



## Judith Rinearson

### Partner

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## OVERVIEW

Judie Rinearson is a partner in the firm's New York and London offices. Judie concentrates her practice in emerging payments, including: prepaid, mobile, P2P, and electronic payments; crypto/virtual currencies and blockchain; reward and loyalty programs; cannabis-related payments; and payment basics such as ACH, credit, and debit card compliance. She has more than 25 years of experience in the financial services industry, including 18 years at American Express's General Counsel's Office. Her deep experience focuses particularly in the areas of emerging payments and compliance with state and federal consumer protection laws, anti-money laundering laws, state money transmitter licensing laws, and abandoned property laws. She also spent nearly two years in her firms' London offices, working with authorized e-money institutions and payment institutions, as well as various EU/UK payments laws including PSD2, GDPR, and MLD4/5. Judie currently co-chairs the firm's global Fintech group, and has spearheaded the firm's blockchain initiative.

Fully experienced in both the "issuing" and "acquiring" side of the payments business, Judie has drafted and negotiated complex agreements with strategic co-branded partners, processors, ATM networks, major retailers and service providers, prepaid card issuers and program managers, international remittance companies, virtual and mobile payment providers, as well as consumer-facing Terms and Conditions and disclosures that usually accompany such products. She has hands-on experience in all legal aspects of launching and managing a range of payment products, from prepaid cards, to Bitcoin exchanges and miners, wire transfer services, ACH, electronic banking, money orders, and credit cards. Her practice includes advising on fraud avoidance and compliance with federal banking and anti-money laundering laws, as well as state money transmitter licensing laws, consumer protection laws and abandoned property laws. On the international level, Judie has supervised the launch of a range of payment and foreign currency products in Europe, Asia, and Latin America; met with international regulators; and spoken on the issue of payment regulation.

Judie has served on the advisory board of the UK's Emerging Payments Association (EPA), and on the board of the UK's Prepaid International Forum (PIF), and she continues to be an active contributor in both organizations. She has also served for eight years as regulatory counsel for the Network Branded Prepaid Card Association (NBPCA) (now the Innovative Payments Association) in the US, and as chair of the NBPCA's Government Relations Working Group, and in that role represented the NBPCA at the Bank Secrecy Act Advisory Group (BSAAG) in Washington, D.C.

She has long been a member of the American Bar Association's Cyberspace Law Committee, where she has previously chaired the Payment Card Fraud Task Force.

Over the years, Judie has garnered many honors. She was named one of *American Banker's* inaugural "Most Influential in Fintech" in 2023. In 2015, she was named one of the Top 10 Payment Lawyers, by Paybefore Magazine and in the same year was voted as one of the most Influential Women in Payments at the same publication. In March 2008, she was honored with an Industry Achievement Award from the 2008 Prepaid Card Expo for her contributions as a pioneer in the prepaid card industry and her particular influence in the regulation of prepaid cards.

She has also given numerous presentations about emerging payments and global payment regulations at Money 2020 and Money 2020 Europe. She has spoken at meetings held by the Federal Reserve Banks of Philadelphia and Chicago, the Conference of State Bank Supervisors (CSBS), the Electronic Funds Transfer Association, Forum Europe, NACHA, and at annual meetings of the Money Transmitter Regulators Association, American Bar Association, and the National Association of Unclaimed Property Administrators. In 2017 and 2018, among other things, Judie presented at the Prepaid International Forum in London regarding US payment laws; moderated a panel at Money2020 regarding block chain use cases; addressed the Association of Corporate Counsel New Jersey regarding regulation of cryptocurrencies; moderated a panel on the future of money at Money2020 Europe; and participated in a panel regarding Regulatory Sandboxes at the Eighth Annual Public Policy Institute on Financial Services at George Mason University. She also testified at the January 2014 Virtual Currency Hearings before Superintendent Lawsky and the New York State Department of Financial Services regarding regulation of virtual and crypto currencies.

