

Claudia Callaway

Partner

Washington, DC Office

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Practices

FOCUS: Class Action/Consumer Finance Litigation

Advertising, Marketing and Promotions

Appeals and Critical Motions

Financial Markets Litigation and Enforcement

Litigation

Privacy, Data and Cybersecurity

Industries

Finance and Financial Markets

Hospitality

Education

JD, Georgetown University Law Center

BA, Bryn Mawr College

Bar Admissions

Maryland

District of Columbia

Community Involvements

American Bar Association, Business Law and Litigation Sections, Trial Practice Committee

Financial Literacy Project, Co-Founder

Washington Lawyers' Committee for Civil Rights and Urban Affairs, Board of Directors

Claudia Callaway represents financial services clients in diverse regulatory and litigation matters, with a focus on consumer protection issues. She defends clients against class action claims based on consumer finance and consumer protection law, and represents clients before the Consumer Financial Protection Board (CFPB) and other regulatory agencies. Claudia also leads the firm's Platform Lending Initiative, guiding clients through the dynamic landscape of platform and peer-to-peer (P2P) lending.

Extensive experience with state and federal financial regulators

In Claudia's regulatory practice she represents varied financial services clients, including installment lenders, collection agencies, money transmitters, state and federally chartered banks, mortgage servicers, credit card issuers and credit reporting agencies in a broad range of regulatory issues before federal and state agencies nationwide, including the FTC and CFPB.

Having represented clients before the CFPB since it was established, Claudia understands the perspectives of key stakeholders in agency proceedings, and helps clients spot the pitfalls and opportunities available to parties under the CFPB's jurisdiction. Working with banks, credit unions, platform lenders and other financial services clients, Claudia provides pragmatic advice on many state and federal banking and consumer protection matters, including privacy, collections, credit reporting and usury issues. She also assists clients in enforcing arbitration provisions and class action waivers.

Litigation experience

Claudia represents consumer lenders, third-party debt collectors and other consumer financial services clients in class action suits around the country. She frequently handles cases involving the Dodd-Frank Act, the Truth in Lending Act, the Equal Credit Opportunity Act, the Fair Debt Collection Practices Act, the Fair Credit Reporting Act, the Gramm-Leach-Bliley Act and

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the Federal Trade Commission Act. She frequently advises on state unfair trade practices laws and the removal of class actions to federal court under the Class Action Fairness Act.

Platform and P2P lending

Claudia is also recognized as a veteran in the platform lending space, where she provides clients with real-time updates on new developments. Knowledgeable about issues related to merchant cash advance, crowdfunding and P2P consumer finance, she brings a holistic understanding of the technical, regulatory and financial complexities within platform lending arena to her work in the emerging area.

Recognitions

Recognized or listed in the following:

- AV Preeminent Peer Review Rating by LexisNexis Martindale-Hubbell
- *Chambers USA*
 - Recognized Practitioner, 2017
- Super Lawyers
 - Washington, DC, 2019–2020
- The Legal 500 United States
 - Recommended Attorney, 2020–2021

News

- Katten Receives High Marks in Derivatives, M&A and Securitization in The Legal 500 United States 2021 Guide (June 10, 2021)
- Katten Named Top-Tier Firm in Structured Finance and Securitization by The Legal 500 United States 2020 Guide (June 16, 2020)

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- Katten Attorneys Named to 2020 Washington, DC Super Lawyers, Rising Stars Lists (April 16, 2020)
- Katten Partners Selected to 2019 Washington, DC Super Lawyers List (April 19, 2019)
- Katten Recognized as Leading Law Firm by *Chambers USA* 2017 (May 30, 2017)
- Claudia Callaway Quoted on Hotel Privacy Policies and Training (April 11, 2016)
- Claudia Callaway and Christina Grigorian Commented on Ransomware Attack Trends (March 9, 2016)
- Claudia Callaway Comments on Bitcoin Technology's Effect on the Legal Industry (February 10, 2016)
- Claudia Callaway Quoted on Testing Communication Lines During a Data Breach Simulation (January 13, 2016)
- Claudia Callaway and Christina Grigorian Quoted on Litigation Arising From Data Breaches (December 9, 2015)
- Katten Adds Claudia Callaway as Partner in Washington Litigation Practice (July 22, 2009)

Publications

- CFPB Rescinds Short-Lived Guidance on Abusiveness Standard (March 18, 2021)
- Colorado Establishes Safe Harbor for Bank/Fintech Lending Programs (August 19, 2020)
- CFPB Arbitration Rule Summary: Class Action Waivers Prohibited in Broad Range of Consumer Credit Transactions (July 11, 2017)
- Fintech Gains a National Platform: Federal Regulator Plans To Accept Fintech Applications for Special Purpose National Bank Charters (December 6, 2016)

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- CFPB Issues Proposed Rule to Restrict the Use of Mandatory Arbitration Clauses and Class Action Waivers (May 16, 2016)
- Hotels, Hospitality and Guest Privacy: Six Important Questions to Ask After the Andrews Verdict (March 17, 2016)
- *Health Care Perspectives* (March 2016)
- What US Companies Need to Know About New EU Data Protection Rules (December 29, 2015)
- The Court of Justice of the European Union Sinks the Safe Harbor Program (October 7, 2015)
- Recent Key Bitcoin and Virtual Currency Regulatory and Law Enforcement Developments (November 13, 2014)
- New York Issues Proposed Bitcoin Regulations (July 29, 2014)
- IRS Issues Pronouncement on Virtual Currencies (April 3, 2014)
- FTC Settles With Businesses Who Allegedly Misrepresented US-EU Safe Harbor Certification (February 5, 2014)
- Bitcoin: Current US Regulatory Developments (November 26, 2013)
- The FTC's Interim Final Red Flags Rule: What It Means for Non-Bank, Short-Term Consumer Lenders (January 11, 2013)
- CFPB Issues Examination Procedures for Short-Term, Small-Dollar Loans (January 19, 2012)
- Q&A With Katten's Claudia Callaway (October 25, 2010)
- The Dodd-Frank Consumer Finance Act: What You Need to Know (July 19, 2010)
- Counsel of Record, "Brief of Law Professors in Support of Petitioner," Amicus Curiae in *Salim Ahmed Hamdan v. Donald H. Rumsfeld, et al.*, US Supreme Court (January 1, 2006)
- *Corporate & Financial Weekly Digest* (Weekly) | Author

