

TIMOTHY D. NAEGELE  
& ASSOCIATES

**TIMOTHY D. NAEGELE**

**Concentration** Government Regulation, Financial Institutions Law, Banking Law, Federal Law, Financing, Internet Law, Legislation, Litigation, Regulation

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**Experience** 1973-present:

Timothy D. Naegele & Associates, Washington, D.C., and Los Angeles (1977-present). Partner, Brownstein, Zeidman & Schomer, Washington, D.C. (1973-1977). General practice of law, with emphasis on litigation and matters pertaining to federal and state regulation, and U.S. financial institutions (i.e., banks, holding companies, savings banks, thrifts and credit unions). Involves the practice of administrative law before federal and state regulatory agencies, and the representation of clients before the Congress.

Has written the financial institutions laws of the State of Maine, which now appear as Title 9-B of the Maine Revised Statutes Annotated; served as special consultant to the State of California on matters pertaining to financial institutions; was special consultant to the Federal Deposit Insurance Corporation, and testified as an expert witness on its behalf in connection with litigation arising from the failure of a national bank; and has represented various banks, holding companies, and other clients in connection with legislative matters, mergers and acquisitions, branching matters, supervisory problems, and other legislative and regulatory concerns, including Standby Letters of Credit.

1971-1972:

Administrative Assistant and chief of staff to Presidential Medal of Freedom and Congressional Gold Medal recipient and former U.S. Senator Edward W. Brooke (R-Mass). Advisor, speechwriter; directed

staff through re-election campaign.

1969-1971:

Assistant Counsel, Committee on Banking, Housing, and Urban Affairs, United States Senate, Washington, D.C. Responsible for speech writing and legislative matters pertaining to banking, securities, international trade, and housing (e.g., participated in drafting various provisions of the following Acts, in addition to assorted bills on various subjects, such as the Export Expansion and Regulation Act of 1969, the Bank Holding Company Act Amendments of 1970 [authored its Anti-Tying Provision, which is the only federal antitrust law enacted by Congress that deals specifically with predatory lending practices by banks and other financial institutions], the Housing and Urban Development Act of 1969 and 1970 [authored the "Brooke Amendment" relating to public housing; and the national "Housing Allowance" program, which morphed into the Section 8 housing program that has helped millions of Americans]). Staffed Presidential Commission on Mortgage Interest Rates (1969).

On behalf of Senator Edward W. Brooke, established a summer program for disadvantaged kids in Massachusetts, in conjunction with the Pentagon, which involved underutilized military facilities within the state (e.g., the Boston Navy Yard, Otis Air Force Base) and served approximately 100,000 kids during its first year alone. Traveled from Washington, D.C. to Massachusetts with then-Secretary of Defense Melvin R. Laird and Senator Brooke to review the program and its progress.

1967-1969:

Captain, United States Army. Assigned to U.S. Army Element, Defense Intelligence Agency (DIA), The Pentagon, Washington, D.C. Received Joint Service Commendation Medal.

1966-1967:

Attorney, Morrison & Foerster, San Francisco, California

## **Education**

L.L.M., Georgetown University, 1969. Served on the Board of Editors of Law and Policy in International Business, an international business law publication of the law school.

L.L.B., School of Law (Boalt Hall), University of California, Berkeley, 1966.

A.B., Economics, University of California at Los Angeles, 1963.

University of California, Santa Barbara, 1958-1962. Vice President, Freshman Class; President, Sophomore Class; Vice President, Associated Students. Member, Board of Directors, UCSB Alumni Association, 1980-86; Trustee, UCSB Foundation, 1987-1990.

[As President of the Sophomore Class at UCSB, produced concerts that made money for the class and appealed to the student body as a whole, featuring (1) the terrific blind jazz pianist, George Shearing who performed at UCSB's Gymnasium; and at the Santa Barbara Bowl, (2) the Kingston Trio performed, which was the top act on American college campuses at the time. Also, to earn extra money, produced concerts independently featuring (3) pianist Roger Williams at the Exhibit Building of Santa Barbara's Earl Warren Showgrounds; and featuring (4) a revival of the World War II-vintage Glenn Miller Band—including some of its original performers—at Santa Barbara's historic Grenada Theatre.]

#### **Publications**

"*Civilian Complaints Against the Police in Los Angeles*", Issues in Criminology, University of California, Summer, 1967; "*Are All Bank Tie-Ins Illegal?*", The Bankers Magazine, Summer, 1971; "*Standby Letters of Credit and Other Bank Guaranties*", Compendium of Major Issues in Bank Regulation, Committee on Banking, Housing and Urban Affairs, United States Senate, 1975; "*The Anti-Tying Provision: Its Potential Is Still There*", 100 Banking Law Journal 138 (1983); "*The Guaranteed Student Loan Program: Do Lenders' Risks Exceed Their Rewards?*", 34 Hastings Law Journal 501 (1983), "*The Bank Holding Company Act's Anti-Tying Provision: 35 Years Later,*" 122 Banking Law Journal 195 (March 2005). Also numerous articles, for example in the American Banker.

#### **Reported Cases**

*Downriver Community Federal Credit Union v. Penn Square Bank*, 879 F.2d 754 (10th Circuit 1989); *Bender v. CenTrust Mortgage Corp.*, 833 F.Supp. 1525 (S.D. Fla. 1992); *Bender v. CenTrust Mortgage Corp.*, 833 F.Supp. 1540 (S.D. Fla. 1992); *Bender v. CenTrust Mortgage Corp.*, 51 F.3d 1027 (11th Cir. 1995).

#### **Transactions**

Acquisitions: Southern California Savings by The Securities Groups (1982); Fidelity Federal Savings and Loan of Baltimore (1984), American Heritage of Illinois (1984), Fidelity Savings & Loan of Martins Ferry, Ohio (1985), Brighton Federal of Colorado (1985), and Century Savings of Kansas (1985) by Household Bank, F.S.B.; and United Bank of San Francisco by Hibernia Bancshares Corporation (1986).

<b>Affiliations</b>	District of Columbia Bar, Federal Bar Association (Chairman, Banking Law Committee, 1971-1974; Vice Chairman, Council on Financing, 1974-1975; Chairman, Council on Financial Institutions and the Economy, 1975-1976; Member, Executive Council of Banking Law Committee, 1975-present), Phi Delta Phi International Legal Fraternity, Blue Key National Honorary, Sigma Alpha Epsilon Fraternity, UCLA Alumni Association (Life Member), UCSB Alumni Association (Life Member), DIA Alumni Association.
<b>Certifications</b>	District of Columbia Court of Appeals, United States Courts of Appeals (Ninth Circuit, Tenth Circuit and Eleventh Circuit), U.S. District Courts (Northern District of California, Central District of California, District of Columbia, Southern District of Florida [Pro Hac Vice, re: pending case], District of Nebraska, District of Nevada [re: pending case]), United States Court of Federal Claims.
<b>Recognition</b>	Martindale-Hubbell Peer Review Rating of "AV® Preeminent™ 5.0 out of 5," which is the highest numeric rating for an attorney within Martindale-Hubbell's AV rating category, its top rating category; and meets "Very High Criteria of General Ethical Standards." Also, Who's Who in America, Who's Who in American Law, and Who's Who in Finance and Business.
<b>Recreation &amp; Hobbies</b>	Outdoor sports, especially hiking and golf; studied photography with Ansel Adams, and continues to do landscape photography.
<b>Party Affiliation</b>	Independent