



## Eric L. Johnson

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### Oklahoma

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## PRACTICE AREAS



Automotive and Personal  
Property Finance and Leasing



FinTech



Small Dollar Lending and  
Alternative Consumer Financial  
Services

## Professional Experience

Eric is a partner in the firm's Oklahoma City office and Editor in Chief of CounselorLibrary.com's *Spot Delivery* publication. He assists national and state banks, savings associations, credit unions, mortgage bankers, other licensed lenders, motor vehicles dealers and automotive finance companies in the development and maintenance of nationwide consumer mortgage and automobile finance programs; online motor vehicle sales programs; litigation funding programs; and electronic payment programs. Eric also assists DMS providers of documents and software with federal and state law compliance. He provides responses to regulator examinations; provides comments on proposed statutes and regulations to legislators and regulators; and assists financial services creditors with statutory and regulatory changes occasioned by the Dodd-Frank Act. Eric also assists financial services providers on e-commerce and information technology issues.

Eric is listed in the 2024 edition of *The Best Lawyers in America®* in the practice areas of Banking and Finance Law, Commercial Litigation, Financial Services Regulation Law and Litigation-Banking & Finance. He was named a 2024 Best Lawyer of the Year in Financial Services Regulation Law in Oklahoma City. He chairs Hudson Cook's Marketing Committee.

He was previously an Adjunct Professor at Oklahoma City University School of Law teaching Consumer Law.

Eric serves as Chair to the Legal Committee for the National Automotive Finance Association and is a co-founder and co-instructor of their Consumer Credit Compliance Certification Program. Eric is a Fellow of the American College of Consumer Financial Services Lawyers. He also serves as President of the Governing Committee for The Conference on Consumer Finance Law and as Update Chair of the Financial Institutions and Commercial Law Section of the Oklahoma Bar Association. He is a member of the American Bar Association (Business Law Section; Banking, Commercial Finance and Consumer Financial Services Committees), a member of the National Association of Dealer Counsel and a member of the Alternative Finance Bar Association. Eric speaks frequently across the country on the legal and business issues shaping the financial services industry.

Eric received his law degree from Oklahoma City University School of Law and holds a Bachelor of Science in Accounting from Oklahoma State University.

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## Professional Activities

Fellow, American College of Consumer Financial Services Lawyers

Update Chair, Financial Institutions and Commercial Law Section of the Oklahoma Bar Association

Member, American Bar Association: Business Law Section; Banking, Commercial Finance and Consumer Financial Services Committees

Member, National Association of Dealer Counsel

National Automotive Finance Association: Chair, Legal Committee, 2006-present

The Conference on Consumer Finance Law: Governing Committee, 2011-present; President, Governing Committee, September 2021 - Present; Vice President - Membership, 2015-2021

General Counsel, Oklahoma Consumer Finance Association, 2014-present

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## Speaking Engagements

- "Consumer Financial Services: The Month in Review, A Look Ahead," American Bar Association's Consumer Financial Services Committee Webinar, February 2024
- "Reporting a Data Breach - FTC's Amendment to its Safeguards Rule," ADCO Webinar, November 2023  
"CFPB and FTC Regulatory, Litigation and Enforcement Update," Used Car Week 2023, November 2023
- "Auto Finance Regulatory Developments," CCFL's Annual Consumer Financial Services Conference,

November 2023

- "Recent Regulatory Trends," 2023 Hudson Cook/CounselorLibrary Financial Services Conference, October 2023
- "CFPB Updates for the Banking/Commercial Practitioner," Oklahoma Bar Association 2023 Banking and Commercial Law Update, October 2023
- "Are You Listening? The Cars We Drive Say a Lot About Us," 2023 Credit Union National Association's Attorney's Conference, October 2023
- "Clear and Conspicuous - Latest in Legal," National Automotive Finance Association Annual Conference, June 2023
- "Are You Listening? The Cars We Drive Say a Lot About Us," National Association of Dealer Counsel Annual Member Conference, May 2023
- "Creating a Dealership UDAP/UDAAP Prevention Policy and Guidelines," ADCO Compliance Conference, March 2023
- "CFPB Updates for the Banking/Commercial Practitioner," Oklahoma Bar Association 2022 Banking and Commercial Law Update, October 2022
- "Are You Listening? The Cars We Drive Say a Lot About Us," The Conference on Consumer Finance Law's Consumer Financial Services Conference, October 2022
- "VPPs, Repossession, Litigation, Safeguards, Emerging Issues and Trends," 26th Annual Non-Prime Auto Financing Conference, June 2022
- "F&I Masters Series Forum - The Digital Age," Chernek Consulting, LLC Webinar, April 2022
- "Preparing for a Wave of Defaults and Bankruptcy Filings, and Compliance Hot Topics," Withum Webinar, February 2022
- "Safeguards Rule Roundtable," ADCO Webinars, February 2022
- "CFPB Updates for the Banking/Commercial Practitioner," Oklahoma Bar Association 2021 Banking and Commercial Law Update, October 2021
- "Marketing, Sales, Vehicle Financing, Customer Communication, Federal F&I Regulations," ADCO Virtual Compliance Seminar, October 2021
- "Legal Panel," NAF Annual Non-Prime Auto Financing Conference, August 2021
- "Marketing, Sales, Vehicle Financing and Customer Communication," ADCO Compliance Officer Certification Seminar, June 2021
- "Consumer Finance Law Webinar: A Conversation with Authors on What You Can Expect to Learn," American Bar Association Business Law Section Webinar, May 2021
- "Future of Consumer Legal Funding: Regulatory and Litigation Trends," 2021 Virtual Financial