She has also given numerous presentations about payment regulations at meetings held by the Federal Reserve Banks of Philadelphia and Chicago, the Conference of State Bank Supervisors (CSBS), the Electronic Funds Transfer Association, Forum Europe, NACHA, and at annual meetings of the Money Transmitter Regulators Association, American Bar Association, and the National Association of Unclaimed Property Administrators. In 2015 and 2016, along with other accomplishments, Judie presented at the Prepaid International Forum in London regarding US payment laws; moderated a panel at Money2020 regarding state money transmitter licensing issues; and trained bank examiners regarding prepaid cards and emerging payments including crypto-currencies such as Bitcoin, Ethereum, and Ripple. She also testified at the January 2014 Virtual Currency Hearings before the New York State Department of Financial Services regarding regulation of virtual and crypto currencies.

## PROFESSIONAL BACKGROUND

Prior to joining the firm, Judie was a partner in the London and New York offices of an international law firm. Judie was group counsel for the American Express Global Travelers Cheque and Prepaid Services Group for more than 10 years. Under her legal guidance, American Express launched a range of prepaid cards and products, including phone cards, gift cards, mall cards, and expense management cards. Her experience also encompasses smart cards, "virtual" and radio frequency ID (RFID) products as well as an extensive range of reward, loyalty, and incentive products.

## ACHIEVEMENTS

- Recognized by *The Legal 500 United States* as a Recommended Lawyer, 2023
- Recognized by the *Chambers FinTech* guide
  - FinTech Legal: Payments & Lending, 2023-2024
  - FinTech Legal, 2022
- Named one of *American Banker's* inaugural "Most Influential in Fintech," May 2023
- Recognized by Paybefore Magazine, 2015
  - Top 10 Payment Lawyer
  - The Most Influential Women in Payments

## PROFESSIONAL / CIVIC ACTIVITIES

- Emerging Payments Association (London UK, Advisory Board member, 2015-2017)
- Money Services Business Association (Advisor)
- Payments Innovation Forum (London UK, Board member 2012-2016)
- National Chorale (New York City)
  - Board Chairman of Not-for-Profit focused on choral education in New York City public schools, and professional choral performances at Lincoln Center
- American Bar Association
  - Business Law Section, Law of Cyberspace Subcommittee, Chair of the Payment Card Fraud Task Force, 2009-2010
  - Chair of the Electronic Financial Services Subcommittee, 2005-2008

## SPEAKING ENGAGEMENTS

- Speaker, "Contract and Franchise Law and its Impact on Wine Sales in the United States (And Other Interesting Legal issues!)," hosted by Quality Brand Imports, May 2022
- Speaker, "A Walk - Through of the State Licensing Process for the Same Product or Service: Disentangling the Web of Differing Requirements and Regulations," ACI-American Conference Institute, 18 May 2021
- Speaker, "Legal Implications of Using Blockchain," New York Law School, New York, NY, 15 September 2020
- Speaker, "NFT Regulation - Challenges and Opportunities," NFT.NYC - Exploring the Non-Fungible Token Ecosystem, New York, NY, February 2019

- Panelist, “Beyond the Blockchain Hype: Examining Real World Examples To Determine Blockchain's Impact on Legal Services,” LegalCIO Conference at Legalweek, New York, NY, January 2019
- Speaker, Scary Topics and Spooky Trends in FinTech Webinar, November 2018
- Panelist, “Forecasting Developments in Blockchain Technology on the Payments Landscape,” PayThink 2018, Austin, TX, 24 September 2018
- Speaker, MTRA 2018 Annual Conference and Examiners' School, “MSBA Regulatory Update,” Jackson Hole, Wyoming, 2018
- Panelist, Money2020, “GDPR, Identity & The Right to Be Forgotten,” Las Vegas, NV, 2018

## EDUCATION

- J.D., New York University School of Law, 1981
- B.A., Smith College, 1975

## ADMISSIONS

- Bar of New York
- Registered Foreign Lawyer with the Solicitors Regulation Authority in England and Wales
- Supreme Court of the United States
- United States District Court for the Eastern District of New York
- United States District Court for the Southern District of New York

