Our attorneys counsel financial institutions on a variety of financing transactions, asset securitizations, workouts, debt restructures, Uniform Commercial Code (UCC) issues, bankruptcy cases and regulatory compliance matters. We also regularly represent financial institutions in mergers and acquisitions; corporate and securities law; the creation of new financial products and services; lender-related litigation; internet banking issues; collections; and creditors’ rights cases.

The Financial Services Section represents the complete spectrum of financial institutions — from international and national financial organizations to non-regulated lenders to community banks. Section attorneys counsel many conventional and unconventional financial entities and a wide variety of related businesses dealing with financial issues at all levels.

**Financing**

We provide clients with timely, cost-effective solutions to every kind of transaction, including asset securitizations, loans to finance leveraged acquisitions, investment funds, tax-exempt bond financings, commercial real estate loans, tax credit financings, working-capital lines of credit, equipment loans, asset-based loans, ESOP loans, multi-layered debt financings, leveraged-lease transactions, municipal lease financings, mortgage warehouse financings, letter of credit-backed transactions, mezzanine financings, syndicated and single-lender commercial loans, swaps and other interest rate protection agreements, capital markets transactions, project financings and loans to limited partnerships (both public and private offerings).

**Securities/Corporate**

Our attorneys provide the skills and depth of understanding to handle securities and corporate matters, including public and private offerings of stock and debt, mergers and acquisitions, trust preferred securities and broker-dealer arrangements. Additionally, we have extensive experience in designing and implementing dividend reinvestment and stock option plans. Section members have frequently been asked to represent clients organizing de novo or start-up financial institutions, with attorneys providing assistance in crafting executive compensation and employee benefits plans and handling compliance and examination issues. Other services include:

- New bank formations.
- Representation of bank holding companies in the acquisition of additional banks.
- Investment advisory affiliates formations.
- Preparation of periodic reports, proxy materials and beneficial ownership reports required by the Securities Exchange Act of 1934.

**Regulatory**

In today’s complex regulatory environment, Williams Mullen attorneys are routinely called on to counsel clients regarding provisions in the Truth in Lending Act, Equal Credit Opportunity Act and Fair Credit
Reporting Act, as well as other federal credit laws. We keep abreast of regulatory developments, continuously track legislation and maintain excellent working relationships with state and federal regulators to ensure constructive resolution of client initiatives or regulatory inquiries. Section members routinely represent financial institutions before various regulatory bodies such as the State Corporation Commission, Federal Reserve Bank, Comptroller of the Currency and the FDIC.

**Workouts/Creditors’ Rights**
The firm’s Financial Services Section has extensive experience handling workouts and creditors’ rights cases. We have created skilled teams of attorneys to re-negotiate and restructure loans for creditors of all sizes and types. Specifically, our Loan Workout, Creditors’ Rights and Bankruptcy Practice works with clients to successfully recast debt, secure additional collateral, postpone actions and resolve bankruptcy and collection issues. Our attorneys draw on their experience to provide early intervention and focused representation for creditors. Some examples of the firm’s services include:

- Significant experience in chapters 7, 11, 12, and 13 of the United States Bankruptcy Code.
- Informal debt restructures, forbearance agreements and non-bankruptcy reorganizations.
- Bankruptcy litigation in all areas of creditor representation including challenges to discharge of debt, defense of trustee’s claims to avoid liens such as preferences and fraudulent conveyances, use of cash collateral, DIP financing, recovery of assets, stay litigation, objections to plans and motions to convert or dismiss.

**Bank Operations**
Our firm has comprehensive experience in representing and advising national and state banks on all aspects of bank operations, including ACH/Clearinghouse rules; Federal Reserve Bank operations procedures; electronic payments and check truncation; The Bank Secrecy Act; general check processing issues; and issues arising out of creditor process against deposit accounts.

**Intellectual Property**
The Intellectual Property Section counsels financial institutions of all sizes about the commercial exploitation of intellectual property assets; management of contractor and strategic partnering agreements; telephony agreement; and compliance with statutory and regulatory privacy requirements, such as the Graham-Leach Bliley Act. Areas of proficiency include portfolio prosecution and analysis; software and internet law; litigation and infringement disputes; licensing, contractor and strategic partnering agreements; and other transaction-related services such as patent prosecution and trademark and copyright registration.

