

Mark L. Miller

Partner

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Mark has extensive experience in financial institution regulation, the acquisition and sale of financial institutions and other entities, formation of de novo community banks, and corporate governance and emerging company issues.

Mark has guided numerous clients through public offerings and private placements and has drafted and negotiated FinTech-Bank partnerships, service agreements and other business contracts. He regularly represents clients before the Federal Deposit Insurance Corporation, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Consumer Financial Protection Bureau, state banking agencies, including the Tennessee Department of Financial Institutions, and the Securities and Exchange Commission.

Experience

The following is a selected sampling of matters and is provided for informational purposes only. Past success does not indicate the likelihood of success in any future matter.

Representative Matters

- Represented client in successful recapitalization of a small community bank to position the bank for growth in new markets and a new business model.
- Represented clients in the formation of strategic partnerships between banks and non-bank financial technology companies (FinTechs) for the provision of financial services.
- Represented financial institutions in initial public offerings for New York Stock Exchange and NASDAQ-listed clients.
- Represented numerous public and private community bank clients and placement agents in private placements of stock and subordinated notes.
- Represented community bank clients in whole bank acquisitions and the purchases and sales of bank branches and other business units.
- Negotiated of enforcement actions with federal and state bank regulatory authorities for community bank clients and assisting

Education

Vanderbilt University School of Law, JD
(1999)

Vanderbilt University, BA, magna cum
laude (1996)

Admissions

Tennessee

Practice Areas

[Financial Institutions Corporate &
Regulatory](#)

[Financial Services Advisory](#)

[Corporate & Securities](#)

[Mergers & Acquisitions](#)

[Public Company Compliance & Counseling](#)

Industries

[Banking & Financial Services](#)

such clients with enforcement action compliance.

- Assisted in the formation of numerous de novo community banks and state-chartered public trust companies.
- Represented community bank clients in the formation of holding companies.
- Successfully represented banking clients in the purchase of bank assets and deposits of failed banks from the FDIC.
- Conducted multiyear SEC required compliance audit for national broker-dealer client.

Recognitions

The bar rules of some states require that the standards for an attorney's inclusion in certain public accolades or recognitions be provided. When such accolades or recognitions are listed, a hyperlink is provided that leads to a description of the respective selection methodology.

- [The Best Lawyers in America®](#), Banking and Finance Law (2012-2025), Financial Services Regulation Law (2013-2026), Mergers and Acquisitions Law (2022-2026)
- IFLR 1000, Highly Regarded in M&A (2024)
- Nashville Business Journal, 'Best of the Bar' (2024)

Professional Activities

- Tennessee Bankers Association, Government Relations Committee; Bank Lawyers Committee, Past-Chair

Community

- Member of Board of Directors, Music for Seniors

Articles & Speeches

Events/Speaking Engagements

[Hot Topics for Bank Directors from the Bankers' Perspective | Bank Directors Retreat](#)- Moderator (October 27, 2023)

[2023 Nelson Mullins Financial Services Conference](#)(May 17, 2023)

[Beyond the SWOT](#)- Speaker (October 28, 2022)

The Latest and Greatest on What Every Bank Director Needs to Know , *Tennessee Bankers Association 2021 Directors Conference*- Presenter (October 29, 2021)

[Compliance Obstacles Common in FinTech/Digital Banking](#), *Tennessee Bankers Association Compliance Conference*- Speaker (September 22, 2021)

[Nashville Attorneys to Speak at the 131st Tennessee Bankers Association Annual Meeting](#)- Speaker (June 14, 2021)

[Lender Beware: Compliance Traps In Lending & Servicing In A COVID World](#)- Co-Panelist (Sept. 3, 2020)

[In the Trenches: The ADA and its Impact on Financial Services](#)- Speaker (August 27, 2020)

The Paycheck Protection Program and ECOA - Co-Presenter (June 23, 2020)

[In the Trenches: The Shift to Digital Banking: Trends and Risks Post COVID-19](#)- Speaker (June 11, 2020)

Live from the Trenches — Update On Current Regulatory Trends, Bank Directors Retreat, Tennessee Bankers Association - Speaker (October 2019)

Holding Effective, Efficient, and Energetic Board Meetings, Nashville Bar Association's Business Law Institute and Tennessee Bankers Association's Bank Directors Retreat - Speaker (October 2018)

Hot Exam Topics, Directors Conference of the Tennessee Bankers Association - Speaker (October 2017)

Hot Exam and Board Topics, iContracts Annual User Conference - Speaker (April 2017)

Live from the Trenches: Hot Exam Issues - Speaker (April 2016)

Bank M&A/Shareholder Liquidity, Crowe Horwath LLP Annual Financial Institutions Conference, Nashville, Tennessee - Speaker (November 2015)

Current Regulatory Environment, Sageworks Risk Management Summit - Panelist (September 2014)

The Latest on Dodd-Frank, Basel III and Other Regulatory Hot Topics, Sageworks Risk Management Summit - Panelist (December 2013)

Tennessee Bankers Association Bank Directors College - Speaker (October 2013)

Dixon Hughes Goodman Banking Executive Seminar, Knoxville, Tennessee - Speaker (October 2013)

Alerts

[CDFI/MDI Community Lenders Treasury Capital Purchase Program](#), Additional Nelson Mullins Alerts (Dec. 22, 2020)

Blogs

[Build or Buy: New Observations Regarding a Key Choice for How to Start a “New” Bank](#), The Vault - Co-Author (October 5, 2023)

[U.S. Senate Takes Up the RECOUP Act](#), The Vault - Co-Author (June 30, 2023)

[A Proposed New Failed Bank Clawback Act](#), The Vault - Co-Author (June 5, 2023)

[What to Ask Potential Bank Directors](#), The Vault - Author (February 10, 2023)

[FinTech – Bank Model Partnerships](#), The Vault - Speaker (July 6, 2021)

[Build or Buy 2.0: The Best Way to Start a Bank Post-COVID](#), The Vault - Co-Author (Jan. 25, 2021)