## THOUGHT LEADERSHIP *POWERED BY HUB*

- 28 September 2023, The Coming Generative AI Revolution: The Impact on Fintechs and Banks
- 25 August 2023, First SEC Enforcement Action Arising Out of the New Marketing Rule Targets FinTech Investment Advisor Titan Global Management
- 12 June 2023, May 2023 Accolades
- 7 June 2023, SEC's Stunning Enforcement Actions Against Binance and Coinbase
- 5 June 2023, CFPB Raises Alarms Without Providing All the Facts
- 22 May 2023, Does Your Marketplace Need to be "INFORM-ed" by 27 June?
- 6 March 2023, In a Rare Decision on Abandoned Property Law, The US Supreme Court Rules Against Delaware

- 13 February 2023, Crypto Platform Kraken Pays \$30 Million and Ceases Staking Services to Settle SEC Charges
- 3 February 2023, UK Regulation of Cryptoassets—Another Glimpse but Still None the Wiser
- 4 January 2023, "Joint Statement on Crypto-Asset Risks to Banking Organizations" Will Significantly Impact Cryptocurrency Companies and Their Banking Relationships
- November 2022, Decoding Digital Assets: Blockchain, Crypto, and NFTs Insight Series - Part I
- 4 November 2022, Litigation Minute: Surviving the Ever-Changing Cryptocurrency Regulatory Landscape
- 18 August 2022, Federal Reserve Doubles Down on Oversight of Crypto Activities for Banks
- 28 June 2022, UK Regulator Ready to Take on Visa and MasterCard Payment Networks
- 9 June 2022, United States: 10 Impactful Provisions of the Lummis-Gillibrand Bill
- 7 June 2022, 10 Impactful Provisions of the Lummis-Gillibrand Bill
- 7 April 2022, UK's Increased Regulatory Interest in Cryptoassets
- 24 March 2022, Wine Labelling: A New EU Regulation is Coming Into Force in 2023
- 24 February 2022, The Impact of Overdraft Fees on Banks and Consumers
- 20 January 2022, Do Consumers Really Need More Financial Protections? The UK Government Says Yes!
- 12 November 2021, Fintech Forward - Tackling the Fears of Cryptocurrency
- 3 November 2021, The Future of Stable (Bank) Coins?: President's Working Group on Financial Markets Urges Legislation Limiting Stablecoins to Insured Banks
- 27 August 2021, Satoshi Goes to Washington: Senator Toomey Issues RFI to Inform Digital Asset Legislation
- 29 July 2021, Fintech Forward: Payments Across the Globe Miniseries - Trends in Brazil
- 8 June 2021, Crypto and Digital Asset Businesses Take Note - Capitol Hill Legislators and Regulators are Turning Up the Heat Even More on Cryptocurrencies
- 3 June 2021, Fintech Forward: Payments Across the Globe Miniseries - Trends in Europe and Belgium
- 25 May 2021, Taking Bitcoin to the Bank: FDIC Seeks Comments on Bank Services for Digital Assets
- 13 May 2021, Fintech Forward: Payments Across the Globe Miniseries - Trends in the U.S.
- April 2021, 2021 Consumer Financial Services Symposium - Virtual Edition: Panel 1 - Fintech Trends, Developments, and New Directions
- 15 April 2021, Fintech Forward: Payments Across the Globe Miniseries - Trends in the UK
- 25 March 2021, The Coming Blockchain Revolution in Consumption of Digital Art and Music: The Thinking Lawyer's Guide to Non-Fungible Tokens (NFTs)



