secured lending happen quickly in the courts. Get the latest, most credible information now as expert authors Barkley Clark and Barbara Clark cover the latest developments and court decisions regarding secured lending, including recent revision of UCC Article 9.

A valuable monthly newsletter written by leading industry authorities, Clarks' Secured Transactions Monthly brings you the information you need to protect your clients' interests and to create stronger lending agreements, including:

- In-depth case law analysis
- Detailed coverage of UCC Article 9, related legislation, and regulations
- Guidance on protecting collateral and proceeds
- Tips on strengthening secured claims in bankruptcy
- What you need to know to avoid pitfalls in loan documentation and filing
- How to enforce security interests by direct collection, foreclosure sales, and strict foreclosure
- Guidance for handling equipment leasing transactions
- Working with credit card and health-care receivables
- · Coverage of special areas, such as oil and gas and agricultural transactions

A terrific companion to this monthly hot topics coverage is The Law of Secured Transactions Under the Uniform Commercial Code, which provides deep analysis of secured transactions.

S PRINT • Newsletter, 12 issues per year, Pub. #04730. ISBN 9780769877877

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## Federal Fair Lending & **Credit Practices Manual**

David Stemler

This comprehensive manual provides timely information and authoritative guidance on fair lending and credit practices, covering the seven major federal anti-discrimination and fair credit laws and the requirements of the Consumer Financial Protection Bureau. This easy-to-use reference is essential for banking law and financial services professionals.

S PRINT • 2 volumes, loose-leaf, updated twice per year, Pub. #04758, ISBN 9780769878157 eBOOK • eISBN 9780769879574

## Asset Based Financing: A Transactional Guide

Expand your knowledge in the area of secured transactions, or simply brush up on the basics and find useful forms. This unique publication, the leading reference work for the commercial loan specialist, has been updated to conform to and address the issues presented by the Revised UCC Article 9. Both introductory information and more complex detailed analysis are contained in this one source, making it an ideal choice for offices with varied levels of experience among practitioners.

Coverage includes the complete text of both revised and pre-revision UCC Article 9; analysis of the revision and the filing process in a special volume; discussion of each major type of asset-based transaction; all relevant forms, checklists and exemplary materials; and discussion and analysis pertinent to specific types of financing and asset-based lending issues.

S PRINT • 5 volumes, loose-leaf, updated twice per year, Pub. #00059, ISBN 9780820510590 евоок • eISBN 9781579112318

## Structuring and Drafting **Commercial Loan Agreements**

This practical treatise is designed to help commercial and banking law attorneys protect their clients' interests through the structuring of commercial loan agreements and drafting loan documents. This treatise is the premier resource used by thousands of attorneys, borrowers, and lenders for optimal negotiation and structuring of commercial loans.

Written by Sandra Stern, Structuring and Drafting Commercial Loan Agreements provides targeted analysis guidance sample clauses and sample documents to make agreement drafting easier and includes:



- Suggestions for drafting a letter of credit reimbursement agreement in the light of Revised Article 5 and UCP 500
- A step-by-step guide to perfection and priority under UCC Article 9
- A chapter on loan participations, including alternative drafting solutions from the perspective of each party
- A chapter on litigation financing
- Guidance on the 2010 Amendments to UCC Article 9, including changes in the filing system
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S PRINT • 2 volumes, loose-leaf, updated annually, Pub. #04813, ISBN 9780769878768

## Commercial Loan Documentation Guide

Barry A. Dubin, Michael A. Leichtling

Streamline the process of preparing for and executing a commercial loan with this practical guide. The publication focuses specifically on the documents necessary to a loan transaction and takes into account the perspectives of both the lender and borrower and the contracts, agreements, supporting documentation and specific clauses that each party will want in order to be fully protected. Whether you are an experienced practitioner looking for detailed answers or a novice user, this guide will help you practice with confidence. Included are numerous examples and forms, making this a perfect standalone resource, or a valuable complement to any of the more traditional Matthew Bender commercial lending treatises.

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## **Commercial Finance Guide**

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Enhance your knowledge of commercial finance with this practical and efficient publication. This compact but sophisticated guide to commercial lending is updated to conform to Revised UCC Article 9, and offers significant breadth of coverage of the subject matter in a concise manner, with an emphasis on "hot" topics and developments.

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## The Law of Letters of Credit: Commercial and Standby Credits

John Dolan

Frequently cited by the courts, this leading treatise gives detailed guidance on letters of credit law. This expert resource guides you through the legal issues that arise throughout the entire life cycle of the credit, including establishing, amending, and terminating the credit and transfers and assignments. The treatise explains all major U.S. and relevant international law affecting letters of credit and reports on all of the major domestic and international letter-of-credit cases.