**Labor & Employment**
The majority of the labor and employment work that we do with banks involves advice on preventive employment practices including management training, audit of wage and other employment practices, assistance in developing policies and procedures and advising management on employment issues, including how to investigate and respond to complaints of harassment, FMLA, termination and discharge issues. We also draft employment agreements, assist in the development of affirmative action plans and defense of OFCCP audits and defense of employment-related claims and lawsuits. Because we have worked with so many banks of various sizes, we are familiar with issues commonly facing banks, such as teller overage and shortage policies, the legal impact of fiscal responsibility policies, the use of financial history as hiring criteria and the increased threat of union organizing for banks that have opened branches in grocery stores. We have successfully defended banks, as well as executives that have been sued individually, in all types of employment-related actions. Because of the particular community relations issues facing banks, we are proponents of alternative dispute resolution in appropriate cases.

**Wealth Management**
Williams Mullen represents bank trust departments and trust companies, as well as individual executors,
administrators, and trustees regarding both complex and routine issues arising in the context of a fiduciary relationship. We also advise bank executives and directors, as well as other fiduciaries, in matters involving fiduciary obligations. We handle claims involving breach of fiduciary duty, malfeasance or mismanagement.

**Fiduciary Litigation**
We defend corporate and institutional executors and trustees in matters involving allegations of breach of fiduciary duty, including failure to adhere to the prudent investor rule, improper distribution to beneficiaries and breach of duty of loyalty and impartiality. We advise bank clients with respect to best practices to minimize and avoid fiduciary liability. Section attorneys handle trust construction, reformation and rescission suits, as well as tax controversy matters before the Internal Revenue Service (IRS) and state taxing authorities. We also represent corporate fiduciaries in tax-related litigation in federal court (including U.S. Tax Court) and state courts. On a regular basis, we handle matters involving charitable trusts and tax-exempt organizations and substitution of trustee matters.

**Internet Banking**
Our Financial Services Practice is a leader in internet technology and online banking issues. In conjunction with our technology law and e-commerce teams, we offer clients an array of services related to internet banking, compliance issues and other online matters.

**Litigation/Lender Liability**
Attorneys in the Financial Services Practice work with the firm's trial teams to represent clients with civil litigation needs in state and federal courts and before administrative agencies at all governmental levels. We have significant experience in a wide variety of commercial, banking and finance issues including contracts, construction, secured transactions, creditors’ rights, bankruptcy, defense of lender liability claims, eminent domain and regulatory matters.

