

Katherine Brockway Katz

Partner



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Washington, DC

Financial Services Enforcement

Financial Services Regulatory

False Claims Act/Qui Tam/FIRREA

Fintech

Commercial Litigation

Consumer Protection

Katie specializes in advising financial industry clients in a range of litigation, regulatory compliance and corporate matters relating to mortgage and small business lending and servicing activities, including government enforcement actions, regulatory examinations, administrative actions, False Claims Act (FCA) qui tam cases and investigations, and Financial Institutions Reform, Recovery and Enforcement Act (FIRREA) actions. She has frequently represented clients in matters involving the Department of Justice (DOJ), the Consumer Financial Protection Bureau (CFPB), the Department of Housing and Urban Development (HUD), the Department of Veterans Affairs (VA), the Small Business Administration (SBA), the Federal Housing Finance Agency (FHFA), the Government National Mortgage Association (Ginnie Mae), and various state regulatory agencies and state attorneys general.

Katie's representative matters include:

- Advising clients regarding FCA and FIRREA investigations by the DOJ, various US attorney's offices, HUD and the VA concerning compliance with requirements governing loans insured or guaranteed by the Federal Housing Administration (FHA), the VA or the SBA, and conducting internal investigations in concert with the same
- Representing clients in response to civil investigative demands from the CFPB
- Assisting clients with proposed notices of termination, proposed administrative actions and sanctions, and audit responses concerning FHA, VA, and Fannie Mae and Freddie Mac loans, as well as Ginnie Mae securitizations, before the Office of the Inspector General, the Office of General Counsel, HUD's Mortgagee Review Board and Quality Assurance Division, and the FHFA
- Representing clients in multistate investigation and examination matters, including by various state regulators and state attorneys general
- Defending FCA qui tam cases concerning the origination of FHA-insured and VA-guaranteed loans
- Advising clients on a wide range of compliance matters, including FHA, VA, SBA, Ginnie Mae, and Fannie Mae and Freddie Mac requirements; the Americans with Disabilities Act; the Equal Credit Opportunity Act; the Electronic Fund Transfer Act and Regulation E; fair lending; and internal quality control programs and compliance management systems
- Advising lenders and borrowers concerning the Paycheck Protection Program and PPP loans
- Completing risk assessments of mortgage lenders and mortgage servicers for compliance with federal consumer financial protection laws, regulatory guidance, and investor or agency requirements
- Handling due diligence reviews of mortgage servicers and subservicers, and other financial industry

companies

Katie's recent public matters include representing Regions Bank, IberiaBank and Guaranteed Rate in successful resolutions of multiyear FCA investigations concerning FHA lending, reaching agreements with the government that included no admission of liability, no administrative sanction and no prospective relief.

Before joining Cooley, Katie was a partner at Buckley in its enforcement actions & investigations and complex civil litigation practice groups. She also has an active pro bono practice.

Publications:

- "Relief or Risk?: The Hidden Costs of Government Lending" by Michelle L. Rogers, Katherine L. Halliday and Katherine Brockway Katz, September 9, 2020, National Law Journal
- "FHA Enforcement: What Decreased Reliance on the False Claims Act Means for FHA Lenders and Servicers" by Melissa Klimkiewicz, Michelle L. Rogers and Katherine Brockway Katz, August 16, 2019, HousingWire

Education

University of Virginia
JD, 2010

Wake Forest University
BA, 2005

Admissions & Credentials

District of Columbia

Virginia

Court Admissions

US District Court for the Eastern District of Virginia

US District Court for the Western District of Virginia