

SULLIVAN & CROMWELL LLP

Lawyers



Michael T. Escue

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Michael Escue is a member of the Firm's Financial Services Group with a primary focus in the areas of banking regulation and supervision. He serves as the Associate Development Partner for the Financial Services Group with the responsibility for staffing and training associates.

He advises numerous U.S. and non-U.S. banks and other financial institutions regarding U.S. banking laws and regulations, including those related to financial reform, investments, activities and mergers and acquisitions; merchant banking; affiliate transactions (Regulation W); insider transactions (Regulation O); initial entry into the United States by non-U.S. banks and international operations of U.S. banks (Regulation K); and enforcement matters.

Mr. Escue represents institutions with both federal and state bank regulatory agencies including the Board of Governors of the Federal Reserve System, Federal Deposit Insurance Corporation, Office of Comptroller of the Currency and the New York State Department of Financial Services.

Publications

- "Guidelines Establish Heightened Standards for Banks and Boards" *New York Law Journal*, Oct. 22, 2014
- "Insight Regarding Consideration of Banking Applications and Notices" *New York Law Journal*, June 16, 2014
- "Limits on Physical Commodities Activities" *New York Law Journal*, March 13, 2014
- "First CFPB Public Enforcement Action Offers Insight Into Agency Expectations" *New York Law Journal*, August 29, 2012
- "OCC and Federal Reserve Diverge on Calculations of Credit Exposure" *New York Law Journal*, July 23, 2012
- "Federal Reserve Approvals Offer Insight into New Financial Stability Analysis" *New York Law Journal*, March 30, 2012

SELECTED REPRESENTATIONS

PRACTICES & CAPABILITIES

General Practice

Financial Services

Bank Regulatory

EDUCATION

1998, West Virginia University College of Law, J.D.

1992, West Virginia University, B.S.

BAR ADMISSIONS

New York

- The **Goldman Sachs Group, Inc.** in becoming a bank holding company in September 2008 and ongoing advice regarding bank regulatory matters related to conformance with banking laws and its global operations including:

- the acquisition of GE Capital Bank's online deposit platform and assumption of its online deposits;
- an investment in DONG Energy (Denmark);
- the sale of a controlling interest in Rothesay Life (United Kingdom);
- the acquisition of a controlling interest in Hastings Insurance (United Kingdom);
- an investment in Taikang Life Insurance Company (People's Republic of China);
- an investment in Industrial and Commercial Bank of China (PRC);
- obtaining confirmation from the Federal Reserve that Goldman Sachs would not be deemed to control Moneygram International;
- an investment in Huarong Asset Management (PRC); and
- an investment in SKBHC Holdings Inc., a bank holding company.

- **Allianz AG** in connection with U.S. bank regulatory matters related to its ownership of Dresdner Bank AG, the combination of Dresdner with Commerzbank AZ and the subsequent divestiture of control of Commerzbank and with respect to Allianz's investment in Hartford Financial.

- **American Express Company** in becoming a bank holding company in October 2008 and ongoing advice regarding bank regulatory matters related to conformance with banking laws and its global operations including:

- the reorganization of its U.S. banking organization, including the conversion one of its wholly owned U.S. depository institution subsidiaries, American Express Centurion Bank, from a Utah-chartered industrial bank into a national bank named American Express National Bank.

- **The Bank of New York Co.** in connection with the merger of The Bank of New York Co. and Mellon Financial Corp.

- **J.P. Morgan Asset Management** in its passive, minority investment in Global X Management Company LLC.

- A key investor in **AmericanWest Bank** in connection with AmericanWest's definitive agreement with Banner Corporation, the holding company for Banner Bank and Islanders Bank, pursuant to which AmericanWest's holding company merged with and into Banner and AmericanWest Bank merged with and into Banner Bank.

- **CapGen Financial** in the establishment of its funds designed to make controlling interests in bank holding companies and ongoing bank regulatory advice related to acquisitions and sales by CapGen funds of interests in PacWest Bancorp; Seacoast Banking

Corporation; Jacksonville Bancorp; Hamptons Roads Bankshares; Palmetto Bancshares; and The BANKshares, Inc.

- **Capital One** in a reorganization of its U.S. banking operations.
- **AmSouth Bancorporation** in connection with the merger of Regions Financial and AmSouth Bancorporation and the merger of their subsidiary banks.
- **UBS AG** in ongoing bank regulatory matters including in connection with the establishment of branches located in the United States.
- **Mitsubishi Tokyo Financial Group, Inc.** in connection with its merger with UFJ Holdings, the merger of The Bank of Tokyo-Mitsubishi and UFJ Bank, the merger of The Mitsubishi Trust and Banking Corporation and UFJ Trust Bank, and the merger of Mitsubishi Trust & Banking Corp. (USA) and UFJ Trust Bank of New York.

RANKINGS & RECOGNITION

- *Chambers USA: America's Leading Lawyers for Business* – recognized as a leading lawyer in Financial Services Regulation: Banking (2008–2022)
- *Chambers Global* – recognized as a leading lawyer in Banking & Finance: Mainly Regulatory (2014–2021)
- *IFLR1000* (2008–2021)
- *New York Super Lawyers* in the Banking category (2009–2017)
- *Who's Who Legal* – Banking (2018)