**Related News**

- Avoiding Contempt: Responding to Non-Party Subpoenas
- Proposed Rules Published on Dodd-Frank Requirements for Appraisals for Higher-Risk Mortgage Loans
- Reggie Jones Named a Top Virginia Influencer by Campaigns & Elections Magazine
- Williams Mullen has 47 first-tier metropolitan rankings in Best Lawyers and U.S. News Media Group's Best Law Firms inaugural publication
- Edmund D. Harllee Joins Williams Mullen's Financial Services Team in Northern Virginia
- Williams Mullen Announces the Election of Four New Partners
- Williams Mullen Welcomes 17 New Attorneys
- Williams Mullen Counsels Monarch Financial, Inc. with Public Offering
- Williams Mullen Advises Carolina Trust Bank in Acquisition
- Williams Mullen Announces the Election of Four New Partners
- Williams Mullen Attorneys Win Virginia Bar Association Awards
- Paul S. Bliley, Jr. Comments on a Homebuilder Facing Bankruptcy
- Williams Mullen Forms Financial Crisis Task Force
- Williams Mullen Announces Election of New Partners
- Consumer Financial Protection Bureau Issues Proposed Rule Regarding Appraisals, as Required by Dodd-Frank
- Proposed Rules Published on Dodd-Frank Requirements for Appraisals for Higher-Risk Mortgage Loans
- Final Rules Published to Modify Dodd-Frank Requirements for International Money Transfers
- Consumer Financial Protection Bureau Extends Comment Period on Two Recently Published Proposed Rules
- Proposed Rules Published on Dodd-Frank Requirements for HOEPA Loans
- Final Rules Published to Revise Dodd-Frank Requirements for Debit Card Interchange Fees
- Debate Continues over Liability Protection for Lenders: Safe Harbor verses Rebuttable Presumption for ?Qualified Mortgages?
- ?Bad Boys, Bad Boys, Whatcha Gonna Do??: Triggering Full Recourse Liability under Non-Recourse Guaranties
- JOBS Act: Bank and Bank Holding Company Deregistration
- Not All Surveys are Created Equal ? The Benefit and Uses of an ALTA Survey
- Proffer Amendments Update
- Virginia Mechanic's Liens: Top Ten Considerations
- Confession of Judgment Provisions Poised to Become More ?Bank Friendly?
- Final and Proposed Rules Published to Implement Dodd-Frank Requirements for International Money Transfers
- Office of the Comptroller of the Currency Issues Proposed Rules for Annual Stress Tests, as Required under Dodd-Frank
- Federal Deposit Insurance Corporation and Treasury Department Issue Proposed Rules for Calculation of Maximum Obligation Limitation under Dodd-Frank
- Federal Reserve Board Issues Proposed New Regulation YY to Regulate Certain ?Covered Companies, as Required by Dodd-Frank
- Dodd-Frank: President Obama Installs Richard Cordray as Director of the CFPB
- Bureau of Consumer Financial Protection Issues Interim Final Rule Transferring EFT Regulations from the Federal Reserve Board, as Required by Dodd-Frank
- Bureau of Consumer Financial Protection Issues Interim Final Rules on 12/16/11 Transferring Certain Regulations from the Federal Trade Commission, as Required by Dodd-Frank
- Bureau of Consumer Financial Protection Issues Interim Final Rules on 12/19/11 Transferring Certain Regulations from Other Federal Regulators, as Required by Dodd-Frank
- Federal Reserve Board and FDIC Issue Final Rules to Require Certain Companies to Submit ?Living Wills, as Required by Dodd-Frank
- An Overlooked Option for Financing Multi-Family Affordable Housing: Obtaining Tax-Exempt Housing Bonds from a Local Redevelopment and Housing Authority and 4% Low-Income Housing Tax Credits from VHDA
- Federal Reserve Board and FDIC Issue Final Rules to Require Certain Companies to Submit ?Living Wills, as Required by Dodd-Frank
- Federal Reserve Board Issues Final Rule to Exempt Motor Vehicle Dealers Temporarily from Compliance with Certain Dodd-Frank Reporting Requirements
• SEC Will Not Appeal Proxy Access, but Shareholder Proposal Amendments Will Take Effect in 2012
• Understanding The Virginia Freedom of Information Act (FOIA)
• Arbitration Provisions Containing Class Action Waivers: Avoiding Financial Risk and Cost
• Dodd-Frank Proxy Access Rule Vacated? Implications for 2012
• Final Rules Published to Implement Dodd-Frank Requirements for Debit Card Interchange Fees and Routing
• Final Rules Published to Implement Dodd-Frank Requirements for Risk-Based Pricing Notices
• Dodd-Frank: President Obama Announces his Nomination for Director of the CFPB
• Dodd-Frank: Federal Reserve Publishes Final Rule Repealing Regulation Q
• Final Rules Published to Implement Dodd-Frank Requirements for Adverse Action Notices
• Federal Reserve Board Issues Proposed Rule to Exempt Motor Vehicle Dealers Temporarily from Compliance with Certain Dodd-Frank Reporting Requirements
• Final Rules to Implement Certain Dodd-Frank Requirements Delayed
• Banks Face Billions in Liability Exposure
• Bureau of Consumer Financial Protection Issues Interim Final Rules Transferring Certain Regulations from Other Federal Regulators, as Required by Dodd-Frank
