



## Christopher P. Couch

### MEMBER

Chris Couch's practice includes advising banks and other financial institutions on regulatory and operational matters, on compliance with banking and lending laws, rules, and regulations, and in commercial lending transactions. In this role, he counsels regional and community banks with respect to deposit operations, payment systems, treasury management products, consumer regulatory regimes, and new services offerings, including electronic and mobile banking. Chris also represents financial institutions, finance companies, and private investors in vendor and technology contracts (including issues of data privacy and cybersecurity), commercial loan transactions, direct and indirect lending programs, and loan purchases and sales.

Chris advises privately held businesses and start-ups in all aspects of entity formation, corporate finance, corporate governance, and mergers and acquisitions. He counsels technology, consumer products, real estate, and manufacturing clients in structuring their businesses to attract private capital and to maximize exit potential, and advises fund sponsors and institutional investors in fund formation and deployment.

Chris has previously served as general counsel for an alternative energy company that developed private equity-backed industrial projects. In that role, he represented the company in connection with private equity providers and directed legal matters and strategy related to facility development, financing, and construction; product commercialization; and corporate and commercial transactions.

### Relevant Experience

#### Banking Counsel

- Privacy, Reg P and Information Security programs and documentation
- Deposit Operations, Payment Systems, Fund Transfers, Online and Mobile Banking Programs, TISA/Reg DD, EFTA/Reg E, ESIGN/UETA compliance
- Consumer lending, TILA /Reg Z, and state consumer credit protection acts compliance
- Treasury Services Products and Correspondent Banking Program development and documentation
- Permissible activity, 23A/23B, and Change In Bank Control analysis
- FCRA and RESPA / Reg X compliance and dispute resolution
- Fair Lending / Equal Credit / Reg B compliance programs
- Vendor contract negotiation and IT licensing
- C&I and CRE lending counsel

#### Corporate

- Issuer's counsel for integrated real estate management firm in Reg D private placement of equity securities and debentures
- Issuer's counsel to US distributor for Chinese electronics manufacturer in Reg D note placement
- Outside general counsel to fast-casual restaurant entrepreneur in connection equity commitment, brand development, and chain expansion
- Seller's counsel to poultry products manufacturer in connection with marketing and sale of family owned business to financial buyer
- Seller's counsel to specialty products distributor in connection with marketing and sale of family owned business to strategic buyer
- Outside general counsel for family offices
- Fund counsel for newly formed real estate-related hedge funds

### Professional Affiliations

### Service Areas

[Banking Counsel](#)  
[Consumer Financial Services Compliance](#)  
[Corporate](#)  
[Cybersecurity and Data Privacy](#)  
[Mergers and Acquisitions](#)

### Education

Vanderbilt University, Owen Graduate School of Management, M.B.A., 2015, Beta Gamma Sigma

Pepperdine University, Graziadio School of Business and Management, Certificate, Private Capital Markets, 2012

The University of Alabama School of Law, J.D., 2002, *magna cum laude*, *Alabama Law Review*, Alabama Editor

### Admissions

Alabama  
Florida

### Office

[Birmingham](#)

### Email

[ccouch@mcglinchey.com](mailto:ccouch@mcglinchey.com)

### Telephone

(205) 725-6404

### Fax

(205) 623-0815

\* indicates primary office

- Alabama State Bar
- The Florida Bar
- American Bar Association (Middle Market and Banking Law Committees)

### Honors

- *Martindale-Hubbell* AV Preeminent® Peer Review Rated Attorney
- *The Best Lawyers In America*® (Financial Services Regulation Law and Commercial Finance Law), 2016–2019
- *Alabama Super Lawyers* "Rising Star" (2011)
- Birmingham Business Journal – Top 40 Under 40 (2013)
- Birmingham Magazine "Top Attorneys" in Banking Law and Corporate Finance (2012–2014)

### Community and Other Activities

- Chairman of the Department of Camp McDowell for the Episcopal Diocese of Alabama

