



## Jeremy M. McLaughlin

### Partner

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### OVERVIEW

Jeremy McLaughlin leads the firm's Payments, Banking Regulation, and Consumer Financial Services practice group, and co-chairs both the Fintech industry group and the Digital Assets, Blockchain Technology and Cryptocurrencies industry group. His practice focuses on regulatory compliance and enforcement for fintechs, digital asset and cryptocurrency companies, and other consumer financial products and services, including emerging payment and prepaid products. Jeremy is a regular speaker at fintech and cryptocurrency conferences both in the United States and abroad and is a regular contributor to the Fintech and Blockchain Law Watch blog.

Jeremy represents a broad range of clients across the financial services, fintech, and digital assets industries, from startups to blockchain platforms to some of the world's largest financial institutions. They include money services businesses, cryptocurrency exchanges, token issuers (including NFTs), digital wallet providers, DeFi platforms, banks, retailers, credit and prepaid card companies, and lenders.

Jeremy counsels clients on compliance with a wide range of laws, including state and federal consumer protection laws, money transmitter laws, international remittances, anti-money laundering laws, abandoned property laws, gift card rules, sweepstakes laws, and payment network rules. He helps clients negotiate and draft agreements involving payment technologies and licensing issues, custodial arrangements, and draft terms and conditions and disclosures for new products. He also serves as regulatory counsel in connection with investments, including conducting due diligences of payment companies and digital asset and cryptocurrency platforms.

Jeremy also has experience assisting with litigation matters, focusing on dispositive motions and appeals, particularly in cases regarding consumer financial services laws. He has prepared over 10 briefs for the US Supreme Court and dozens of briefs for various state and federal appellate courts. He has argued before the Ninth Circuit Court of Appeals.

### ACHIEVEMENTS

- Recognized by *Chambers FinTech* for FinTech Legal: Blockchain & Cryptocurrencies, USA - Nationwide, 2025-2026
- Recognized by *The Legal 500 United States* as a Recommended Lawyer for Fintech, 2024-2025

## PROFESSIONAL / CIVIC ACTIVITIES

- Bay Area Lawyers for Individual Freedom (2011-present)
- Lambda Legal, San Francisco Leadership Executive Committee (2010-present)
- Little Brothers- Friends of the Elderly, Board of Directors (2010-2012)

## SPEAKING ENGAGEMENTS

- *Policy Upheaval: How Fintechs in the US are Adapting to Dramatic Legislative and Regulatory Changes*, NY Fintech Week panel, April 2025
- *Regulating Crypto: Taking Stock and Looking Ahead*, Fintech Meetup, March 2025
- *The Future of U.S. Digital Asset Regulation*, BREATHE! Convention, September 2023
- *Global Approaches to Digital Asset Regulation*, Intersekt 23, Melbourne, August 2023
- *Fintech Trends, Developments, and New Directions*, 2021 Consumer Financial Services Symposium, April 2021
- *Fintech Developments*, MSBA Fintech Working Group, February 2021
- *It's Groundhog Day for Payments*, Webinar, February 2021
- *Finally, the Killer Crypto Application: Central Bank Digital Currencies & Stablecoins*, Innovative Payments Association, August 2020
- *The Present and Future of Cryptocurrency*, ACI Fintech & Emerging Payment Systems, July 2020
- *The State of NFT Regulation*, NFT.NYC 2020, New York City, February 2020
- *Payments & Payment Systems*, State Bar of Georgia, Atlanta, February 2020
- *Money Transfers: Regulation & Compliance*, International Money Transfer & Payments Conference, Miami, November 2019
- *Blockchain & VCs: New Frontiers in Compliance & Regulation*, International Money Transfer & Payments Conference, Miami, November 2019
- 2018 Consumer Financial Services Symposium, December 2018
- *The New Role of the New CFPB*, International Money Transfer & Payments Conference, Miami, November 2018
- Scary Topics and Spooky Trends in FinTech Webinar, November 2018
- *Getting Your House in Order: Best Practices for Fintechs Preparing for Investment/Acquisition*, BayPay & K&L Gates Event, February 2018

- Recent Rules Affecting MSBs: Beneficial Ownership Rule & NYDFS Rule 504, International Money Transfer & Payments Conference, Miami, November 2017
- Future of Blockchain Technology, Panel discussion at Blockchain Technology for Cybersecurity and Social Impact conference, June 2017
- Entering the U.S. Market- Seizing Opportunity, Panel discussion, Toronto, February 2017
- CFPB Servicing Rules Episode VI: Return of the Rulemakings, Webinar, September 2016
- Beyond Regulation: What the CFPB Expects from Payment Processors, Webinar, August 2016
- 870 Pages in 90 Minutes: What the CFPB's Prepaid Proposal Means for Your Business, Webinar, December 2014