• Bureau of Consumer Financial Protection Issues Interim Final Rule Transferring RESPA Regulations from the Department of Housing and Urban Development, as Required by Dodd-Frank
• CFPB Issues Final and Proposed Rules Amending Regulation Z, As Required by Dodd-Frank
• CFPB Issues Final Rules Amending Regulation Z Escrow Requirements, As Required by Dodd-Frank
• Consumer Financial Protection Bureau Issues Proposed Rule Regarding Appraisals, as Required by Dodd-Frank
• Consumer Financial Protection Bureau Issues Proposed Rules To Implement Integrated Mortgage Disclosures, As Required by Dodd-Frank
• CFPB Publishes Final Rules on Dodd-Frank Requirements for HOEPA Loans
• Banking Agencies Publish Final Rules on Dodd-Frank Requirements for Appraisals for Higher-Risk Mortgage Loans
• CFPB Issues Final Rules Amending Mortgage Loan Servicing Requirements, As Required by Dodd-Frank
• CFPB Issues Final Rules on Loan Originator Compensation, As Required by Dodd-Frank
• You’re What You Own: Perfection of Security Interests in Investment Property
• Williams Mullen Welcomes Associates Ken Shevlin and Lemuel Whitsett
• CFPB Issues Proposed Rules to Clarify Regulation Z Escrow Requirements, As Required by Dodd-Frank
• CFPB Issues Proposed Rules Amending Regulations X and Z To Clarify Earlier Dodd-Frank Amendments
• CFPB Issues Additional Final Rules to Modify the Dodd-Frank Requirements for International Money Transfers
• CFPB Issues Final Rules to Clarify Regulation Z Escrow Requirements, As Required by Dodd-Frank
• Changes to Article 9 of the Uniform Commercial Code with Respect to Filing UCC Financing Statements
• Feds Target FHA Mortgage Lenders in False Claims Act Cases
• Post-Sherzer Residential Mortgage Financing In The 3rd Circuit: More Expensive, Less Secure?
• Review Your Beneficiary Designations
• Virginia Mechanic?s Lien Update
• The CFTC?s New Rule for Banks: Protect Your Customers? Customers
• CFPB Issues Final Rules on Ability-to-Repay and Qualified Mortgage Standards Under Regulation Z, as Required by Dodd-Frank
• CFPB Issues Proposed Rules Amending Regulations B, X and Z To Clarify and Amend Earlier Dodd-Frank Rules
• OCC Issues Final Rules on Lending Limits, as Amended by Dodd-Frank
• CFPB Issues Final Rules for Exercising Supervisory Authority over Certain Nonbanks, as Required under Dodd-Frank
• 5th Circuit Surprise: To Qualify for Dodd-Frank Protection, ?Whistleblower? Must Provide Information to SEC
• Final Rules to Implement Dodd-Frank Requirements for Debit Card Interchange Fees Overturned in Federal Court
• Overhaul of North Carolina Board of Adjustment Law to Take Effect October 1, 2013
• Banking Agencies Issue Proposed Supervisory Guidelines for Certain Annual Stress Tests, as Required under Dodd-Frank
• 100 Williams Mullen Attorneys Named 2014 Best Lawyers in America
• CFPB Issues Final Rules Amending Regulations B, X and Z to Clarify and Amend Earlier Dodd-Frank Rules
• CFPB Issues Interim Final Rules on Dodd-Frank Mortgage Loan Servicing Requirements
• Financial Regulatory Agencies Issue Proposed Joint Diversity Policy, as Required under Dodd-Frank
• CFPB Issues an Advance Notice of Proposed Rulemaking on Regulation F, As Authorized by Dodd-Frank
• CFPB Publishes Final Rules on Dodd-Frank Requirements for Homeownership Counseling
• CFPB Issues Final Rules, Interpretations and Commentary to Adjust the Exemption Threshold to Regulations M and Z
• Prominent Mortgage and Consumer Compliance Attorney Alan Clark Joins Williams Mullen
• Banking Agencies Publish Supplemental Final Rules on Dodd-Frank Requirements for Appraisals for Higher-Risk Mortgage Loans
• CFPB Updates Mortgage Rules Readiness Guide
• Allison Domson featured in Richmond Times-Dispatch Q&A
• CFPB Issues RESPA-TILA Integrated Disclosures Final Rule
• Williams Mullen Welcomes Former VACB CEO Pat Satterfield
• March 24th is Approaching: Complying With the New OFCCP Regulations
• CFPB Announces Launch of Home Mortgage Disclosure Act Rulemaking Process
• Banking Agencies Issue Proposed Rules for Appraisal Management Companies, as Required under Dodd-Frank
• CFPB Issues Proposed Rules Amending Regulation E to Extend the Deadline for Disclosure of Transaction Pricing Estimates
• Pat Satterfield featured in Richmond Times-Dispatch ?Decision Maker? Q&A
• CFPB Proposes Amendments to Mortgage Rules
• CFPB Proposal May Eliminate Requirement to Mail Annual Privacy Notice
• Alan Clark quoted in Mortgage Daily about predatory lending case
- CFPB Advises Consumer Lenders to Comply with Fair Lending Laws when Making Credit Exceptions
- Williams Mullen Represents Select Bancorp in Merger with New Century Bancorp
- Williams Mullen Financial Services Attorney Bill Stauffer appointed to Fulton Bank’s Hampton Roads Advisory Board
- 100 Williams Mullen Attorneys Named 2015 Best Lawyers in America
- Bill Stauffer discusses judicial turnover with the Daily Press
- Williams Mullen Welcomes Financial Services and Real Estate attorney David C. Hildebrand
