

Mark W. Harris

Partner

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Mark Harris is a partner in Alston & Bird's Finance Group and co-leader of the Auto Finance Team. He represents issuers, underwriters, sellers, servicers, and other transaction participants in domestic and cross-border public and private securitization transactions involving single-family and commercial/multifamily mortgage loans, home equity loans, automobile loans and leases, secured and unsecured consumer receivables, credit card receivables, commercial office leases, life settlements, timeshare receivables, and other financial assets. He represents publicly and privately held mortgage banking and consumer finance companies in state and federal regulatory compliance matters, warehouse lines of credit, loan sale, servicing and derivative transactions, strategic alliances, and corporate governance matters.

Mark's transactional experience includes mergers and acquisitions and general corporate finance transactions, including representation of issuers and underwriters in public and private offerings of senior/subordinated debt securities and equity securities and representation of borrowers and lenders in secured and unsecured commercial credit facilities.

Mark received the International Law Office Client Choice Award for Securitization and Structured Finance in Texas in 2013 and in the United States in 2011. He was also named to the 2020 edition of *The Best Lawyers in America*® in the areas of securitization and structured finance law and banking and finance law.

Representative Experience

- Represented a mortgage banking subsidiary of a national bank as the issuer in connection with securitizations of nonconforming jumbo mortgage loans and home equity lines of credit.
- Represented a subprime auto finance company as issuer in connection with warehouse financings and securitizations of subprime auto receivables.
- Represented an international auto manufacturer in the acquisition of a publicly traded subprime auto finance company.
- Represented a private equity fund as purchaser and lender in connection with portfolio acquisitions and warehouse financings of subprime auto receivables.
- Represented a private equity fund and related entities as the borrower in connection with portfolio acquisitions and warehouse financing of life settlements.
- Represented various consumer finance companies as issuer in connection with warehouse financings and securitizations of home equity loans (including Title I loans).
- Represented a subprime auto finance company as issuer in filing shelf registration statements for issuance of renewable subordinated unsecured notes.
- Represented a subprime auto finance company in connection with a strategic alliance with a national auto auction company.

- Represented a mortgage REIT as issuer in connection with a shelf registration statement for structured equity offerings.
- Represented a private equity fund as lender in various asset-based lending transactions.
- Represented an underwriter in connection with the first credit-tenant-lease commercial mortgage securitization to rely on Mexican credit.
- Represented state and federal financial institutions in the establishment of temporary mortgage purchase programs.

Publications & Presentations

Publications

- “What Can Be Expected in Structured Finance and Securitization for 2018?” *Bloomberg BNA Banking Report*, February 2, 2018.
- “Securitization Readiness Considerations for Consumer Finance Companies,” in *Securitization: Legal and Regulatory Issues*, Law Journal Press, 2016.
- “BNA Insights: So You Think You Want to Securitimize—Big Picture Considerations for Consumer Finance Companies,” *Bloomberg BNA*, June 27, 2016.
- “The Myths and Merits of MERS,” *The National Law Review*, September 25, 2012.

Professional & Community Engagement

- Dallas Bar Association
- State Bar of Texas
- American Bar Association, Section on Business Law, Committee on Developments in Business Financing, Subcommittee on Securitization of Assets
- Structured Finance Association, RMBS 3.0 Taskforce, Reg AB II Taskforce

Education

- Southern Methodist University (J.D., 1991)
- Southern Methodist University (B.B.A., 1988)

Admitted to Practice

- Texas

Related Services

Structured & Warehouse Finance | Corporate & Finance | Private Equity | Finance | Equipment Leasing | Auto Finance