

## Mark Zeichner, SENIOR COUNSEL

Mark Zeichner, founding partner of both ZEK and its predecessor law firm, served for many years as both senior and managing partner of the Firm.

Mark Zeichner has substantial banking law experience, and is well known in the field of commercial banking operations, regulation and dispute resolution including litigation. He has maintained an AV rating, the highest attorney rating provided by Martindale-Hubbell, throughout his career. Mark has been recognized as a Super Lawyer each year.

Mark Zeichner has developed a reputation among in-house bank counsel and senior bankers as the “go to” attorney for both legal and practical problem solving advice. His familiarity with the coordination between and among the many laws, regulations and agreements in the arena in which financial institutions operate is a rarity. His breadth of knowledge, unique among bank counsel, enables him to advise both about long standing principles of banking law and practice as well as emerging legal constructs concerning new technologies and their consequences such as mobile banking and cyber crime.



### PRACTICE AREAS

**Banking Litigation** — Substantial experience in representing a broad range of financial institutions from major money center banks to small local banks in all types of actions including those based on the Uniform Commercial Code (principally Articles 3, 4, 4A and 5) concerning wire transfers, check and letter of credit payments, bank customer contract and/or banking authority disputes, as well as various fraud and contract issues including those based upon written agreements between a bank and its customer.

**Regulatory Advice** — Provide advice to financial institutions concerning compliance with various statutes, regulations and agreements including Uniform Commercial Code Articles 3 and 4 (original and revised versions), Uniform Commercial Code Sections 4A and 5, Electronic Funds Transfer Act/Regulation E, Truth in Lending Act/Regulation Z, National Automated Clearing House Association Rules, Check Clearing for the 21st Century Act, Electronic Check Clearing House Organization Rules, Expedited Funds Availability Act/Regulation CC, etc. Such advice has included advice concerning scope and application of such laws, regulations and/or agreements including application to specific factual problems as well as issues of general statutory interpretation and planning.

**Pre-Litigation Claims Counseling** — Counsel principally in-house bank counsel concerning response to claims made against bank clients as well as to claims made by government regulators by bank customers about bank



## OUR TEAM

clients and others, and claims made directly by the government against banks. Such advice has often taken the form of direct interface with claimants, their counsel or government officials and/or government attorneys. Based on negotiation with claimants and/or their attorneys, Mark is often able to apply his experience to resolving claims favorably in advance of litigation or governmental charges.

**Daily Operating Advice** — Serve as experienced counselor and substantive back-up for in-house counsel to review and act upon issues that arise of a daily basis, such as interbank payment issues, internal and external fraud, inter-bank claims, questions of customer authority to transact business with the bank and on behalf of specific accounts, bank branch operations, bank safety and security issues, etc.

**Commercial Litigation** — Representation of clients in commercial disputes as both plaintiff and defendant in matters concerning fraud, breach of contract, etc.

**Law Firm Economics and Administration** — As the senior and founding partner of ZEK and its managing partner for more than 25 years, Mark Zeichner is a law firm economics and administration expert. He is knowledgeable especially about partner compensation, partner relations, senior staff coordination, law firm finance and banking relations, client satisfaction and management, and promotion.

### PREVIOUS POSITIONS

Shearman & Sterling – New York.

### PERSONAL

Mark serves as the trustee of a private foundation and has devoted many years to volunteer activities at his family's house of worship, of which he is a past president. In his spare time, Mark is a devoted watch and clock collector. Some of his collection may be viewed at the offices of ZEK.