- FRB Issues Proposed Rules to Repeal Regulation AA, as Required by Dodd-Frank
- Proposed Rules Published on Dodd-Frank Changes to Home Mortgage Disclosure Regulations
- Williams Mullen Welcomes Four First-Year Associates to the Firm
- Final Dodd-Frank Risk Retention Rule Adopted
- 2014 Survey Of Class Action Cases In Virginia: The Statistics
- Class Action Trends in Virginia: Employment Background Reports
- Protecting Consumer Data in Sale of Debt Portfolio
- State AGs and Regulators Step Up UDAAP Enforcement
- Managing Risks in Vendor Relationships
- Can Mortgage Loan Officers Still be Exempt from FLSA Overtime Requirements?
- Cybersecurity: Mitigating the Legal Risks of On-Line Banking With Business Customers
- CFPB, Virginia Attorney General Target Payday and Auto Title Lenders
- Department of Justice Reprioritizes Asset Seizure in Structuring Cases But Risks Remain
- Supreme Court Upholds Disparate Impact: What are the Practical Consequences for Mortgage Lenders?
- Camden Webb discusses SCOTUS housing discrimination decision on NC public radio
- CFPB Issues Final Rules Regulating Automobile Financing, as Permitted by Dodd-Frank
- Is the Mechanic’s Lien or Bond Waiver Clause in Your Contract Enforceable in Virginia?
- 106 Williams Mullen Attorneys named 2016 Best Lawyers in America
- In FTC v. Wyndham Worldwide, Third Circuit Upholds FTC Authority to Enforce Flawed Cybersecurity Measures
- Bill Stauffer named to the 2015 class of "Leaders in the Law" by Virginia Lawyers Weekly
- Operation Choke Point: Lawsuit Against Federal Bank Regulators Survives Motion to Dismiss, Proceeds to Discovery
- First Round of ATR Cases Goes to Banks
- Williams Mullen Represents Monarch in $7.3 Billion Merger with TowneBank
- Williams Mullen Welcomes Financial Services and Real Estate Associate Elizabeth M. Hodge
- Allison Domson Featured as ‘Decision Maker’ in Richmond Times-Dispatch
- 12 Williams Mullen Attorneys Named 2016 North Carolina Super Lawyers
- United States District Court Pushes Back Against Government in North Carolina Asset Forfeiture Case
- Do RESPA’s Loss Mitigation Procedures Really Apply After a Borrower Leaves a Residence?
Finance & Real Estate Attorney Cart Reilly Joins Williams Mullen
Finance & Real Estate Associate Erin Fleeger Joins Williams Mullen
UVA Law Grad Nicole Scro Joins Williams Mullen's Charlottesville Office
100 Williams Mullen Attorneys Named 2017 Best Lawyers in America
CFPB Issues Proposed Rules Regulating Payday, Vehicle Title and Other Loans, as Permitted by Dodd-Frank
Alyssa Embree Named to 2016 Class of ?Up & Coming Lawyers' by Virginia Lawyers Weekly
Ryan Kenrick Named to Inside Business' Top 40 Under 40
Veteran Banking and Real Estate Attorney John Faber Joins Williams Mullen
114 Williams Mullen Attorneys Listed in The Best Lawyers in America 2018
Camden Webb Discusses End of Operation Choke Point with the Washington Examiner
Operation Choke Point: Justice Department Announces Program's End
Camden Webb Talks Operation Choke Point with Fox News
Howard Gordon Named to 2017 Class of Leaders in the Law by Virginia Lawyers Weekly
Cart Reilly Named to 2017 Class of Up & Coming Lawyers by Virginia Lawyers Weekly
Virginia's Tourism Development Financing Program Gains Steam Around the State
Williams Mullen Welcomes Three Associates in Richmond
Williams Mullen Welcomes Finance & Real Estate Attorney Tyler Rosá
Cart Reilly Named to 2018 Millennials on the Move by CoVa BIz Magazine
Sean Hicks Named Chair of the Richmond Bar Association's Real Estate Section
110 Williams Mullen Attorneys Listed in Latest Edition of The Best Lawyers in America®
14 Williams Mullen Attorneys Named ?Lawyers of the Year? by The Best Lawyers in America®
Howard Gordon Discusses His Career at Williams Mullen With Inside Business
Cart Reilly Named to Inside Business' Top 40 Under 40
45 Williams Mullen Attorneys Named to Virginia Business Magazine's Legal Elite for 2018
Alyssa Embree Profiled in Virginia Business Magazine's Legal Elite Issue
Williams Mullen Welcomes Four First-Year Associates
Williams Mullen Announces Election of Seven New Partners
Williams Mullen Strengthens Real Estate Practice with Addition of Steve Romine in Hampton Roads
Cart Reilly Receives Norfolk & Portsmouth Bar Association's 2019 Walter E. Hoffman Award
Williams Mullen Bolsters Bankruptcy Practice With 4 Attorneys
30 Williams Mullen Attorneys, 12 Practice Areas Recognized in Chambers USA 2019
Jennifer McLemore Elected to the Board of the American Bankruptcy Institute
Tyler Rosá Named to CoVa BIz's 2019 Millennials on the Move
Jamie Bruno Selected to Leadership Metro Richmond's Leadership Quest Class of 2020
119 Williams Mullen Attorneys Listed in 2020 Edition of The Best Lawyers in America®
Enforceability of Cross-Default Clauses in Bankruptcy
Mike Kelly Named to 2019 Class of Leaders in the Law by Virginia Lawyers Weekly
Goodbye LIBOR - Hello Operational Headache!
Williams Mullen Welcomes Three New Associates
Related Events