Among the many essential topics covered are:

- How the commercial letter of credit is used to support international sales
- How standby credits are used in various features of real estate development, including: satisfying bond requirements at lower cost; serving as developer's equity in a project; and avoiding loan commitment fees
- How standby credits are used to secure leases of personal property and commercial tenant's rent obligations
- How the invoice standby is used to obtain credit terms from a supplier and protect sellers by securing payment from weakened customers
- How credits operate to provide liquidity; substitute one party's credit for another's; reduce transaction costs; shift litigation costs; avoid foreign litigation; and assure prompt payment
- How bankers acceptances and deferred payment obligations create obligations that are readily acceptable in financial markets
- How a beneficiary uses commercial letters of credit to finance its suppliers by: transferring the credit; assigning the credit's proceeds; and utilizing the back-to-back credit
- How banks use letters of credit to secure borrower's loan repayment: obtaining a security interest in the credit and perfecting the security interest in the credit

S PRINT • 2 volumes, loose-leaf, updated twice per year, Pub. #04822, ISBN 9780769878850

### Letters of Credit

Burton V. McCullough

Accelerate your research with this comprehensive resource that collects all primary sources needed for letters of credit practice. The treatise analyzes the statutory law of Article 5 of the Uniform Commercial Code, as well as case law interpreting this article.

This practical publication provides quick and easy answers pertaining to letter-of-credit transactions and includes:

- Detailed analysis of every step in the process
- Helpful diagrams of the roles and responsibilities of all parties involved in transactions
- Overviews of the text of applicable law
- Coverage of important legal issues
- Headnotes at the beginning of each section

All relevant documents are covered, including commercial letters of credit, standby letters of credit, and banker and trade acceptances. Sample forms and handy reference points make it easy to apply the information to common transactions.

S PRINT • 2 volumes, loose-leaf, updated twice per year, Pub. #00387, ISBN 9780820513874

## Consumer Credit and Truth-in-Lending Compliance Report

Earl Phillips

In-depth guidance and expert analysis regarding recent developments that affect: disclosure requirements under the Truth-in-Lending Act, Fair Debt Collection Practices Act, arbitration, Equal Credit Opportunity Act, court interpretations of federal laws and regulations related to consumer credit transactions, and consumer leasing.

S PRINT • Newsletter, 12 issues per year, Pub. #04747, ISBN 9780769878041

## Fair Debt Collection Practices: Federal and State Law and Regulation

Manuel H. Newburger

Whether you're responsible for debt collections or are affiliated with an agency, creditor, law firm or bad debt buyer, the Fair Debt Collection Practices: Federal and State Law and Regulation manual contains virtually everything you'll need to avoid costly litigation and hefty fines, including:

- Full overview and analysis of the FDCPA, including recent amendments
- Full overview and analysis of state fair-debt collection laws and regulations
- Full discussion of key common law issues
- Hundreds of warnings, spotlighting legal landmines
- Quick-reference guides to state regulations and licensing requirements for both collection agencies and attorneys
- Federal Trade Commission commentary and opinion letters on the FDCPA, plus an original essay from the FTC on debt collectors' credit reporting obligations

S PRINT \* 2 volumes, loose-leaf, updated 3 times per year, Pub. #04757, ISBN 9780769878140

eBOOK • eISBN 9780769879567

## The Law of Lender Liability

Jessica Gabel

The Law of Lender Liability provides a comprehensive explanation of the major legal issues that arise between lenders and borrowers at the various stages of the loan relationship. From developments regarding federal preemption of state banking laws to punitive damages decisions in the appellate courts, this comprehensive resource delivers practical guidance for developing and implementing protective measures at every stage of the life of the loan.

S PRINT • 2 volumes, loose-leaf, updated twice per year, Pub. #04821

## Lender Liability Law Report

Helen Chaitman

Lender Liability Law Report is a highly focused, monthly newsletter that delivers timely coverage of important lender liability cases and events, combining reliable reports and expert analysis in a way that helps you avoid or reduce liability while mitigating the chance of litigation.

S PRINT • Newsletter, 12 issues per year, Pub. #04774, ISBN 9780769878317

## Banking & Lending Institution Forms with Commentary and Checklists

Jacob Reby

A complete banking and lending encyclopedia of forms addressing all types of lending, leasing, financing, bank operations, and compliance, essential for commercial and banking attorneys and professionals. Delivering more than forms and checklists provided by practicing attorneys who specialize in the area addressed, this resource also includes alternative language for varying circumstances. Forms range from the simplest contracts to highly sophisticated, complex transactions.

