# Keith J. Barnett

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## OVERVIEW

Keith's experience representing clients in the financial services industry as a litigation, compliance, regulatory, investigations (internal and regulatory), and enforcement attorney spans 20 years. Keith represents clients against government regulators (CFPB, FTC, SEC, CFTC), industry regulators (FINRA), and private litigants in federal courts, state courts, and before arbitration and administrative law panels in the financial services industry.

Keith advises payment processors, money transmitters, payments apps, and similar companies on compliance with federal and state money services business laws. He advises cryptocurrency exchanges and NFT platforms on state and federal money transmission law compliance and regulatory issues, and also represents these companies in lawsuits and government enforcement actions.

Keith regularly writes and lectures about hot topics in the financial services industry, focusing on issues that include the latest developments in payments and those related to the FTC and CFPB. Follow Keith's ongoing analysis and commentary on these developments through the firm's consumer financial services blog, Consumer Financial Services Law Monitor, and payments podcast, *The Payments Pros*.

## AWARDS

- *Chambers FinTech Legal USA,* Payments & Lending (2025-2026)
- *Best Lawyers in America*®: FinTech Practice (2023-2025, 2027), Litigation – Regulatory Enforcement (SEC, Telecom, Energy) (2024-2027)
- *Best Lawyers in America*®: "Lawyer of the Year" Atlanta, FinTech Practice (2026)
- *Thomson Reuters* Stand-out Lawyer (2022-2026) – independently rated lawyers

## TOP AREAS OF FOCUS

- Consumer Financial Services
- Financial Services Litigation
- Payments + Financial Technology
- Regulatory Investigations, Strategy + Enforcement

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## ALL AREAS OF FOCUS

- Business Litigation
- Consumer Financial Protection Bureau (CFPB)
- Consumer Financial Services
- Digital Assets + Blockchain
- Enforcement Actions + Investigations
- Financial Services
- Financial Services Litigation
- Litigation + Trial
- Payments + Financial Technology
- Regulatory Investigations, Strategy + Enforcement
- Securities Investigations + Enforcement

## PROFESSIONAL/COMMUNITY INVOLVEMENT

- ABA Advisor, College Athlete Name, Image, and Likeness Issues Committee, Uniform Law Commission
- Board Member, Georgia Asylum and Immigration Network (GAIN) (2020)
- Fellow, Leadership Council on Legal Diversity (2016)

## EDUCATION AND CERTIFICATIONS

### EDUCATION

- Duke University School of Law, J.D., 2000
- University of California, Los Angeles, B.A.

### BAR ADMISSIONS

- California
- Georgia

### COURT ADMISSIONS

- U.S. Court of Appeals, Fifth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- Court of Appeals of Georgia
- Supreme Court of Georgia
- California Courts of Appeal
- Supreme Court of California
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Northern District of Georgia
- U.S. District Court, Middle District of Georgia

