

Andrew Braunstein

Partner

New York

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OVERVIEW

Andrew represents financial institutions and service providers in high-stakes litigations and investigations. His extensive background involves defending banks, non-bank lenders, trusts, trustees, and loan servicers in complex and class action litigation, including in federal and state courts.

In addition, Andrew represents financial services clients in state and federal civil and criminal investigations and also has experience representing clients in Congressional investigations. These investigations are varied and involve lending and servicing practices; compliance with federal statutes, such as the Bank Secrecy Act (BSA) and Anti-Money Laundering Act (AML); and other issues.

REPRESENTATIVE MATTERS

- Representing student loan trusts in putative class actions alleging improper collection and litigation tactics.
- Representing student loan trusts in putative class actions seeking class-wide discharge of certain categories of student loans.
- Representing a non-bank lender in multidistrict litigation brought by alleged Paycheck Protection Program (PPP) referral agents seeking fees under the CARES Act.
- Representing a non-bank lender against “negligent lending” and related claims brought by PPP loan applicants.
- Representing a loan servicer in residential mortgage-backed securities (RMBS) litigation arising out of repurchase litigation brought against the sponsor of securitizations of mortgage loans alleged to have breached its representations and warranties.
- Representing a trustee in residential mortgage-backed securities (RMBS) litigation based on allegations relating to the termination of the RMBS trusts.
- Representing a loan servicer in a putative class action alleging violations of RICO, FDCPA, and state consumer protection laws based on purported improper fees charged for property inspections.
- Representing a loan servicer against a putative class action alleging that property-inspection fees for FHA-insured loans violated HUD requirements.
- Representing a non-bank lender in investigations by various government agencies, the U.S. Senate, and U.S. House of Representatives relating to lending practices during the Paycheck Protection Program (PPP).
- Representing a non-bank lender in federal agency investigations relating to compliance with the Anti-Money

Laundrying and Bank Secrecy Acts.

AWARDS

- *The Best Lawyers in America®: Ones to Watch: Commercial Litigation* (2024-2026)
- *Super Lawyers®* New York Metro, Rising Star, Business Litigation (2020-2023)

TOP AREAS OF FOCUS

- Anti-Money Laundering
- Class Action
- Consumer Financial Protection Bureau (CFPB)
- Financial Services Litigation
- Government + Regulatory

ALL AREAS OF FOCUS

- Anti-Money Laundering
- Class Action
- Consumer Financial Protection Bureau (CFPB)
- Financial Services Litigation
- Government + Regulatory
- Litigation + Trial
- White Collar Litigation + Investigations

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Crohn's & Colitis Foundation of America

EDUCATION AND CERTIFICATIONS

EDUCATION

- Brooklyn Law School, J.D., *magna cum laude*, 2016, notes and comments editor, *Brooklyn Journal of Law and Policy*; member, Moot Court Honor Society
- University of Maryland, College Park, B.A., 2013, government and politics

BAR ADMISSIONS

- New York
- New Jersey

COURT ADMISSIONS

- U.S. District Court, Southern District of New York
- U.S. District Court, District of New Jersey

- U.S. District Court, Eastern District of New York

PUBLICATIONS

- Co-author, "Supreme Court Resolves Circuit Split and Decides CFPB's Funding Structure Is Constitutional," Locke Lord QuickStudy, May 21, 2024.
- Co-author, "How the Circuit Split Over CFPB Funding May Play Out," *Law360*, May 1, 2023.
- Co-author, "Second Circuit Decides CFPB Funding Structure Is Constitutional, Setting Up Circuit Split for Supreme Court," Locke Lord QuickStudy, April 6, 2023.
- Co-author, "The State of New York Courts During COVID-19, Revisited," Locke Lord QuickStudy, May 17, 2021.
- Co-author, "Ready or Not, Here It Comes: Litigation and Enforcement Issues Under The California Privacy Rights Act," Locke Lord QuickStudy, February 12, 2021.
- Co-author, "The State of New York Courts During COVID-19, Continued," Locke Lord QuickStudy, June 2, 2020.
- Co-author, "The State of New York Courts During COVID-19, Continued," Locke Lord QuickStudy, May 12, 2020.
- Co-author, "The State of New York Courts During COVID-19, Continued," Locke Lord QuickStudy, April 21, 2020.
- Co-author, "The State of New York Courts During COVID-19," Locke Lord QuickStudy, April 14, 2020.