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### Recent Publications

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|-----------------------|---|
| March/April 2019      | <a href="#">Trying To Get a Handle on Data Security? Start With the Cybersecurity Assessment Tool</a><br>Alabama Bankers Association Board Briefs |
| January/February 2019 | <a href="#">Credit Concentration Risk Management Back in Regulatory Focus</a><br>Alabama Bankers Association Board Briefs                         |
| Spring 2018           | <a href="#">Strategic Considerations for Community Banks</a><br>ABA Banking Traditions Magazine   |
| September 1, 2010     | <a href="#">Fair Lending Revisited</a><br>Banking Traditions  |
| 2002                  | <a href="#">Forcing the Choice Between Consumers and Commerce: Application of the FCRA to Identity Theft</a><br>53 Alabama Law Review 583         |

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### Events

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| May 20–22, 2019  | <a href="#">FFEIC Cybersecurity Assessment Tool (CAT)</a><br>AFSA Operations and Regulatory Compliance Committee Meeting<br>Chicago, IL  |
| October 18, 2018 | <a href="#">Due Diligence Considerations in M&amp;A: Asset Quality, Operational Compliance, and Regulatory Approval</a><br>2018 Consumer Finance Legal Conference New Orleans, LA        |
| October 17, 2018 | <a href="#">Regulatory Considerations in Vendor Contracting: Privacy, Data Security, Indemnity, Insurance, and Termination</a><br>2018 Consumer Finance Legal Conference New Orleans, LA |
| August 1, 2018   | <a href="#">M&amp;A Preparedness: Assessing Your Vendor Contracts</a><br>Alabama Bankers Association Bank Counsel Conference<br>Point Clear, AL  |
| October 13, 2017 | <a href="#">How to Vet a New Payment Processor</a><br>16th Annual Consumer Finance Legal Conference  |

New Orleans, LA

- August 4, 2017 [Director's Duties: The Fiduciary Responsibilities of Leading a Bank](#)  
Alabama Bankers Association's CEO, Bank Exec & Directors' Conference  
Point Clear, AL
- June 13, 2017 [Sophisticated Negotiation Strategies: Secrets Only the Great Lawyers Know](#)  
Advanced Business Contracts: Secrets Only the Top Attorneys Know  
National Business Institute  
Birmingham, AL
- 2014 [Advanced Business Contracts: Acquisition Agreement](#)  
National Business Institute
- 2013 [Technology Service Providers: Common Approaches & Best Practices](#)  
Community Bankers Association of Alabama
- 2012 [Business Contracts A to Z](#)  
National Business Institute
- 2011 [LLCs from Formation to Special Uses](#)  
National Business Institute

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#### News Results

- August 15, 2019 [Forty-two McGlinchey Stafford Attorneys Recognized in The Best Lawyers in America® 2020; Six Named "Lawyer of the Year"](#)  
McGlinchey News Release
- August 15, 2018 [Thirty-nine McGlinchey Stafford Attorneys Recognized in The Best Lawyers in America® 2019; Four Receive "Lawyer of the Year" Honors](#)  
McGlinchey News Release
- January 2, 2018 [McGlinchey Stafford Names Nine New Members in 2018](#)  
McGlinchey News Release
- November 20, 2017 [Birmingham banks may soon see regulatory relief they've waited for](#)  
Birmingham Business Journal
- August 15, 2017 [Forty McGlinchey Stafford Attorneys Recognized in The Best Lawyers in America® 2018; Four Receive "Lawyer of the Year" Honors](#)  
McGlinchey News Release
- February 27, 2017 [McGlinchey Stafford's Birmingham Office Moves to New Downtown Location](#)  
McGlinchey News Release
- October 6, 2016 [McGlinchey Stafford Commemorates One-Year Anniversary of Birmingham, Alabama Office](#)  
McGlinchey News Release

- August 23, 2016 [McGlinchey Stafford's Corporate & Financial Services Teams Add Accomplished Attorney Chris Couch in Birmingham](#)  
McGlinchey News Release
- August 15, 2016 [Forty-Three McGlinchey Stafford Attorneys Recognized in The Best Lawyers in America® 2017; Eight Named "Lawyer of the Year"](#)  
McGlinchey News Release