## SPEAKING ENGAGEMENTS

- Speaker, "Navigating Credit Card Compliance in a Shifting Regulatory Environment," CCBCA Fall Conference 2026, September 30, 2026.
- Speaker, "FTC Investigations and Enforcement of Payments: What FIs and Fintechs Need to Know," Nacha Smarter Faster Payments 2026, April 26, 2026.
- Speaker, "Payments, Money Movement & Emerging Rails," 2026 CCBCA Winter Conference, February 26, 2026.
- Speaker, "Legal and Regulatory Update," TPPPA 2025 Solving the Payments Puzzle Conference, November 12-14, 2025.
- Presenter, "State Regulator Supervision, Investigations and Enforcement of Payments During the Trump Era," Smarter Faster Payments 2025, April 2025.
- Speaker, "Examining the Larger Participants in Payments Rule," Smarter Faster Payments 2024 Convention, May 9, 2024.
- Speaker, "Managing Third-Party & Fintech Relationships Symposium," UMACHA, March 21, 2024.
- Panelist, "FedNow and the Opportunity for Faster Lending," 2023 Lend360, October 3, 2023.
- Speaker, "State Money Transmission Update," TPPPA 2023 Solving the Payments Puzzle Conference, September 13, 2023.
- Presenter, "Bank and Fintech Partnerships" UMACHA Virtual Fintech and Third-Party Symposium, June 29, 2023.
- Speaker, "How the Federal and State Money Transmission Laws Relate to Payroll Processors," TPG Annual Conference, May 9, 2023.
- Speaker, 2022 TPPA Annual Conference, Solving the Payments Puzzle, November 16-18, 2022.
- Speaker, "Payments 101," Troutman Pepper, November 7, 2022.
- Co-speaker, "Innovation Exploration Conference: Implementing Deposit Programs," Community Bankers Association (CBA) of Georgia, November 2, 2022.
- Speaker, "Regulatory and Compliance Update," Bank Director Bank Board Training Forum, September 13, 2022.
- Co-speaker, "Innovation Exploration Regulatory Series: Implementing Deposit Programs," Community Bankers Association (CBA) of Georgia, July 20, 2022.
- Speaker, "CFPB Updates Webinar," Troutman Pepper, November 10, 2021.
- Presenter, "States and Mortgage Lending/Servicing," MBA's Regulatory Compliance Conference 2021, September 12, 2021.
- Panelist, "Partnerships with Banks, Fintechs and Platforms," Opal's Marketplace Lending & Alternative Financing Summit, December 8-10, 2021.
- Panelist, "Fair Lending – What Fintech and Banks Need to Know," 2021 LEND360, October 5, 2021.
- Presenter, "Pay Me Now! A Deep Dive Into the Present and Future of Earned Wage Access Products," Troutman Pepper, April 20, 2021.
- Speaker, "Opportunity Is Knocking: How to Be Strategic Rather Than Reckless in Higher-Risk Industries and Products," Third Party Payment Processors Association Executive Summit, Scottsdale, AZ, November 9, 2017.
- Panelist, "Legal and Regulatory Update," Third Party Payment Processors Association Annual Conference, Washington, DC, May 19, 2017.
- Panelist, "Regulatory Landscape for 2017 – What Can You Expect?," Nacha Payments Innovation Alliance Meeting, Los Angeles, CA, February 24, 2017.
- Panelist, "A New World: The Changing Policy Landscape for International Payments and Financial Technology," ETA & BAFT International Payments Policy Day, Washington, DC, February 9, 2017.
- Panelist, "State Regulatory and Enforcement Efforts Including Latest Challenges Associated With Money

Transmitter Licensing Enforcement," American Conference Institute's 17th National Forum on Prepaid Card Compliance, Washington, DC, January 30, 2017.

