BRG

INTELLIGENCE THAT WORKS

Curriculum Vitae

DAVID E. ABSHIER

Managing Director | BRG
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Managing Director at BRG and a financial services leader with more than thirty years of experience across banking, supervision, and financial institutions consulting. Former senior federal bank examiner and bank executive. Advises boards, executives, counsel, and regulatory agencies in the United States and internationally on bank governance, risk management, regulatory remediation, lending, consumer protection, BSA/AML, and financial crime.

Combines bank executive and regulatory experience with expert analysis of banking standards of care, credit and underwriting practices, mortgage securitization, compliance, and fraud detection and prevention. Experience includes service as chief credit officer, chief risk officer, compliance director, and BSA/AML officer, as well as leadership responsibilities in bank operations.

EDUCATION & PROFESSIONAL TRAINING

BS, International Finance/Business Administration | University of Southern California | 1983

Certified Federal Thrift Regulator | Office of Thrift Supervision – Federal Banking School | 1992

Executive Management Development Program | University of Southern California | 1995

Corporate Governance: Maximize Your Effectiveness in the Boardroom | The Wharton School | Certificate Program (Virtual) | 2022

PRESENT EMPLOYMENT

BRG | 2010–Present

Managing Director | Los Angeles, CA

Provides independent expert and advisory services to financial institutions, law firms, and regulatory agencies in the United States and internationally. Engagements address enterprise risk management, strategy, governance, regulatory remediation, compliance, independent lookbacks, transaction monitoring, and litigation and dispute support. Typical institutional clients have $5 billion to more than $1 trillion in assets.

PREVIOUS POSITIONS

The Secura Group, LLC & Secura, an LECG Company | 2001–2010

Principal | Los Angeles, CA

Advised on litigation support, de novo formation, credit management, underwriting, servicing, securitization, loan loss reserves, BSA/AML/OFAC, organizational assessments, and consumer compliance. Assisted institutions facing financial distress or systemic regulatory challenges with enforcement matters, corrective actions, and remediation.

Abshier & Associates | 1997–2001

Principal | Fullerton, CA

Advised banks, loan servicers, and mortgage banking companies on credit administration, workouts, strategic planning, litigation support, commercial and subprime lending, mortgage securitization and servicing, investor operations, profitability, and project management. Conducted operational, risk, compliance, fair lending reviews, developed policies, procedures, and business continuity plans.

First Fidelity Thrift and Loan | 1996–1997

Vice President and Chief Credit Officer; Vice President and Risk Assessment Manager | Irvine, CA

As the chief credit officer, chaired the Loan, Internal Asset Review, and BSA/Compliance/CRA Committees. Directed credit approval, administration, workouts, portfolio reviews, underwriting, funding, and closing; oversaw financial crime compliance and reported material issues to executives and the board.

Increased loan closings by 190% and reduced audit and quality-control deficiencies by 79% through improved processes and internal controls.

Established suspicious-activity and fraud monitoring, standardized credit policies, and staff operating instructions, reduced consumer compliance exceptions.

As risk assessment manager, reported to the board chair and managed enterprise risk mitigation, internal asset review, and oversight of internal audit, compliance, security, BSA/OFAC/sanctions, and CRA officers. Implemented credit review for loans exceeding $300,000 and strengthened lending, accounting, and branch controls.

Long Beach Financial Services | 1993–1996

Corporate Compliance Manager | Orange, CA

Reported to the board and oversaw safety and soundness and consumer compliance for a significant mortgage-backed securities originator. Served on senior management committees covering asset review, asset/liability management, financial crime, expansion, and information systems. Developed a compliance program and strategic plan that contributed to examination rating upgrades in consumer compliance and safety and soundness. Trained senior management on banking regulation, credit losses, risk, fair lending, securitization, and fair credit reporting.

Office of Thrift Supervision | 1988–1993
Senior Bank Examiner – Certified Federal Thrift Regulator | Irvine, CA
Led examination teams of up to fifteen examiners and conducted examinations of institutions with $30 million–$4 billion in assets. Evaluated financial performance, strategy, risk management, financial crime, securitization, compliance, asset classification, and board and management effectiveness. Presented findings to boards and advised on controls, risk mitigation, and profitability.