## EDUCATION

- J.D., Georgetown University Law Center, 2008 (*Annual Survey Editor, American Criminal Law Review*)
- B.A., Dickinson College, 2003 (*cum laude*)

## ADMISSIONS

- Bar of California
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California
- United States District Court for the Eastern District of California
- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

## LANGUAGES

- Italian

## THOUGHT LEADERSHIP POWERED BY HUB

- 11 March 2026, OCC Proposes Comprehensive Rules to Implement the GENIUS Act That Carry Substantial Market Implications
- 7 March 2026, FinCEN Relaxes the Requirements to Identify the Beneficial Owners of an Institution's Legal Entity Customers

- February 18, 2026, US Asset Management Regulatory Year in Review 2025
- 5 September 2025, Illinois Enacts Its Own Digital Assets Laws
- 19 August 2025, The White House Working Group on Digital Asset Markets Report: What it Means for Stablecoins and Payments
- 5 May 2025, United States: The Continuing Shift to Modern Money Transmission Laws
- 17 March 2025, FinCEN Issues Geographic Targeting Order to Require Certain Money Services Businesses to File CTRs for Smaller Transactions
- March 2025, Loper Bright: Navigating the New Regulatory State and Implications for the Trump Administration Agenda
- 12 February 2025, Lessons From 2024 Anti-Money Laundering Enforcement Actions
- 24 January 2025, President Trump's Executive Order Steering Digital Assets Policy
- 3 January 2025, Massachusetts Revamps Its Money Transmission Law
- 4 October 2024, Cryptocurrency Industry Can Shape California's New Licensing Regime
- 30 September 2024, Good News: California Amends and Delays Its Digital Financial Assets Law
- September 2024, Bank-Fintech Partnerships: Tensions on the Rise
- August 2024, Two Months Left: The FDIC's Proposed Brokered Deposit Rule - What You Need to Know
- 28 August 2024, Banking Regulators' Growing Concerns Over Bank-Fintech Partnerships
- 2 July 2024, Recent Supreme Court Decisions Could Significantly Impact the Payments Industry
- 22 May 2024, The CFPB Turns Its Focus To Credit Card Reward Programs
- 2 February 2024, The Aloha State Finally Welcomes Crypto
- 17 January 2024, CFPB Aiming to Oversee Digital Payments
- 21 November 2023, California is Seeking Industry Input on New Crypto Rules
- 08 November 2023, CFPB Wants to Oversee Large Nonbank Digital Payment Providers
- 23 September 2023, The Power of the Purse: Supreme Court Hears Argument on Constitutionality of CFPB Funding Structure
- 17 October 2023, California Enacts Landmark Crypto Licensing Law
- 28 September 2023, The Coming Generative AI Revolution: The Impact on Fintechs and Banks
- 25 September 2023, Connecticut Stifles Employees' Access to Their Earned Wages
- 5 June 2023, CFPB Raises Alarms Without Providing All the Facts

- 6 March 2023, In a Rare Decision on Abandoned Property Law, The US Supreme Court Rules Against Delaware
- February 2023, Decoding Digital Assets: Blockchain, Crypto, and NFTs - Part II
- 4 January 2023, "Joint Statement on Crypto-Asset Risks to Banking Organizations" Will Significantly Impact Cryptocurrency Companies and Their Banking Relationships
- 27 December 2022, Alaska Will Require Licensing for Crypto Money Transmitters
- 29 November 2022, MiCA – Overview of the New EU Crypto-Asset Regulatory Framework (Part 3)
- 21 November 2022, MiCA – Overview of the New EU Crypto-Asset Regulatory Framework (Part 2)
- 15 November 2022 , MiCA – Overview of the New EU Crypto-Asset Regulatory Framework (Part 1)
- 18 August 2022, Federal Reserve Doubles Down on Oversight of Crypto Activities for Banks
- 14 July 2022, Forthcoming New York Law Expands Protections For Credit Card Reward Points
- 7 July 2022, Louisiana Proposes Administrative Rules for Virtual Currency Businesses
- 30 June 2022, The NFT Collection: A Brave NFT World – A Regulatory Review of NFT's (Part 2)
- 21 June 2022, On Heels of Crypto Legislative Activity, NYDFS Follows Up With Crypto Stablecoin Guidance
- 14 June 2022, NY Lawmakers Approve Pair of Crypto Bills on Final Day
- 2 June 2022, California Soliciting Comments on Potential Regulation of Crypto Products and Services
- 10 May 2022, California's Executive Order Embraces Crypto
- 26 January 2022, The Fed Wants Your Input On A Potential Digital Dollar
- 9 November 2021, Nebraska's Play for a Piece of the Digital Asset Pie
- 3 November 2021, The Future of Stable (Bank) Coins?: President's Working Group on Financial Markets Urges Legislation Limiting Stablecoins to Insured Banks
- 28 October 2021, Fintech Forward: The Intersection of Cryptocurrencies and NFTs
- 6 October 2021, California Imposes Additional Requirements on Money Transmitters
- 27 August 2021, Satoshi Goes to Washington: Senator Toomey Issues RFI to Inform Digital Asset Legislation
- 22 July 2021, Fintech Forward: Payments Across the Globe Miniseries - Trends in Singapore
- 6 July 2021, Never Ending True Lender Uncertainty
- 24 June 2021, Fintech Forward: Payments Across the Globe Miniseries - Trends in Germany
- 10 June 2021, Fintech Forward: Payments Across the Globe Miniseries - Cryptocurrencies and Digital Assets in the U.S.