- Panelist, "Why Reputation Monitoring Is Key to a Strong KYC Program," Webinar, December 5, 2016.
- Panelist, "Legal and Regulatory Update," Third Party Payment Processors Association Executive Summit, Phoenix, AZ, November 10, 2016.
- Panelist, "Legislative Activity Involving Payroll Cards; Understanding and Complying With State Payroll Laws; and Mitigating the Threat of Class Action Litigation Involving Payroll Card Products," American Conference Institute's 16th National Forum on Prepaid Card Compliance, Chicago, IL, September 26, 2016.
- Panelist, "Best Practices for Banks for Banks in Third-Party Payment Processing," Webinar, June 9, 2016.
- Panelist, "Prepaid Cards Uses on Campuses for Students to Receive Student Loan Money: Department of Education's Title IV Disbursement Rule and Concern Regarding Fees Imposed and Other Terms, and Disclosures to Schools Regarding Private Contracts,'" American Conference Institute's 13th National Forum on Prepaid Card Compliance, San Francisco, CA, June 2, 2016.
- Panelist, "Other Alternative Uses of Blockchain Technology (Beyond Bitcoin): Examples of Action and Their Potential Operational, Legal and Regulatory Ramifications – Notarizations, Voting Systems, Crowd Funding, Identity Verification and Beyond," American Conference Institute Blockchain & Distributed Ledger Technology Conference, New York, NY, April 13, 2016.
- Panelist, "Litigation and Regulatory Challenges in Daily Fantasy Sports," Third Party Payment Processors Association, Webinar, March 31, 2016.
- Panelist, "Chief Compliance Officer Responsibilities," Third Party Payment Processors Association (TPPPA) and Kirkpatrick Price Third Party Payment Processors Series, Webinar, March 4, 2016.
- Panelist, "The Latest FTC Initiatives on Lead Generators and Online Marketing, How Prepaid Cards Rely on These to Attract Customers, and Related Privacy Issues," American Conference Institute 14th National Forum on Prepaid Card Compliance, Washington, DC, January 28, 2016.
- Panelist, "Telemarketing Sales Rule and Third Party Payment Processors," Third Party Payment Processors Association (TPPPA), Webinar, January 26, 2016.
- Panelist, "Risk and Regulation – What You Need to Know," Third Party Payment Processors Association (TPPPA), Webinar, January 7, 2016.
- Panelist, "CFPB Jurisdiction Regulation and Enforcement in 2015 and 2016: What Third Party Payment Processors Need to Know,"" Third Party Payment Processor Association (TPPPA) Member Executive Leadership Summit and Retreat, Phoenix, AZ, November 19, 2015.
- Speaker, "Emerging Payment Systems," American Conference Institute, September 17-18, 2015.
- Speaker, NBI Consumer Finance Law Seminar, December 5, 2014.
- Speaker, "The CFPB and Its Impact on the Automobile Remarketing Industry," *National Remarketing Conference Used Car Week 2014*, November 21, 2014.
- Speaker, "The CFPB & Its Impact on the Remarketing Industry," *Used Car Week – National Remarketing Conference*, November 12-13, 2014.
- Presenter, "CFPB Rules and Industry Trends for Lending," *Knowledge Congress Webcast*, November 7, 2013.
- Presenter, "Insights on the Bureau, Third-Party Service Providers, and Lessons Learned So Far," Webcast: Discussion on the CFPB, June 21, 2013.
- Speaker, "2013 Georgia ACC Value Challenge," April 25, 2013.
- Speaker, "CFPB Enforcement: What Every Financial Institution Needs to Know Before and During a CFPB Investigation," West LegalEdCenter, December 12, 2012.
- Speaker, "Preparing for a Consumer Financial Protection Bureau (CFPB) Examination: What Mortgage Lenders and Servicers Really Need to Know," West LegalEd Conference, September 12, 2012.
- Speaker, "Advanced Securities Law Seminar," Institute of Continuing Legal Education in Georgia, March 25, 2011.
- Speaker, Atlanta Bar Association, Litigation Section, Securities and Corporation Litigation Subsection Meeting,

May 1, 2008.

- Speaker, National Bar Association 82nd Annual Convention and Exhibits, July 28 – August 4, 2007.

