

JOSEPH L. NOGA, Partner

Joseph L. Noga is a partner in Jenner & Block's Litigation Department and a member of both the Complex Commercial Litigation Practice and the Financial Transactions Working Group.

Mr. Noga's practice focuses on the financial services industry with a particular emphasis on lending. He has been lead counsel for four of the 10 largest issuers of credit cards in the United States and handled consumer finance matters relating to mortgage, student, auto and personal loans. The matters include federal and state government investigations, class actions, transactional and advisory work. Increasingly, he is called upon to analyze new financial products and develop a plan to navigate the regulatory thicket. He is well versed in the alphabet soup of consumer statutes and regulations and has done a substantial amount of work regarding privacy, data security, credit reporting, promotional financing, payment processing, payment allocation and bankruptcy.

Mr. Noga also handles disputes arising from commercial transactions. Recent engagements include a \$100 million-plus dispute over the preparation of a post-close working capital statement for an industrial business, a billion-dollar dispute over the valuation of a portfolio of consumer loans, a rep-and-warranty dispute arising from presale servicing of a portfolio of student loans, a real estate dispute and a classic lender-liability lawsuit relating to acquisition financing. He regularly handles disputes between retailers and financial institutions regarding private label credit card and other credit programs.

Immediately prior to joining Jenner & Block in 2013, Mr. Noga was the global head of litigation and investigations for a large US financial institution designated systematically important and regulated in whole or part by the Federal Reserve, OCC and FDIC. There he was responsible for litigation and external investigations in over 50 countries and created an internal investigation team that investigated elevated ombudsman, employment and other issues on five continents. He led several other teams and regularly conducted meetings with the Federal Reserve, senior management, auditors and several risk committees, and he presented to a bank board. In a prior role during the financial crisis, he had primary litigation and investigations responsibility for the institution's consumer finance operations that included what is now Synchrony Financial.

Mr. Noga's early legal career was in private practice in the New York offices of an international law firm. He is a graduate of Amherst College and Columbia University School of Law.

Recent matters as lead counsel include:

- Defending class action lawsuits involving:
 - credit reporting after a Chapter 7 bankruptcy discharge order issues
 - mobile telephone consent under the Telephone Consumer Protection Act



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PRACTICE GROUPS

Bankruptcy Litigation
Complex Commercial Litigation
Data Privacy and Cybersecurity
Energy
Financial Services Litigation
FinTech
Litigation
State Enforcement and Regulation

INDUSTRY GROUPS

FinTech

EDUCATION

Columbia University School of Law, JD, 1995; Harlan Fiske Stone Scholar; Olin Junior Fellow, Law & Economics; Senior Editor, *Columbia Human Rights Law Review*; Editor-in-Chief, *A Jailhouse Lawyer's Manual*

Amherst College, AB, 1990

ADMISSIONS

New York, 1996

- disclosure of tax consequences of debt cancellation by debt collectors under the FDCPA
- Representations including:
 - a lender in a state attorney general inquiry regarding the SCRA
 - a lender regarding an investigatory subpoena served by the United States Trustee
 - a secured lender in responding to a subpoena served by an unsecured creditors' committee
 - an investor regarding investor disputes regarding a large energy investment
 - a corporation in a dispute with an IT provider to its Treasury group
 - a consumer lender in disputes with vendor partners in a private label program
 - a residential real estate lender regarding securitization-related claims
- Advised and guided clients regarding:
 - the legal position of a financial institution after a large retailer data breach
 - a new product and regulatory review of an alternative mortgage product
 - whether the hardware of a start-up infringed or otherwise violated a lender's intellectual property rights
 - antitrust issues relating to the payment card industry
 - negotiating an acquiring bank agreement with a large consumer goods and entertainment provider

Mr. Noga also is engaged in the Citigroup Monitorship Team supporting Tom Perrelli as Monitor for the Citi RMBS Settlement Agreement signed by the federal government, five states and Citigroup on July 11, 2014.

Before joining the firm, as in-house counsel Mr. Noga successfully defended a large US financial institution against tens of billions of dollars in commercial and consumer claims and collected more than \$2 billion in plaintiff actions. Mr. Noga created and led an internal investigation team that investigated more than 75 matters a year on five continents and was responsible for more than 50 external investigations conducted by regulatory or enforcement authorities worldwide.

Publications

- Co-Author, *Consumer Finance Observer* – Fall 2019, November 7, 2019
- Co-Author, *The Consumer Finance Observer*, July 2019
- Co-Author, "Data-Misuse Enforcement is Focusing on 3 Key Areas," *Law360*, July 23, 2019
- Co-Author, "SDNY Rules CFPB Unconstitutional, Creating Split of Authority and Raising New Questions," *Jenner & Block Consumer Law Round-Up*, July 2, 2018

Speaking Engagements

- "The Coming Wave? Navigating Enforcement Risks Associated with the Use of Alternative or Sensitive Data," TechGC, February 06, 2020
- "The Coming Wave? Navigating Enforcement Risks Associated with the Use of Alternative or Sensitive Data," TechGC, June 20, 2019