- Preference Action Mock Hearing
- Issues and Strategies in Health Care/Continuing Care Retirement Community Bankruptcy Cases
- How to Effectively Take and Defend a 2004 Exam
- Bankruptcy Law for the Domestic Relations Attorney
- The Business Chapter 13 and Consumer Chapter 11 ? Complex Issues in Bankruptcy: From the Supreme Court to the Practice Court seminar
- First Quarter Compliance Forum Central
- CRE Lending Forum - Risk Management Association, Richmond Chapter
- Seminar: Technology as a Component of Strategic Planning and Risk Avoidance
- RMA Presents: Fundamentals of Lending to Trusts
- Hot Topics - Virginia Bar Association's Mortgage Executives Committee Meeting
- Seminar: TILA RESPA Integrated Disclosure Rule
- VACB?fs Spring Internal Audit Seminar
- 2015 Raleigh Fiduciary Focus
- Richmond Mortgage Bankers Association - Luncheon & Education Session
- Virginia Association of Community Banks: TILA and RESPA Integrated Disclosure Final Rule and 2015 Issues on the Financial Horizon
- North Carolina Bankers Association: 2015 Bank Directors Assembly
- "Avoiding the Pitfalls of Lender Liability"
- The Troubled Asset Program and Community Banks
- Fraudulent Loan Transactions - What You Need to Know

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