## PUBLICATIONS

- Co-host, *Payments Pros* Podcast.
- Co-author, "Road to Housing Act: Brokered Deposit Reforms Offer Long-Awaited Clarity for Community Banks," *Financial Services Blog*, July 17, 2026.
- Podcast, "Regulating Prediction Markets: Federal Oversight, State Authority, and the Road Ahead," *Regulatory Oversight*, June 24, 2026.
- Podcast, "The Debanking Debate: Regulators, Risk, and Reality for Payments," *The Consumer Finance Podcast*, June 4, 2026.
- Co-author, "Federal Reserve Proposes Special-Purpose "Payment Account" for Eligible Institutions," *Financial Services Blog*, May 21, 2026.
- Co-author, "DEA Reschedules State-Licensed Medical Marijuana to Schedule III," *Financial Services Blog*, April 28, 2026.
- Co-author, "House Bill Would Create New Federal Regime for Nonbank Payment Firms," *Financial Services Blog*, April 22, 2026.
- Podcast, "Trading, Gambling, or Something Else? Prediction Markets and the Payments Puzzle," *Regulatory Oversight* Podcast, February 10, 2026.
- Co-author, "Federal Reserve Floats Special Purpose Payment Accounts for Fintechs and Nontraditional Banks ," *Financial Services Blog*, December 23, 2025.
- Podcast, "Regulatory Rollback: Legal Challenges and Opportunities in Earned-Wage Access," *The Consumer Finance Podcast*, July 24, 2025.
- Co-author, "Earned Wage Access: An Overview of Federal and State Regulation and Enforcement," *CPI TechREG Chronicle*, May 2025.
- Co-author, "OCC Patriot Bank Order Spotlights AML Issues For Managers," *Law360*, April 11, 2025.
- Co-author, "Charging Ahead: Legal, Regulatory, and Operational Considerations for EV Infrastructure Development," *Troutman Pepper*, October 1, 2024.
- Co-author, "CFPB Proposal Would Set Up Federal Exams for Nonbank Consumer Digital Payment Players," *The Financial Brand*, July 18, 2024.
- Co-author, "Banks Should Continue to Prep for CFPB Data Rule Rollout," *Law360*, March 14, 2024.
- Co-author, "Troutman Pepper's 2023 Payments Year in Review," *Troutman Pepper*, January 25, 2024.
- Co-author, "Applications for Georgia Merchant Acquirer Limited Purpose Bank Charter: A Positive Sign for Fintech and Nonbank Direct Access to Card Networks," *Troutman Pepper*, January 16, 2024.
- Co-author, "Federal Reserve Board Rejects Application by SPDI That Is Not Federally Regulated," *Troutman Pepper,* January 31, 2023.
- Co-author, "Federal Reserve Finalizes Rule Eliminating Exclusive Debit Card Networks for E-Commerce," *Troutman Pepper*, October 11, 2022.
- Co-author, "Merchants Are Now Consumers? FTC Settles Action Against Payment Processor After Alleging Its Merchants Are "Consumers"," *Troutman Pepper*, August 17, 2022.
- Co-author, "Whose Crypto Is It, Anyway?" *Troutman Pepper*, August 3, 2022.
- Co-author, "Bipartisan Responsible Innovation Act Limits Howey Test; Suggests Non-Depository Institutions May Issue Payment Stablecoins," *Troutman Pepper*, July 6, 2022.
- Co-author, "Not Your Keys, Not Your Coin: SEC Tells Crypto-Custody Providers to Report Platform Users' Crypto Holdings as Balance Sheet Liabilities," *Troutman Pepper*, April 25, 2022.
- Co-author, "World's Largest Cryptocurrency Exchange Wins Dismissal of Class-Action Lawsuit," *Troutman*

*Pepper*, April 19, 2022.

- Co-author, "Digital Asset Federal Legislation and Regulatory Developments: Wrap Up of First Quarter 2022," *Troutman Pepper*, April 18, 2022.
- Co-author, "New Virginia Law Permits Banks to Provide Virtual Currency Custody Services," *Troutman Pepper*, April 13, 2022.
- Co-author, "FDIC Requires Notice of Crypto-Related Activities," *Troutman Pepper*, April 8, 2022.
- Co-author, "FTC Enters Consent Agreement With Payment Processor for Opening Merchant Accounts for Fictitious Companies," *insideARM*, March 28, 2022.
- Co-author, "FinCEN Implores Vigilance From Financial Institutions in Anticipation of Attempted Russia Sanctions Evasion," *Troutman Pepper*, March 16, 2022.
- Co-author, "Biden Signs Executive Order on Cryptocurrency," *Troutman Pepper*, March 10, 2022.
- Co-author, "Hunstein Oral Arguments: Eleventh Circuit Weighs Use of Third-Party Vendors in Debt Collection," *Troutman Pepper*, February 23, 2022.
- Co-author, "2021 Consumer Financial Services Year in Review & A Look Ahead," *Troutman Pepper*, January 28, 2022.
- Co-author, "CFPB Opens Inquiry Into Buy Now Pay Later," *Troutman Pepper*, December 21, 2021.
- Co-author, "New Jersey Introduces a Virtual Currency and Blockchain Bill," *Troutman Pepper*, December 8, 2021.
- Co-author, "Every Company Should Have Access to a Bitcoin Account," *Security*, October 19, 2021.
- Co-author, "Rohit Chopra Confirmed as New CFPB Director," *Troutman Pepper*, October 1, 2021.
- Co-author, "Biden to Nominate Privacy Advocate Alvaro Bedoya as an FTC Commissioner," *Troutman Pepper*, September 16, 2021.
- Co-author, "CFPB Sets June 2022 Compliance Date for Payday Rule," *Troutman Pepper*, September 13, 2021.
- Co-author, "CFPB Issues Long-Awaited Notice of Proposed Rulemaking on Small Business Lending Data Collection," *Troutman Pepper*, September 2, 2021.
- Co-author, "SEC Responds to Warren's Letter on Authority to Regulate Crypto," *Troutman Pepper*, August 17, 2021.
- Co-author, "Gensler Speaks on Crypto at Aspen Security Forum," *Troutman Pepper*, August 5, 2021.
- Co-author, "Warren Writes Letter to SEC on Authority to Regulate Crypto," *Troutman Pepper*, July 21, 2021.
- Co-author, "Big Tech Critic Lina Khan Confirmed and Sworn In as New FTC Chair", *Troutman Pepper*, June 16, 2021.
- Co-author, "Unanimous Court Cuts FTC's Power to Seek Monetary Redress," *Troutman Pepper*, April 23, 2021.
- Co-author, "Biden to Nominate Big Tech Critic Lina Khan to Serve as an FTC Commissioner," *Troutman Pepper*, March 23, 2021.
- Co-author, "CFPB Rescinds Trump-Era Guidance Regarding "Abusive Acts and Practices" Standard," *Troutman Pepper*, March 15, 2021.
- Co-author, "State Regulators Release New Nonbank Cybersecurity Exam Tool," *Troutman Pepper Consumer Financial Services Law Monitor*, March 8, 2021.
- Co-author, "CFPB Investigating Venmo's Funds Transfer and Debt Collection Policies," *Troutman Pepper Consumer Financial Services Law Monitor*, February 11, 2021.
- Co-author, "2019 Consumer Financial Services Year in Review & a Look Ahead," *Troutman Sanders*, February 24, 2020.
- Co-author, "2018 Consumer Financial Services Year in Review & a Look Ahead," *Troutman Sanders*, January 28, 2019.
- Co-author, *A Practice Guide to Consumer Financial Protection Bureau Regulation*, LegalWorks/Thomson Reuters/Westlaw, 2018-2019 ed.

