

Perkins Coie Grows NY Office With Ex-BNY Mellon Atty

By Jon Hill

Law360 (September 3, 2019, 7:54 PM EDT) -- Perkins Coie said Tuesday that it has bolstered its financial transactions practice and fintech industry group with the addition of a former Bank of New York Mellon associate general counsel and managing director.

Linc Finkenberg departed BNY Mellon last month and has joined Perkins Coie's New York office as a partner, bringing with him a wealth of corporate trust expertise, risk mitigation skill and legal technology know-how that he built over his roughly 14-year career at the world's biggest custody bank.



Lincoln Finkenberg

"The rapid pace of innovation is striking; it's changing how business gets done and how lawyers counsel, and Perkins Coie is a great firm and at the forefront," Finkenberg said in a statement. "The people, culture, entrepreneurial spirit and emphasis on technology made this a great fit and I'm incredibly excited."

At BNY Mellon, Finkenberg rose to become global practice head for the bank's corporate trust business, which was acquired from JPMorgan Chase & Co. in a 2006 deal that he worked on.

He also advised on other major transactions during his time at the bank — including the acquisition of another global bank's government securities clearing business — managed legal teams across multiple business areas, played an active role in shepherding post-crisis litigation facing the bank and led the formation and acquisition of trust banks in Latin America, Europe and Asia, according to his new firm.

Finkenberg told Law360 that a significant portion of his work at Perkins Coie will relate to representing trustees in debt issuances and advising on risk mitigation. He said he's also eager to help clients navigate preparations for the impending industrywide transition away from the London Interbank Offered Rate, having seen the challenges firsthand at BNY Mellon.

"You're going to have to look at your contracts, you're going to have to understand what the LIBOR language says, you're going to have to understand if it's a structured vehicle, what the responsibilities are of various parties, if it's a floating rate note, whose responsibility it is to do X and Y," Finkenberg said. "Preparedness is going to be a very significant undertaking."

But Finkenberg sees a big role here for technologies like artificial intelligence and machine learning that

can quickly and accurately analyze millions of pages of legal documents, pointing to his experience with BNY Mellon's use of similar computer-assisted methods to chew through countless contracts as part of the resolution planning process.

Those technologies are already becoming common in other legal industry contexts, such as document review and discovery, and Finkenberg believes they will find increasing application in the financial transactions context to boost productivity and complement higher-order skills.

"I think you're going to start to see some of this technology assist lawyers in doing some of that lower part of the pyramid work, if you will," said Finkenberg, who has taken a deep interest in legal technology and himself has coded in Java. "Perkins is a firm that's pretty good at technology and pretty open to these kinds of things, so that was another factor for me."

Finkenberg also cited his longstanding relationship with Ron Sarubbi, who chairs Perkins Coie's financial transactions practice, as an additional "big factor" in his decision to join the firm. In a statement on Tuesday, Sarubbi said he and his colleagues are "pleased to welcome a lawyer of Linc's caliber to the firm."

"Demand for our fintech and corporate trust legal services continues to grow, and Linc is one of New York's most experienced attorneys in this area," Sarubbi said. "Linc will be a significant asset to our bank clients with his wide-ranging global knowledge of trust banks, and also to our broader cross-practice collaboration, including litigation, restructuring, bankruptcy, enforcement and investigations."

Finkenberg has a law degree from New York University School of Law and graduated from Baruch College with an undergraduate degree in accounting and finance.

--Editing by Jack Karp.