

## H Joshua Kotin

### Partner



[jkotin@cooley.com](mailto:jkotin@cooley.com)

+1 312 881 6674

Chicago

Financial Services Enforcement and Regulatory  
Fintech and Payments  
Consumer Protection  
CooleyREG  
State Attorneys General

Josh's practice is focused on helping companies that offer consumer financial products and services navigate high-stakes government investigations. Relying on a deep knowledge of the financial services industry and the alphabet soup of consumer protection regulations, he enjoys crafting practical solutions to help clients achieve their business goals while managing compliance risk. The consumer financial services industry is always evolving and innovating, and Josh makes it a priority to keep up with the latest technological and regulatory developments to maximize his effectiveness as an advocate for clients and the broader industry.

Josh represents clients in crucial enforcement matters before a host of federal and state agencies, including the US Department of Justice (DOJ), the Consumer Financial Protection Bureau (CFPB), the Federal Trade Commission (FTC) and the US Department of Housing and Urban Development (HUD). He spends a lot of time with mortgage lenders and servicers but works across many lending and deposit products. Josh has experience advising on matters of compliance with respect to a range of consumer protection laws, such as the Equal Credit Opportunity Act (ECOA), Fair Housing Act (FHA), unfair, deceptive, or abusive acts or practices (UDAP and UDAAP) statutes under the Dodd-Frank Wall Street Reform and Consumer Protection Act, Section 5 of the Federal Trade Commission Act, the Real Estate Settlement Procedures Act (RESPA), Truth in Lending Act (TILA), Fair Credit Reporting Act (FCRA), and Fair Debt Collection Practices Act (FDCPA).

Josh regularly:

- Advises on fair lending investigations and examinations by the DOJ, CFPB, HUD and prudential banking agencies, such as the Office of the Comptroller of the Currency (OCC)
- Provides guidance on CFPB examinations and pre-enforcement and enforcement matters, including managing self-disclosures and responding to Proposed Action and Request for Response (PARR) and Notice and Opportunity to Respond and Advise (NORA) letters
- Assists clients in the development and assessment of novel financial services products to facilitate an understanding of applicable compliance regimes and mitigate risk of government scrutiny
- Offers counsel related to multiagency and multistate investigation and examination matters, including with various state regulators, state attorneys general, and federal agencies, including the FTC
- Assists investors in mergers and acquisitions in understanding the legal and compliance risks associated with the target entity's line of business and operations

Many of Josh's matters are resolved without action or with nonpublic resolutions. However, some of his

public matters include resolving a multiyear fair lending investigation by the DOJ and the OCC over allegations of redlining, representing multiple entities in resolving with the CFPB allegations related to mortgage servicing practices, and arriving at a settlement with the Federal Reserve pertaining to bank mortgage loan pricing practices. Josh also assisted Verizon Wireless in a settlement with the CFPB, FCC and 51 attorneys general alleging that the company permitted third parties to place unauthorized charges on consumers' wireless phone bills.

Josh routinely speaks and writes on financial services-related matters, including before the Mortgage Bankers Association, Consumer Bankers Association, Electronic Transactions Association, and National Association of Federally-Insured Credit Unions. He co-authored the "Fair Lending Litigation" chapter of the "Litigation Services Handbook: The Role of the Financial Expert," which discusses strategies for assessing fair lending risk and analyzing claims of discrimination with respect to underwriting, pricing and redlining.

**Publications:**

- Co-author, "Digging Into CFPB's Overdraft Fee Consent Guidance," Law360, October 30, 2024
- Co-author, "Protested CFPB Supervisory Order Reveals Process, Priorities," Law360, March 20, 2024
- Co-author, "Fair Lending Activity: Calm on the Surface, Churning Below," Law360, September 1, 2023

## Education

George Washington University  
JD, 2009

Williams College  
BA, 2003

## Admissions & Credentials

District of Columbia

Illinois