- Co-author, “Annual Report: 2017 Consumer Financial Services Year in Review and a Look Ahead,” January 10, 2018.
- Author, “Potential Impact of CFPB’s Proposed Auto Lender Rule,” *Law360*, October 14, 2014.
- Author, “DOL Whistleblower Rule Will Have Far-Reaching Effects,” *Law360*, May 5, 2014.

## MEDIA COMMENTARY

- Cited, “Banks Told to Weigh Deportation Risk in Mortgage Decisions,” *Mortgage Professional*, July 13, 2026.
- Cited, “Federal Watchdogs Call for Enhanced Vetting of Mortgages for Undocumented Borrowers,” *Briefs Finance*, July 13, 2026.
- Cited, “Trump Administration Urges Banks to Scrutinize Lending to Immigrants Without Work Authorization,” *CNBC*, July 13, 2026.
- Quoted, “Fintech Lobbyist Says Tennessee Remittance Tax Is Unconstitutional,” *American Banker*, June 10, 2026.
- Quoted, “Afterpay Confronts New Fraud Type,” *Payments Dive*, November 10, 2025.
- Quoted, “States Eye New Earned Wage Access Regulations,” *American Banker*, February 7, 2025.
- Quoted, “The CFPB is Digging in for Last Days of Biden’s Term. But What Happens Next?” *Law.com*, January 14, 2025.
- Quoted, “As Cash Fades, Small Retailers Embrace Efforts to Rein In Swipe Fees,” *The New York Times*, November 30, 2024.
- Mentioned, “Ex-Justices Help Appellant Team Secure Reversal in Garnishment Dispute,” *Law.com*, October 17, 2024.
- Quoted, “Visa Expected to Temper Competitive Moves after DOJ Action,” *Payments Dive*, October 3, 2024.
- Quoted, “Rivals May Chase Fiserv Special Bank Charter Lead,” *Payments Dive*, January 25, 2024.
- Quoted, “Law Firms Jockey for Payments Action,” *Payments Dive*, January 22, 2024.
- Quoted, “From ‘Practically Nothing’ to Full Practices: Law Firms See Growing Business in NFT Market,” *Daily Report Online*, May 11, 2022.