- 23 March 2021, First Cannabis-related Business SARs Penalty Against a Depository Institution
- 2 March 2021, It's Happening in the UK: UK Treasury to Regulate Stablecoins
- 17 February 2021, UK Payments Regulation – Changes Are Coming
- 2 February 2021, It's Groundhog Day for Payments! A New US Administration, a New UK Brexit: The Continuing Cycle of Change Keeps Banks and Fintechs on their Toes!
- 20 January 2021, New UK Requirements on Cross-Border Payments – "Onshoring" and Practical Issues
- 12 January 2021, Potential Major Change for U.S. Prepaid Products: PayPal vs CFPB Court Vacates Two Significant Restrictions in CFPB's Prepaid Account Rule
- 16 October 2020, European Commission's legislative proposals on crypto-assets and DLT
- 24 September 2020, OCC Confirms National Banks Can Hold (Certain) Stablecoin Reserves
- 14 September 2020, Remittance Companies in CFPB's Crosshairs
- 10 September 2020, Rocky Mountain Low? Implications of the Settlement of Colorado's Challenge to Partnerships Between Banks and Marketplace Lenders
- 29 July 2020, The OCC Tells Cryptocurrency Holders to Take It to the Bank: National Banks and FSAs Can Now (Definitively) Provide Custodial Services for Cryptocurrency
- 13 July 2020, New York (More) Open for (Crypto) Business: NYDFS Proposes Important Changes to the BitLicense
- 6 July 2020, It's BA-ACK! OCC Planning a New Fintech Charter: "Payments Charter 1.0"
- 19 June 2020, The OCC'S ANPR on Digital Banking: Is this a Harbinger for Digital and Open Banking in the US?
- 15 June 2020, OCC Issues Final Rule to Fix Madden
- 21 May 2020, COVID-19: Its Impact on Banking, Fintech, and Payments: FAQs Part 2
- 15 April 2020, COVID-19: A Boom or Bust for Digital Assets, Cryptocurrencies and Stablecoins?
- 8 April 2020, COVID-19: Impacts on Banking, FinTech & Payments: "Meet the Lawyers" Q&A Session
- 1 April 2020, COVID-19: Its Impact on Banking, Fintech, and Payments: FAQs
- 31 March 2020, Expanding Your Fintech/Payments Business to the U.S.
- 18 February 2020, Fintechs Driving Innovation in Banking
- 22 January 2020, Payments in the USA!
- 19 December 2019, UK Jurisdiction Taskforce Statement on Crypto Assets and Smart Contracts – A "Watershed Moment"

- 19 December 2019, The FDIC's Recent Brokered Deposit Rulemaking Might Provide Relief to the Prepaid Industry
- 10 December 2019, Blockchain in the Luxury, Fashion, and Fine Wine Industry
- 7 November 2019, The Privacist - Volume 2
- 25 September 2019, In the Weeds: House Moves Toward Opening Banks to Cannabis-Related Legitimate Businesses
- 7 August 2019, When Does "Actual Delivery" of a Purchased Cryptocurrency Occur? U.S. Ninth Circuit Court of Appeals Sheds Some Light
- 27 June 2019, New FATF Guidance Will Significantly Impact the Crypto Industry
- 26 April 2019, Is Open Banking Coming to the United States?
- 13 February 2019, Trouble in Paradise: Florida Court Rules that Selling Bitcoin is Money Transmission
- November 2018, Scary Topics and Spooky Trends in FinTech
- 3 August 2018, South Carolina Is the Latest State to Implement Money Transmitter Licensing Laws and Regulations
- 23 July 2018, Surprise: New York State Court Ruling Means That NY Payroll Card Regulations Could Go into Effect After All
- 14 June 2018, New FCA "Dear ICO" Letter warns of financial crime associated with cryptocurrencies
- 6 June 2018, Understanding the Effect of Wyoming's Blockchain and Cryptocurrency Legislation
- 4 June 2018, Understanding the Effect of Wyoming's Blockchain and Cryptocurrency Legislation
- 14 May 2014, U.S. Government Accountability Office Issues Recommendations on FinTech Regulation
- 11 May 2018, A Regulatory Sandbox for FinTech Innovation Emerges on the U.S. Playground: What It Means for Money Transmitters
- 27 March 2018, Hope for Regulatory Relief on the Horizon? State Regulators to Standardize Licensing Process for Money Transmitters
- 1 February 2018, The Shoe Finally Drops: CFPB Makes Final Changes to the Prepaid Account Rule and Delays the Effective Date until 2019
- December 2017, A Case of the Midnight Munchees: SEC Action Signals Caution in ICO Offerings
- 13 December 2017, Materials from the 2017 London Investment Management Conference
- 4 December 2017, FinTech Regulatory and Litigation Landscape
- 11 October 2017, The Screen Scrape Debate will not Abate

