Peter Wilson Quoted in *American Banker* on CFPB Legal Challenges

April 29, 2016

Financial Services Litigation associate Peter Wilson was quoted by *American Banker* regarding the risks facing the Consumer Financial Protection Bureau (CFPB) in its federal appeals court case on the constitutionality of its single-director structure. Peter indicated that an *en banc* review might be the most strategic course of action, stating, "It's a fair guess that a simple majority of judges on the DC Circuit might disagree with the [three-judge] panel about the heart of the argument. If the government lost, it could seek review *en banc*, and while the DC Circuit is conservative in granting *en banc* review, this is a case where it might be likely." Complicating matters is the pending appointment of Merrick B. Garland, the chief judge of the DC Circuit, to the Supreme Court. Peter added, "This is the kind of a case where everybody knows the Supreme Court is likely to grant [a petition for *certiorari* from the losing side] if the constitutional issues are reached." ("Constitutional Challenge Could Be 'Very Messy' for the CFPB," April 29, 2016)

CONTACTS

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