Union Bank | 1986–1988
Financial and Credit Analyst | Los Angeles, CA
Developed branch profitability reports covering monthly asset and liability performance; presented results to executives and recommended resource allocations.

Rockwell International | 1985–1986
Statistical Analyst | El Segundo, CA
Managed cost control and reporting for the B-1B Program and presented performance reports to the U.S. Air Force.

Security Pacific National Bank | 1983–1985
Branch Supervisor | Los Angeles, CA
Assisted in managing a full-service branch, including wires, electronic funds transfers, and cash transactions. Supervised fifteen staff members and completed the bank's Management Training Program.

PROFESSIONAL PROFILE

Managing Director at Berkeley Research Group and a financial services leader with more than thirty years of experience across banking, supervision, and financial institutions consulting. Former senior federal bank examiner and bank executive. Advises boards, executives, counsel, and regulatory agencies in the United States and internationally on bank governance, risk management, regulatory remediation, lending, consumer protection, BSA/AML, and financial crime.

Combines bank executive and regulatory experience with expert analysis of banking standards of care, credit and underwriting practices, mortgage securitization, compliance, and fraud detection and prevention. Experience includes service as chief credit officer, chief risk officer, compliance director, and BSA/AML officer, as well as leadership responsibilities in bank operations.

EXPERT QUALIFICATIONS & TESTIMONY SUMMARY

Designated as an expert in more than fifty dispute matters; deposed more than twenty times; and provided trial testimony more than ten times. Experience includes federal and state courts, OCC administrative proceedings, bankruptcy courts, arbitration, and mediation.

Qualified in federal court in credit risk management, lender liability, residential and commercial mortgage securitizations, automated loan underwriting, loan processes, consumer protection, compliance management, BSA, and money laundering.

Qualified in OCC administrative proceedings in risk management, enterprise risk management, bank governance, standards of care, and bank regulation.

Expert opinions address banking standards of care, breach-of-contract disputes, regulatory expectations, bank operations, fraud detection, and prevention, and unfair, deceptive, or abusive acts or practices (UDAAP).

SELECTED REPRESENTATIVE ENGAGEMENTS

Enterprise risk management, governance, and compliance: Built enterprise risk management (ERM) programs and executive dashboards for banks with $1 billion–$20 billion in assets; assessed risk functions and ERM programs at more than twenty banks, including an institution with assets exceeding $1.5 trillion.

Regulatory remediation: Developed and implemented solutions addressing Matters Requiring Attention (MRAs) and Matters Requiring Immediate Attention (MRIAs) for banks with $3 billion–$100 billion in assets; advised on remediation and assessed thousands of regulatory findings at institutions with assets up to $1.5 trillion.

Credit and securitization: Underwrote or re-underwrote tens of thousands of loans and evaluated standards of care across hundreds of residential and commercial mortgage-backed securities transactions.

Financial crime: Led independent lookbacks overseeing billions of transactions and served as acting BSA/AML officer during the COVID-19 pandemic.

Strategic advisory: Served as lead advisor for the establishment of a de novo bank in 2006; conducted liquidity, contingency funding, and bank-resiliency analyses for international commercial banks with assets exceeding $5 billion.

CORE ADVISORY & TECHNICAL EXPERTISE

Strategy, Governance & Enterprise Risk Management

Advises boards and executives on strategic and business planning, organizational structure, de novo formation, mergers and acquisitions, due diligence, restructuring, capital planning, succession, and technology planning. Has advised hundreds of banks. Provides board and executive training regarding regulatory issues and standards of care. Developed risk governance and compliance management programs for more than twenty federally regulated institutions, including policies, risk assessments, risk appetite analyses, and internal controls; conducts process-improvement reviews and enhances reporting to executives and boards.

Credit Risk Management & Securitization

Experience spans credit approval, underwriting, servicing, credit review and grading, problem-loan mitigation, and the allowance for loan and lease losses (ALLL). Developed or assessed loan programs for more than thirty institutions, including an institution with assets exceeding $1.8 trillion, and conducted independent credit reviews for more than thirty institutions. Experience includes mortgage, commercial, and Small Business Administration (SBA) lending, including Paycheck Protection Program loans; residential and commercial mortgage-backed securities; and collateralized mortgage obligations.