- 29 August 2017, Monetary Authority of Singapore on Initial Coin Offerings
- 29 August 2017, Faster Payments Task Force issues Part Two of Final Faster Payments Report
- 9 August 2017, PSD2 major incident reporting guidelines
- 17 July 2017, UK Fintech Battle Heats Up Over Screen-Scraping
- 17 July 2017, Bank of England FinTech Accelerator Proofs of Concept
- 13 July 2017, New York moves money transmitters to NMLS
- 1 May 2017, CFPB Finalizes Extension of Prepaid Account Rule Effective Date
- 1 May 2017, U.S. Government Accountability Office Issues Long-Awaited Report on Fintech Industry
- 4 April 2017, Brexit Q&A Conference Call (6)
- 26 March 2017, Financial Inclusion and Robust Regulation Are on the Table as OCC Pushes Ahead With Fintech Charter
- 21 March 2017, Financial Inclusion and Robust Regulation Are on the Table as OCC Pushes Ahead With Fintech Charter
- 1 January 2017, Top Five Legal Trends for FinTech in 2017
- 7 December 2016, OCC Explores Special Purpose National Bank Charter for FinTech Companies
- 6 December 2016, OCC Explores Special Purpose National Bank Charter for Fintech Companies
- 5 December 2016, UK Supreme Court to stream live today on future of Brexit
- 5 December 2016, The post-election fintech world: are happy days (for bankers) here again?
- 5 December 2016, Today: The Future of Brexit Comes Before the UK Supreme Court
- 1 December 2016, The Post-Election FinTech World: Are Happy Days (for Bankers) Here Again?
- 29 November 2016, International AML Enforcement in 2017 Expected to Target Consumer-Due-Diligence Programs, Gaming Entities, Prepaid Cards, Digital Currencies, and High-Risk Nested Accounts
- 10 November 2016, Comprehensive Analysis of the CFPB's Final Prepaid Account Rule
- 28 October 2016, A guide to doing FinTech business in the U.S. and Germany
- 21 October 2016, Getting the Deal Through – Fintech 2017
- 17 October 2016, CFPB Finalizes Much-Anticipated Prepaid Account Rule
- 7 September 2016, U.S. Banking regulators issue a “Joint Fact Sheet on Foreign Correspondent Banking”: Is this a response to global fears of US “DeRisking”? And if so, does it go far enough?



## OTHER PUBLICATIONS

- "Managing AI Risks: The Top Guest Articles of 2023 - When and How Companies Should Build an AI Strategy," *Law360*, 22 December 2023
- "When And How Companies Should Build An AI Strategy," *Law360*, 18 October 2023
- "What Shifting Crypto Policy Means For Banks, Market Players," *Law360*, 9 December 2021
- "BankThink What the President's Working Group got wrong about stablecoins," *American Banker*, 19 November 2021
- "Fintech Guide Overview," *Chambers and Partners*, 2019
- "INSIGHT: How to Talk to Clients About Blockchain," *Bloomberg Law*, 7 June 2019
- "Initial coin offerings: key US legal considerations for ICO investors and sponsors," *Journal of Investment Compliance (JOIC)*, Vol. 19, Issue, 1 June 2018
- "How Blockchain Technology Is Transforming the Legal Industry," *Bloomberg Law*, 20 February 2018
- "Payments Innovation Wars, Part II: U.S. Strikes Back," *AmericanBanker.com*, 6 January 2017

## NEWS & EVENTS

- 12 September 2023, AI - Sweet Dreams? Or Your Worst Nightmare? Hosted by IPA Compliance Boot Camp
- 11 May 2023, Payments Innovation Day 2023, Hosted by Payments Innovation Forum
- 3 May 2023, Top 10 Things to Know When Starting a Cannabis Business in the United States, Hosted by The CannaLaw Network
- 24 May 2022, Open Banking World Congress, Hosted by Open Future World
- 13 May 2022, Contract and Franchise Law and its Impact on Wine Sales in the United States (And Other Interesting Legal issues!), Hosted by Quality Brand Imports
- 13 April 2022, 2022 Innovative Payments Conference, Hosted by Innovative Payments Association
- 15 June 2021, Fintech Meetup, hosted by Discover Global Network
- 1 June 2021, Summer of Learning Series: NFTs - A "flash in the pan"? Or a true "game-changer?"
- 18-19 May 2021, 5th Annual Legal, Regulatory, and Compliance Forum on Fintech and Emerging Payment Systems, hosted by ACI
- 4 May 2021, K&L Gates has Another Blockchain First! Client Alert on NFTs Minted as an NFT
- August 2020, K&L Gates Lawyers Provide Insights on Impact of COVID-19 Across Various Industries
- 12 November 2018, K&L Gates Links with Global Legal Blockchain Consortium

