



Brian S. Whittemore

Associate

50 California Street
Suite 2900
San Francisco, CA 94111
415-263-8113
bwhittemore@hinshawlaw.com

Brian Whittemore advises financial services professionals on regulatory and compliance issues. He has counseled some of the nation's largest commercial banks, consumer finance companies, lending and loan servicing institutions.

Brian handles both institutional and consumer claims arising under state and federal laws, including the:

- Telephone Consumer Protection Act;
- Fair Debt Collection Practices Act;
- California's Rosenthal Fair Debt Collection Practices Act; and the
- Electronic Funds Transfer Act.

He has also resolved lien priority disputes between financial institutions, and has counseled banking clients on faithless bookkeeper disputes, along with liability for unauthorized wire transfers under the Uniform Commercial Code. When necessary, Brian also represents clients in appellate courts. His background in this area includes defending against spurious claims involving the proper servicing of a mortgage loan with a negative amortization feature.

Brian also has substantial experience in insurance law, namely insurance coverage disputes involving, among other lines, tech, cyber, D&O, and E&O. He has counseled both domestic and London Market insurers on the scope of coverage and policy wording, and has experience both as monitoring defense counsel to efficiently resolve third-party claims, as well as litigating disputed coverage claims directly.

Prior to joining Hinshaw, Brian practiced at several other San Francisco Bay Area law firms, representing financial institutions, domestic and international insurance companies, national mortgage lenders, and finance professionals. He also defended clients facing mortgage banking and loan servicing litigation.

Professional Affiliations

- American Bar Association
- Professional Liability Underwriting Society
- San Francisco Bar Association

Practices

Consumer Financial Services
Mortgage Servicing and
Lender Litigation
Regulatory and Compliance
Counseling

Industries

Insurance Coverage

Education

J.D., Santa Clara University
School of Law, 2005

B.A., Wesleyan University,
1999

Admissions

California



Honors & Awards

- Recognized on the Rising Stars list by *Northern California Super Lawyers* magazine, 2015 – 2016