Compliance & Consumer Protection

Develops, implements, tests, and validates consumer protection and safety-and-soundness programs. Experience includes the Community Reinvestment Act (CRA), fair lending, the Equal Credit Opportunity Act (ECOA), the Real Estate Settlement Procedures Act (RESPA), the Truth in Lending Act (TILA), the Electronic Fund Transfer Act (EFTA), UDAAP, and elder abuse protections. Work includes hundreds of compliance matters and independent lookbacks covering tens of thousands of transactions and loans. As compliance director for a major residential mortgage lender, oversaw consumer protection compliance for annual loan production exceeding $10 billion, including mortgage-backed securities transactions.

BSA/AML, Sanctions & Financial Crime

Advised regularly on Bank Secrecy Act/anti-money laundering (BSA/AML), Office of Foreign Assets Control (OFAC), sanctions, and financial crime matters for institutions with $300 million to more than $1 trillion in assets. Develops and assesses programs tailored to institutional size, complexity, strategy, and risk profile, addressing the Bank Secrecy Act, USA PATRIOT Act, and guidance from the Federal Financial Institutions Examination Council (FFIEC) and the Financial Crimes Enforcement Network (FinCEN). Work includes risk assessments, risk appetite statements, employee and board training, internal control testing, internal audit, and standards-of-care reviews of fraud detection and prevention practices.

Regulatory Advisory & Remediation

Draws on senior federal examiner experience in safety and soundness, consumer compliance, data security and integrity, and BSA/AML. Advises on regulatory requirements, including large-bank standards, Matters Requiring Attention (MRAs), and Matters Requiring Immediate Attention (MRIAs). Provided enforcement-action remediation and strategy guidance to hundreds of financial institutions.

Operations, Payments & Technology

Assesses banking policies, procedures, standards of care, internal controls, transaction monitoring, and payment processing and transmission, including wires, ACH, Zelle, and Venmo. Together with his team, assesses technology platforms and automation transitions and oversees model validation, technology risk assessments, system security reviews, core-system selection and implementation support, and information technology (IT) internal audit services. Worked on more than thirty operational or technology matters for institutions with $1 billion–$50 billion in assets, as well as fraud-related standards-of-care and contract disputes involving a bank with $1.5 trillion in assets.

TESTIMONY HISTORY

NICbyte LLC et al. v. Community West Bank (Plaintiff)
Deposition – September 2026

Intercontinental Capital Group (Plaintiff) v. United States of America
Deposition – August 2026

Fatima Diallo v. Wells Fargo Bank, N.A., et al (Defendant)

Deposition – April 2026

California Coast Credit Union v. San Diego County Credit Union (Plaintiff)
Deposition – February 2026

Margaret Calvani, et al. v. Citibank, N.A. (Defendant)
Deposition – February 2026

Bank of America, N.A. v. CPQ Solutions (Plaintiff)
Depositions – 2025; Trial Testimony – 2025

USA v. Nathan Reis, et al (Defendant)
Trial Testimony – 2025

The Simmons Charitable Foundation of Oklahoma et al (Plaintiff) v. JP Morgan Chase Bank, N.A. et al (Defendants)
Deposition – June 2024

Kingsbarn DST Borrower, LLC et al (Plaintiff) v. Knights Hill Ireland II DAC and Crayhill Capital Management, L.P. (Defendants)
Deposition – May 2024

Scott Pauker v. CITIBANK, N.A., (Defendant)
Arbitration Testimony – 2024

Pearlman v. Shats, et al. UMRO Realty Corp, DBA The Agency (Defendant)
Deposition – 2023; Trial Testimony – 2023

Dr. Douglas Schottenstein, M.D. and Thompson Real Estate, LLC (Claimants) v. Citibank, N.A. (Respondent) JAMS Ref. No. 1425035175
Arbitration Testimony – 2023

Mercantile Global Holdings, Inc. (Claimants) v. Hamilton M&A Fund SP and Affiliates, (Respondents) AAA NO. 01-22-0004-1325
Arbitration Testimony – 2023

OCC v. Wells Fargo Bank Enforcement Action (Defendant), Notice of Charges for Orders of Prohibition and Orders to Cease and Desist and Notice of Assessments of a Civil Money Penalty
Deposition – 2021; Trial Testimony – 2022