- 8 June 2021, Crypto and Digital Asset Businesses Take Note - Capitol Hill Legislators and Regulators are Turning Up the Heat Even More on Cryptocurrencies
- 25 May 2021, Taking Bitcoin to the Bank: FDIC Seeks Comments on Bank Services for Digital Assets
- 22 April 2021, Fintech Forward: Payments Across the Globe Miniseries - Trends in Australia
- 25 March 2021, The Coming Blockchain Revolution in Consumption of Digital Art and Music: The Thinking Lawyer's Guide to Non-Fungible Tokens (NFTs)
- 23 March 2021, First Cannabis-related Business SARs Penalty Against a Depository Institution
- 2 February 2021, It's Groundhog Day for Payments! A New US Administration, a New UK Brexit: The Continuing Cycle of Change Keeps Banks and Fintechs on their Toes!
- 16 October 2020, European Commission's legislative proposals on crypto-assets and DLT
- 1 October 2020, California Enacts "Mini-CFPB" Law, Significantly Altering Financial Services Regulation in the State
- 21 September 2020, CSBS Rolls Out Joint Examination Initiative for Nationwide Payments Firms
- 14 September 2020, Remittance Companies in CFPB's Crosshairs
- 29 July 2020, The OCC Tells Cryptocurrency Holders to Take It to the Bank: National Banks and FSAs Can Now (Definitively) Provide Custodial Services for Cryptocurrency
- 13 July 2020, New York (More) Open for (Crypto) Business: NYDFS Proposes Important Changes to the BitLicense
- 27 June 2020, An Empire State Glimmer of Hope for Crypto
- 21 May 2020, COVID-19: Its Impact on Banking, Fintech, and Payments: FAQs Part 2
- 15 April 2020, COVID-19: A Boom or Bust for Digital Assets, Cryptocurrencies and Stablecoins?
- 8 April 2020, COVID-19: Impacts on Banking, FinTech & Payments: "Meet the Lawyers" Q&A Session
- 1 April 2020, COVID-19: Its Impact on Banking, Fintech, and Payments: FAQs
- 24 February 2020, The Massachusetts Supreme Judicial Court Considers the Effect of a State-Mandated Default Notice on the Validity of Non-Judicial Foreclosures
- 16 December 2019, To List or Not to List? NYDFS Seeks Comment on Proposed Rules Authorizing Bitlicensees to Self-Certify Cryptocurrency Listings
- 12 December 2019, US Consumer Financial Protection Bureau Seeking Comments on Proposed Remittance Rule Revisions
- 28 August 2019, Rhode Island & Nevada Enter the Cryptocurrency Fray
- 27 June 2019, New FATF Guidance Will Significantly Impact the Crypto Industry

- 1 May 2019, CFPB Seeking Comments On Possible Remittance Rule Revisions
- 25 February 2019, Fintech Forward: Blockchain, ICOs, and Cryptocurrencies
- 13 February 2019, Trouble in Paradise: Florida Court Rules that Selling Bitcoin is Money Transmission
- 13 February 2019, California Regulator Seeking Comments on “Agent of the Payee” Exemption to Money Transmission Law
- 28 June 2018, Vermont Signals Broad Interpretation of Money Transmitter Law
- 6 June 2018, Understanding the Effect of Wyoming’s Blockchain and Cryptocurrency Legislation
- 4 June 2018, Understanding the Effect of Wyoming’s Blockchain and Cryptocurrency Legislation
- 19 April 2018, New York Attorney General Launches Fact-Finding Mission into Virtual Currency Exchanges; Exchanges Divided on Response
- 12 March 2018, Lurking Beneath the Surface: UDAP Claims in ICO Litigation
- 7 November 2017, Newly Released Virtual-Currency Businesses Act Augurs Increased State Regulation of Bitcoin, Ether, and other Digital and Crypto Currencies
- 17 August 2017, OCIE Observations from the Second Round of Cybersecurity Examinations
- 13 July 2017, New York moves money transmitters to NMLS
- 4 April 2017, U.S. Supreme Court Sides with Merchants in Credit Card Surcharge Case, But the Fight Isn’t Over Yet
- 26 March 2017, Financial Inclusion and Robust Regulation Are on the Table as OCC Pushes Ahead With Fintech Charter
- 21 March 2017, Financial Inclusion and Robust Regulation Are on the Table as OCC Pushes Ahead With Fintech Charter
- 24 January 2017, Automobile Companies Collide With Payment Providers
- 28 December 2016, Down But Not Out: The CFPB’s Future May Be Uncertain, But Industry Participants Must Remain Vigilant
- 7 December 2016, OCC Explores Special Purpose National Bank Charter for FinTech Companies
- 6 December 2016, OCC Explores Special Purpose National Bank Charter for Fintech Companies