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Presentations and Events

- Alternative Finance Summit 2018: Marketplace Lending, Cryptocurrency and Crowdfunding (October 5, 2018) | *Presenter*
- The Innovation Institute: An Introduction to Fintech for Senior Financial Executives (September 24, 2018) | *Panelist*
- 24th Annual ABS East Conference (September 23–25, 2018) | *Participant* | *The Innovation Institute: An Introduction to Fintech for Senior Financial Executives*
- SFIG Vegas 2018 (February 25–28, 2018) | *Moderator* | *Important Developments in Consumer Law and the Role of the CFPB*
- Marketplace Lending and Crowdfunding 2017 (September 14, 2017) | *Presenter*
- Securitization and Secondary Markets, and the Equity Crowdfunding Platform - Marketplace Lending and Crowdfunding 2017 (September 8, 2017) | *Presenter*
- CFPB Final Arbitration Rule: Class Action Waivers Prohibited in Broad Range of Consumer Credit Transactions (July 19, 2017) | *Presenter*
- PACE Financing: Consumer Financial Protections and Tax Considerations (May 17, 2017) | *Presenter*
- Corporate Governance: A Legal Checklist for Clean Tech Providers (April 12, 2017) | *Presenter*
- Solar Energy and Consumer Financial Protections (March 17, 2017) | *Presenter*
- Clean Tech and the OCC Special Purpose National Bank Charters for Fintech Companies (February 15, 2017) | *Presenter*
- Solar Focus 2016: Cracking the Code (November 16–17, 2016) | *Presenter* | *Consumer Finance Crossroads*

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- Current Major Issues in Marketplace Lending: Regulatory and Securitization Perspectives (November 10, 2016) | *Presenter*
- The First 48 Hours: Responding to a Data Breach in 2015 (October 21–22, 2015) | *Panelist*
- The CFPB: A Q1 2015 Review (April 16, 2015) | *Presenter*
- Blockchain Technical & Legal Workshop (January 15–16, 2015) | *Panelist*
- Emerging Trends in P2P Lending and Merchant Cash Advance (October 1, 2014) | *Presenter*
- Emerging Trends in P2P Lending and Merchant Cash Advance (June 26, 2014) | *Presenter*
- Current Major Issues in Consumer Finance – ACH Processing Class Actions: What Banks and Small Lenders Need to Know (November 26, 2013) | *Presenter*
- Lead Providers and Lead Purchasers: What You Need to Know to Ensure Consumer-Facing Materials Are Compliant with Federal Law (June 19, 2012) | *Presenter*
- Community Financial Services Association Annual Conference (March 7–9, 2012) | *Speaker* | *Compliance School: What Every Lender and Lead Provider Needs When the CFPB Calls*
- ACI's 11th Annual Consumer Finance Class Actions & Litigation Conference (July 27–28, 2011) | *Moderator* | *In-House Roundtable on Managing Credit Card & Fee Related Class Actions, Debt Collection Trouble Spots & Credit Reporting*
- Current Regulatory Issues in Consumer Finance: What Capital Sources Need to Know (April 28, 2011) | *Presenter*
- Miami Law Business Law Review & International and Comparative Law Review Symposium (April 9, 2011) | *Speaker* | *The Response to Financial Crisis and the Dodd-Frank Legislation*

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- Community Financial Services Association Annual Conference (March 2, 2011) | *Speaker* | *Pick a Card, Any Card: Regulatory Environment for Prepaid Cards* | *The Mechanics of the Consumer Financial Protection Bureau*
- Republican Attorneys General Association Fall National Meeting (November 7, 2010) | *Speaker* | *Consumer Arbitration Agreements: Balancing Business Certainty and Consumer Protection*
- Current Major Issues in Consumer Finance (September 15, 2010) | *Presenter*
- Impact of the Dodd-Frank Bill on Consumer Lenders (July 27, 2010) | *Moderator*
- Community Financial Services Association Annual Meeting (March 1, 2009) | *Speaker* | *Federal Trade Commission*
- American Conference Institute's 8th Annual Conference on Consumer Finance Class Actions (January 26, 2009) | *Speaker* | *Masters Class on Defending Against Borrower Class Actions in Federal Court - CAFA, Removal, Certification, Settlement and Beyond*
- Community Financial Services Association Annual Meeting (March 7, 2008) | *Speaker* | *Current Major Issues for the Payday Advance Industry*
- Georgia Association for Women Lawyers (November 1, 2007) | *Speaker* | *Women in Management: How to Inspire Confidence*
- Council of Western Attorneys General Annual Meeting (July 25, 2007) | *Speaker* | *Pay Day Lending? Benefits and Problems*
- Community Financial Services Association Annual Conference (March 2, 2007) | *Speaker* | *The Landscape Beyond Payday: How Credit Card and Mortgage Trends in Legislation and Litigation Will Affect You in 2007* | *Internet Top 10: Reg E, ACH Rules and Other Compliance Requirements for Internet Loans*