Michael S. Yu, A Law Corporation; My Law Holdings, LLC; and Michael S. Yu v. Bank of The West, Commercial Loan Solutions III, LLC; Commercial Loan Solutions, LLC; Fidelity National Title Company; Delano Retail Center West, LLC, and DOES 1-20, inclusive, Bank of The West (Defendant) Case No. BC562415
Deposition – 2021

JTS Communities, Inc. v. Zions Bank, California Bank & Trust (Defendant) Case No. 34-2017-00213368
Deposition – 2021

Jones (Plaintiff) v. Capital Alliance Advisors, Inc. (Cross Complainant and Defendant) – Case No. 16CV304278
Deposition – 2021; Trial Testimony – 2021

Citizens State Bank (Plaintiff) v. Travelers Casualty & Surety Company of America (Defendant) – Civil Actions No. 6:18-cv-237
Deposition – 2019

Law Debenture Trust Company of New York, solely in its capacity as Separate Trustee of the Securitized Asset Backed Receivables LLC Trust 2006-WM2, (Plaintiff) v. WMC Mortgage, LLC (Defendant) – Case No. 3:12-cv-01538 (CSH)
Deposition – 2016; Trial Testimony – 2018

The Bank of New York Mellon, (Plaintiffs) v. WMC Mortgage, LLC and GE Mortgage Holding, L.L.C., (Defendant) – Case No. 12-CV-07096 (DLC)
Deposition – 2015

CMFG Life Insurance Company, CUMIS Insurance Society, Inc., and Members Life Insurance Company, (Plaintiffs) v. RBS Securities Inc., (Defendant) – Case No. 12-CV-00037-WMC
Deposition – 2014

Campidoglio LLC, Carmen LLC and San Marco LLC v. Wells Fargo & Company, Wells Fargo Bank, N.A. et al – Case No. 2:12-ev-00949-TSZ
Deposition – 2014

Diamond Contract Services, Inc. (Plaintiff) v. Derek Smith., (Defendant) - Ref No. 120047102
Arbitration Testimony – 2013

Bank of America, N.A. (Plaintiff) v. Old Republic Insurance Company (Defendant) - Case No. 3:10-cv-553
Deposition – 2013

Fremont Reorganizing Corporation (Plaintiff) v. David Crisp, et al., (Defendant) - Case No. S-1500-CV-268207-DRL
Deposition – 2011

Fremont Reorganizing Corporation (Plaintiff) v. National Union Fire Insurance Company of Pittsburg, Zurich American Insurance Company, Continental Insurance Company (Defendant) - Case No. SACV-10-00310 JVS
Deposition – 2011

Fremont Reorganizing Corporation (Plaintiff) v. Federal Insurance Company, Continental Insurance Company, (Defendant) - Case No. SACV-09-1208 JVS
Deposition – 2011

Wells Fargo Bank, N.A. etc., (Plaintiff) v. LaSalle Bank National Association, (Defendant)
Deposition – 2009/2010 (Three cases); Trial Testimony – 2009/2011 (Two cases)

City National Bank, (Claimant) v. 14 Crow Canyon Corporation, et al., (Respondents)
Deposition and Arbitration Testimony – 2011

PUBLICATIONS | AUTHOR OR CO-AUTHOR

"Prepare to Formalize Your Risk Assessment." BRG Thinkset, August 2024.

"What's Next for ESG? Challenges and Opportunities in Building a Sustainable Future." BRG Thinkset, Fall 2023.

"As ESG Pressures Mount, Banks Must Incorporate Climate Risks into Their Stress Tests." BRG Thinkset, Fall 2023.

"Emerging Areas of Group and Class Actions Related to ESG Disclosures." ICLG Class and Group Actions Laws and Regulations 2023, November 10, 2022.

"Where Banking and AI Meet: New Quarterly Index Forecasts Bank Health." BRG Thinkset, January 21, 2022.

"Digital Assets Risk Review." BRG Insights, November 10, 2021.

"Congress Passes Corporate Transparency Act." BRG Client Policy Alert, January 2021.

"Mini-CFPB – California's Department of Financial Protection and Innovation." BRG, September 30, 2020.

"BSA/AML Due Diligence – Requirement Updates." BRG, September 24, 2020.

"Get Ready for the New California Consumer Financial Protection Bureau." BRG Thinkset, March 19, 2020.

"OFAC Compliance Guidance Release Detailed." BRG Client Alert, May 28, 2019.