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## Consumer Credit: Law, Transactions and Forms

Kenneth M. Lapine

Provides a detailed analysis of 13 major consumer credit laws along with practical guidance for every stage of a consumer credit transaction. This publication includes relevant statutes, regulations, interpretations and policies, model forms, checklists, examples and tables.

S PRINT • 6 volumes, loose-leaf, with updates, Pub. #00084, ISBN 9780820510842

Also published as Volumes 7, 8, 9 and 10 of Banking Law.

## Mortgage Lending

Subprime lending and the mortgage market meltdown have led to significant overhaul in the form of the Consumer Financial Protection Bureau. As the regulatory landscape continues to evolve, ensure you understand the risks and safeguards inherent in mortgage lending law.

## Mortgage Lending Compliance with Federal and State Guidance

James H. Pannabecker

This manual is a comprehensive guide to state and federal compliance for residential mortgage lenders. *Mortgage Lending Compliance with Federal and State Guidance* includes coverage of: high-cost mortgage loans, yield spread premiums, HUD and CFPB enforcement action, upcharges, state predatory lending statutes, RESPA, TILA, ECOA, HMDA and other federal consumer protection statutes.

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Mortgage Lending Secondary Mortgages

## The RESPA Manual: A Complete Guide to the Real Estate Settlement Procedures Act

James H. Pannabecker, David Stemler

Designed for both attorneys and non-attorneys alike, *The RESPA Manual* provides mortgage professionals with the insight and guidance they need to comply with the Real Estate Settlement Procedures Act (RESPA) on a daily basis, and provides attorneys with the tools and reference materials they need to provide their clients with well-considered advice. This practical manual is written in an easy-to-understand way that is accessible to both.

The RESPA Manual gives you complete up-to-date coverage of all RESPA compliance issues, including:

- CFPB republication of Regulation X and subsequent extensive revisions to Regulation X, including the Servicing Rule and High-Cost Mortgage Rule
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- Loan originator compensation
- Good faith estimates
- Escrow account rules
- Gifts to settlement service providers
- Initial and closing disclosures
- Mortgage servicing requirements
- Affiliated business arrangement disclosures



- Volume-based compensation
- Secondary market compensation
- Enforcement provisions
- Employer-employee compensation
- Computer loan origination systems
- Rental of office space
- Lock outs
- Retaliation
- Title companies

The Manual also covers enforcement actions and court decisions focused on captive title reinsurance, yield spread premiums, kickbacks and referral fees, affiliated partnerships, "required use," markups, overcharges, unearned fees, builder closing cost credits, and escrow cushions. A full chapter of compliance checklists helps you understand the actions necessary for your client or your financial institution to stay in compliance.

S PRINT • 1 volume, loose-leaf, updated twice per year, Pub. #04824, ISBN 9780769878874

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James H. Pannabecker

Mortgage Lending Operations and Administration provides a wealth of information that covers all aspects of mortgage lending, from setting up your operations all the way through how to underwrite, document, and make loans. Plus, it helps you with other key issues like resolving problem loan situations, pricing loans and managing risks. This one-stop resource offers practical guidance, forms, checklists and sample policies.

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S PRINT • Newsletter, 12 issues per year, Pub. #07041, ISSN 1941-1324
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Also available online.

## Mortgage Procedure Guide to Federal and State Compliance

Kurt Mattso

This comprehensive guide helps lenders hedge risk by identifying the compliance requirements in complex consumer protection laws at the federal and state level. Organized by compliance area, the four main sections cover the development of policies and procedures, federal laws and regulations that apply to mortgages, federal compliance procedures, and state compliance procedures.

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## Pratt's Mortgage Compliance Letter

David Stemler

Offering the latest news involving the wide array of statutes and regulations crucial to mortgage lending, *Pratt's Mortgage Compliance Letter* is a monthly report on the latest cases, statutory and regulatory developments, and supervisory enforcement actions and issuances affecting mortgage bankers.

S PRINT • Newsletter, 12 issues per year, Pub. #04794, ISBN 9780769878515
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## Secondary Mortgages

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## Pratt's State Regulation of Second Mortgages and Home Equity Loans

Marsha L. Williams, Melanie R. Finkelstein

Regulatory examination of mortgage lending, plus a more proactive approach by government agencies to regulate mortgage brokers, mortgage lenders, and the residential mortgage lending industry, requires a dependable source of information for lenders that originate second mortgages and home equity loans. This comprehensive guide identifies and explains the state laws and regulations for lenders engaging in making and brokering second mortgages and home equity loans.

Each book in the series covers a particular region and describes the principal laws and regulations applicable to the offering of junior lien loans, on a state-by-state basis, as well as the licensing and registration applicable to loan originators.