## OTHER PUBLICATIONS

- [“Lessons from 2024 Bank Secrecy Act / Anti-Money Laundering Enforcement Actions,”](#) *The Banking Law Journal*, May 2025
- [“Call For Input Shows How Banks, Fintechs Can Address Risks,”](#) *Law360*, 7 November 2024

- [“What Shifting Crypto Policy Means For Banks, Market Players,”](#) *Law360*, 9 December 2021
- [“Appendix: 50-State Virtual Currency Regulation Survey, Digital and Digitized Assets: Federal and State Jurisdictional Issues,”](#) *ABA IDPPS Jurisdiction Working Group*, March 2019

## NEWS & EVENTS

- 4 December 2025, K&L Gates Recognized in *Chambers FinTech 2026* Guide
- 21 April 2025, How Fintechs in the United States are Adapting to Dramatic Legislative and Regulatory Changes
- 5 December 2024, K&L Gates Ranked in *Chambers FinTech 2025* Guide
- 15 June 2021, Fintech Meetup, hosted by Discover Global Network
- 1 June 2021, Summer of Learning Series: NFTs - A "flash in the pan"? Or a true "game-changer?"
- 24 February 2020, K&L Gates Names 41 New Partners Across Global Platform

## OTHER MEDIA MENTIONS

- Quoted, [“A crypto-friendly Trump administration could reopen crypto to banks,”](#) *ABA Banking Journal*, 25 March 2025
- Quoted, [“JP Morgan Says Bitcoin ETF Approval Won't Ease US Regulatory Blow Stakeholders,”](#) *0XZX (China)* (Translated), 14 November 2023
- Cited, [“The Risks of Storing Money in Apps Like Venmo and Cash App,”](#) *The New York Times*, June 2023

## AREAS OF FOCUS

- Payments, Banking Regulation, and Consumer Financial Services
- Appellate Litigation
- Data Protection, Privacy, and Security
- Financial Institutions and Services Litigation
- Fintech Lending

## INDUSTRIES

- Digital Assets, Blockchain Technology, and Cryptocurrencies
- Financial Services
- Fintech

- Technology

## REPRESENTATIVE EXPERIENCE

- Counseled various cryptocurrency and fintech companies regarding laws related to payments and banking, including state "money transmitter" laws, federal anti-money-laundering and "money service business" laws, the Electronic Funds Transfer Act and Regulation E, payment association rules, consumer credit laws, state gift certificate laws, state unclaimed property, state and card network surcharge rules, and escheat laws.
- Represented investors, investment firms, and other companies in the M&A process in executing regulatory due diligence on consumer financial services laws, including those implicated by companies offering payments, e-commerce, fintech, digital asset, and retail banking products.
- Advised digital asset exchange businesses on the implication of federal and state consumer financial services laws, securities laws, and commodity derivative laws.
- Represented multiple startup clients in corporate and regulation work, including fintechs, stablecoin and NFT issuers, DAOs, DeFi protocols, custodial and noncustodial wallet providers, and mining companies.
- Advised depository, nondepository, and other financial services companies on the applicability of consumer financial services laws such as those governing tax refund anticipation loans, authorized agents and delegates for payment companies, check cashing, and escrow and lender licensing. Created surveys of such laws.
- Represented a public defender's office in submitting an amicus brief to the US Supreme Court, arguing against the constitutionality of certain state statutes of limitations claims arising under 42 USC Section 1983 actions.
- Counseled various companies regarding laws related to virtual currency, including state "money transmitter" laws, federal anti-money-laundering and "money service business" laws, and state and card network surcharge rules.
- Represented a venture capital firm in investment in a cryptocurrency platform offering an institutional-grade lending infrastructure to interoperate with decentralized finance protocols (DeFi).
- Represented an international stablecoin issuer in designing and launching stablecoins, navigating state and federal money transmission laws.
- Aided an Australian cryptocurrency broker to obtain money transmission licenses in all 50 states.
- Developed terms of service and policies for virtual currency companies.
- Counsel and aid several clients in navigating or avoiding money transmitter laws, including by providing a state-by-state survey.
- Advised a game developer on the design of its mobile application, including implications laws governing gaming, money services, and securities.