# Banks Cannot Skirt Contract Remedies in Data Breach Suit Against Retail Merchant

***Insight***

The financial institutions sought to recover some of their costs from the grocery store chain that was allegedly responsible for the loss of the data.

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# With Its 2018 Tax Cut, Wells Fargo Could Pay Its $1 Billion Fine 3 Times and Still Have Cash to Spare

***News***

*The Washington Post* reports that the tax cut is expected to boost Wells Fargo's profits by $3.7 billion, according to a Goldman Sachs report.

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# Wells Fargo Faces $1 Billion

# Fine to Settle Loan Abuses

***News***

Reuters reports that Wells Fargo & Co. has been offered a penalty of $1 billion by regulators to resolve outstanding investigations related to auto insurance and mortgage lending abuses, the third-largest U.S. bank by assets said on Friday.

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# Enforcement Actions at Consumer Watchdog Agency Halt Under Trump

***News***

The Consumer Financial Protection Bureau has not recorded a single enforcement action against banks, credit card companies, debt collectors or any finance companies whatsoever since a Trump appointee took over.

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# PwC Faces Largest-Ever Auditor Malpractice Damages Verdict

***News***

The judge in the case has already ruled that PwC had been professionally negligent in not detecting the criminal fraud

that led to the failure of Colonial Bank Group in 2009.

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# JPMorgan Juror Says Doomed $8 Billion Award Was Message to Bank

***News***

Bloomber reports that the jury award was the largest of 2017 and the ninth-largest in U.S. history.

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# Five Ways the Senate Plans to Roll Back Regulations on Wall Street

***News***

If made into law, the legislation would weaken the Dodd-Frank Act and would free dozens of financial institutions from the strictest rules put in place by regulators after the crisis, according to *The Washington Post*.

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# Cryptocurrency Tax Webinar Covers New IRS Scrutiny on Reporting

***Insight***

As cryptocurrency has received attention from mainstream media, some investors and traders have made huge profits and some are now experiencing large losses.

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# U.S. Bank Cited by Federal Authorities for Lapses on Money Laundering

***News***

The bank settled the Justice Department charges and cases brought by other regulators by agreeing to pay various fines and penalties totaling $613 million.

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# GC Roles at Large Banks Went Mostly to Women in 2017

***News***

The ranks of women general counsel in the Fortune 500 continued to grow in 2017, particularly in the financial

services industry, though it remains more male-dominated than other sectors, according to a Bloomberg Law report.

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# Commentary: Wells Fargo's Board Members Are Getting Off Too Easy

***Commentary***

Lawrence Summers asks: Why aren't the Wells Fargo directors who are leaving being named and asked to resign effective immediately with an element of humiliation?

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# When Smart Contracts are Outsmarted: The Parity Wallet "Freeze" and Software Liability in the Internet of Value

***Insight***

The recent Parity wallet "freeze" provides an example of a coding vulnerability in a smart contract resulting in an exploit that compromises cryptocurrency worth millions, according to Proskauer Rose LLP.

# The Eighth Circuit Raises the Bar for Would-Be Indemnitees

***Insight***

A federal appellate court has issued an order dealing with indemnification for prior settlements, and it could have a hugely beneficial impact on potential indemnitors, including sellers of mortgage loans as well as insurers, reports Bilzin Sumberg.

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# Vendor Risk Management as Applied to Fintech Contracts

***Insight***

Regulatory compliance is an area of fundamental concern – not only for strategic investors – but also for financial institutions contracting for services from financial technology providers, warns Adam Chernichaw of White & Case.

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# Legal Symposium to Explore

# Groundbreaking Terror-Financing Case

***News***

Werbner will discuss Linde, et al. v. Arab Bank PLC in a presentation titled, “Fighting Terror-Financing in the Courtroom,” during the State Bar of Texas Litigation Update Institute’s 34th annual course Jan. 11–12, 2018.

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# Wall Street Penalties Have Fallen in Trump’s First Year, Study Says

***News***

In its latest fiscal year, Wall Street’s top regulator sought the smallest amount of penalties since 2013, a drop that could show a softer approach to policing wrongdoing, Bloomberg reports.

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# Lawsuit Alleging General Electric Ripped Off Its

# Workers Shows the Pitfalls of 401(k) Plans

***News***

*The Los Angeles Times* explains that the suit alleges that GE managed the plan for its own benefit by loading it with mutual funds owned by its own subsidiary.

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# Before the Breach, Equifax Sought to Limit Exposure to Lawsuits

***News***

Before Equifax discovered a massive computer breach that exposed sensitive information about millions of Americans, the company lobbied Congress on legislation to limit how much it could be forced to pay if sued by consumers, reports *The Washington Post*.

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# Seven Charged in U.S. Insider Trading Ring

***News***

The alleged tipster, Daniel Rivas, and James Moodhe, the father of Rivas' girlfriend, both pleaded guilty to charges of

fraud, conspiracy, and making false statements to the FBI, Reuters reports.

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# PwC to Pay $1 Mln to Settle Merrill Lynch Audit Complaint

***News***

Reuters is reporting that accounting company PricewaterhouseCoopers LLP will pay $1 million to settle a civil complaint alleging it conducted a flawed audit into Merrill Lynch’s compliance with federal brokerage customer protection rules.