- 24 October 2017, K&L Gates Becomes One of First Major Law Firms to Implement Own Private Blockchain
- 28 July 2016, K&L Gates Adds Leading FinTech Partners

## MEDIA MENTIONS

- Quoted, "The Risks of Storing Money in Apps Like Venmo and Cash App," *The New York Times*, June 2023
- Quoted, "Crypto Lawsuit Deluge Has Big Firms Scrambling to Keep Up," *Bloomberg Law*, 17 May 2022
- Cited, "The Rise of 'Fringetech': Regulatory Risks in Earned-Wage Access," *Northwestern University Law Review*, 2021
- Quoted, "PPP Round Two Aims To Clean Up Issues From Round One," *PYMNTS.com* and *TradersZone.net*, 19 January 2021
- Quoted, "A Member of the 'Squad' Takes on Cryptocurrency," *Wired.com* and *CoinBlock.com*, 4 December 2020
- Quoted, "A la conquête des Etats-Unis," *Horizons*, July 2020

## AREAS OF FOCUS

- Payments, Banking Regulation, and Consumer Financial Services
- Anti-Money Laundering (AML)
- Data Protection, Privacy, and Security
- Emerging Growth and Venture Capital
- European Regulatory
- Financial Services Policy
- Fintech Lending
- White Collar Defense and Investigations

## INDUSTRIES

- Artificial Intelligence
- Banking
- Betting and Gaming
- Cannabis
- Consumer Products

- Digital Assets, Blockchain Technology and Cryptocurrencies
- Financial Services
- Fintech
- Sports
- Technology

## REPRESENTATIVE EXPERIENCE

- Reviewed token and business model for Crypto.com and compliance under applicable laws. Singapore cryptocurrency exchange expanding to United States required U.S. compliance advice.
- Represented and successfully negotiated settlements on behalf of multiple payments related clients with respect to regulatory money transmitter licensing demands and enforcement orders from a range of states, including Connecticut, Texas, New York, Florida, California, Illinois, and Washington.
- Represented global human resources software and services company on a new proposed payroll product with respect to payroll compliance issues as well as lending, licensing, and AML rules.
- Provided in-depth advice to global European ticket sales company on U.S. AML compliance issues, US money transmitter licensing issues and EU PSD2 issues.
- Planning and executing the U.S. expansion of a successful EU payments platform that provides an innovative over-the-top banking platform that consolidates multiple cards and accounts into one smart card with mobile app functionality. Customers can manage all spending across all accounts using the client's App. Launching U.S. operations is an essential and strategic part of the client's growth plans and we are lead regulatory and contracting counsel.
- Advising on the new prepaid card program for the Hong Kong based cryptocurrency exchange platform founded in 2016 to accelerate the world's transition to cryptocurrency. This matter is important because it enabled the client to launch in the United States and marks a huge step forward for the client in its goal of accelerating the world's acceptance of cryptocurrency conversion.
- Serve as payments regulatory counsel to private equity firm in its investment in various fintechs, including payment processors and bill payment companies. Provided regulatory due diligence. Continue to serve as payments regulatory counsel to the target entities in an ongoing capacity.
- Regulatory and contractual advice on launch of push payments and real-time instant payments strategy and implementation. This fintech has become a leader in providing extensive payment options for fast and efficient disbursement of payments to consumers. Our advice helped In the client to navigate the complex regulatory issues involved. We served as chief regulatory counsel for its latest enhancements, and have been providing ongoing regulatory and contractual advice for many years.
- Representing Shoptalk, the leading nextgen commerce event, on a variety of legal matters. We have also represented its founder on several additional ventures/exits including the sale of Money20/20, the leading

FinTech conference focused on the payments industry, to i2i Events Top Right Group; the sale of TxVia to Google; and the sale of Clarity Payment Solutions to TSYS.