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## Pratt's State Regulation of Second Mortgages and Home Equity Loans—South Central

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## Pratt's State Regulation of Second Mortgages and Home Equity Loans—Western

Marsha L. Williams, Melanie R. Finkelstein

Coverage includes the following states: Alaska, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington and Wyoming.

S PRINT • 1 volume, loose-leaf, updated annually, Pub. #04860, ISBN 9780769878607



## Account and Payment Systems

Each year, fewer checks are being used and new account and payment systems emerge, and to compound the issues there are constant changes in the processing of bank checks. Keeping up with the regulations and laws that govern account and payment systems can be overwhelming. As more institutions and their customers adopt these new products and services, regulatory changes and additional guidance will undoubtedly follow suit. LexisNexis® provides guidance on the latest business trends, technological innovations, regulatory developments affecting operations, compliance with third-party processors, legal risks concerning protection rules, risk and fraud management, and more.

## Brady on Bank Checks and Funds Transfers

Cited many times since its inception in 1915, this widely trusted authority on bank checks and funds transfers provides easy-to-use information to help you ensure that all your transactions involving bank checks and electronic funds transfers are handled properly under current case law and in compliance with applicable laws and regulations.

You'll find comprehensive commentary and guidance for attorneys and bankers concerned with the complexities of Uniform Commercial Code Articles 3, 4, and 4A as they relate to bank checks and funds transfers, with specific information regarding financial institution liability in these areas.

Addressing the issue, transfer, collection, and payment of checks; the return of unpaid checks; substitute checks; electronic checks; electronic funds transfers; and forgeries and alterations, this manual's legal analysis is supported with numerous citations to the most recent and relevant statutes, regulations and cases—resulting in an incomparable resource for all your practical questions or legal research involving bank checks and funds transfers.

In fact, Brady on Bank Checks and Funds Transfers is recognized throughout the legal profession as a top authority on the law of bank checks and is often cited by the courts. This leading treatise covers:

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- General characteristics of checks
- Check problems prior to collection or payment
- Deposit and collection of checks
- Substitute checks
- Flectronic checks
- Electronic funds transfers
- Unauthorized deposits
- Payment of checks

- Nonpayment of checks
- Wrongful dishonor and the return of unpaid checks
- Stop payments
- Embezzlement and fraud resulting from check alteration
- Conflict of laws involving checks in interstate or international transactions
- Compliance with Regulation CC
- UCC Articles 3, 4 and 4A
- Relationship between UCC and other laws affecting bank checks and funds transfers

S PRINT • 2 volumes, loose-leaf, updated 3 times per year, Pub. #04720, ISBN 9780769877778 евоок • eISBN 9780769879192

## The Law of Bank Deposits, **Collections and Credit Cards**

Barkley Clark, Barbara Clark

Cited by the courts and renowned for its thoroughness, authority and currency, The Law of Bank Deposits, Collections and Credit Cards guides you safely through the maze of today's tough statutes and regulations and ever-changing

At a glance, you can find all the guidance you need to avoid legal complications for your institution or client involving bank deposits, collections, and credit cards. The authors also provide an in-depth look at important cases and provide concrete, workable ideas and guidance on what action you can take to prevent possible problems.

This comprehensive reference does so much more than just report the law; it gives you everything you need to map out a course of action that will help prevent legal complications and help you prevail in court should a lawsuit occur. You'll get answers to all your questions on such issues as:

- Suggested state-of-the art provisions for your deposit agreement
- Compliance with CFPB regulations affecting consumer deposit accounts
- ACH mobile payment rules
- Mitigating risks resulting from corporate deposit account takeover by hackers
- The Credit CARD Act
- EFT transfers under Regulation E
- The use of contractual "cutdown" deposit agreement provisions to limit the risk of check or wire fraud
- Wire transfers under Uniform Commercial Code (UCC) Article 4A and Fedwire®
- Legal and operational problems surrounding bank setoff
- Federal preemption
- The impact of Regulation CC on check
   Cash management products kiting cases
- How banks can protect themselves against "desktop forgery"
- Whether there is a duty to report a suspected kite

Monthly, which covers timely hot topics.

- How the Revised UCC affects forged endorsement cases
- When payment can be stopped on cashier's checks
- Compliance problems under Regulation DD (Truth in Savings)
- Interstate banking and its impact on collection and payment
- Consensual security interests in deposit accounts under Revised Article 9 of the UCC
- Suggested state-of-the-art provisions for your deposit agreements
- Bank liability for late return of checks
- Bank collection of documentary drafts
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Barkley Clark, Barbara Clark

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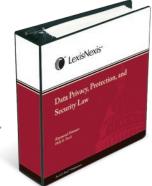
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