Services Conference, May 2021

- "Privacy Laws and In-Car Tech: Are They on a Collision Course?", 2021 NADC Virtual Annual Member Conference, May 2021
- "Review of federal regulations that impact the dealership," ADCO Compliance Conference, March 2021
- "Sell Cars Remotely Without Driving Afoul of the Law," NADA Show 2021 Virtual Conference, February 2021
- "There's A New Sheriff In Town - What To Expect From The Revived CFPB," Repo America Podcast, January 2021
- "The New Administration's Impact on the Auto Sales and Lending Industries," ConsumerFi Podcast, January 2021
- "CFPB Bites of the Month," Hudson Cook Webinars, January 2020 - Present
- "Legal Panel Parts I & II," NAF Association Virtual Conference, November 2020
- "CFPB Updates for the Banking/Commercial Practitioner," Oklahoma Bar Association Webcast, October 2020
- "Federal Regulations: Sales, Marketing, Vehicle Financing, Customer Communication," Association of Dealership Compliance Officers Virtual Compliance Officer Certification Seminar, October 2020
- "Remote Sales, Internet Sales, Appointment Only and Curbside Delivery - Know the Legal Minefields," TIADA Virtual Conference, August 2020
- "[Auto Remote Sales Compliance](#)," AFSA Podcast, June 2020
- "How to Conduct Off-Site or Remote Sales or Delivery - and the Potential Issues for Dealers," Association of Dealership Compliance Officers Webinar, May 2020
- "Compliance Landmines & How to Avoid Them," NMEDA Annual Conference & Expo, March 2020
- "Consumer Credit Compliance Certification - Module 4," NAF Association, February 2020
- "Happy Anniversary?! Kraninger's first year at the CFPB," Hudson Cook webinar, December 2019, co-presented with Justin Hosie and Lucy Morris
- "Voluntary Protection Products," CCFL Annual Consumer Financial Services Conference," November 2019
- "CFPB Updates for the Banking/Commercial Practitioner," Oklahoma Bar Association 2019 Banking and Commercial Law Update, November 2019
- "Compliance Roundtable," National Automotive Finance Association, October 2019
- "Federal Regulations: Marketing, Vehicle Financing, Sales & Customer Communication," Association of Dealership Compliance Officers, Dealership Compliance Officer Certification Seminar, October 2019

- "Servicing and Collections Compliance: What you need to know to get your money or get the car," DealerSocket User Summit 2019, August 2019
- "A Behind the Scenes Look at Building and Maintaining a Compliance Management System," NIADA/NADA Annual Convention & Expo, June 2019
- "State Regulators Insights," 23rd Annual Non-Prime Auto Financing Conference, June 2019
- "Compliance & Regulatory Horizons," DRIVE'19, May 2019
- "Independent Dealers - What Keeps Them Up at Night?," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2019
- "Everything You Need to Know About Dealership Ethics, You Learned in Grade School," Ethical F&I Managers Conference, April 2019
- "Overview of Federal Laws and Regulations," Association of Dealership Compliance Officers, Dealership Compliance Officer Certification Seminar, March 2019
- "Proper Use of Electronic Devices in a Post Repossession Minefield," Used Car Week Conference, November 2018
- "Auto Finance and Dealer Developments," The Conference on Consumer Finance Law, Annual Consumer Financial Services Conference, November 2018
- "CFPB Updates for the Banking/Commercial Lawyer," 2018 Banking and Commercial Law Update Seminar, November 2018
- Consumer Credit Compliance Certification Program Module 4, National Automotive Finance Association, June 2018
- Moderator, 22nd Annual Non-Prime Auto Financing Conference, National Automotive Finance Association, May 2018
- "Compliance Issues and Innovation in Auto Finance," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2018
- "The New Uniform Regulation of Virtual Currency Businesses Act: Benefits for Companies and Consumers," Consumer Financial Services Committee Meeting, American Bar Association, Business Law Section, April 2018
- "Federal Regulations: Marketing, Vehicle Financing, Sales and Customer Communication," Association of Dealership Compliance Officers, March 2018
- "CFPB Updates for the Banking/Commercial Lawyer," 2017 Banking and Commercial Law Update Seminar, November 2017
- "Arbitration," Annual Consumer Financial Services Conference, The Conference on Consumer Finance Law, November 2017

- "Collection 'Hot Spots' to Avoid," 2017 Annual Conference, National Alliance of Buy Here, Pay Here Dealers, October 2017
- "Can't Stop, Won't Stop: Starter Interrupt & GPS Tracking Technology," Annual Conference & Expo, TIADA, July 2017
- "Compliance - Larger than the CFPB," 21st Annual Non-Prime Auto Financing Conference, National Automotive Finance Association, June 2017
- "Shifting Sands - A Changing (and Challenging) Legal Landscape," 21st Annual Non-Prime Auto Financing Conference, National Automotive Finance Association, June 2017
- "Legal/Regulatory Update," 19th Annual National Conference, National Alliance of Buy Here, Pay Here Dealers, May 2017
- "Compliance Hot Spots and What to do About Them," 19th Annual National Conference, National Alliance of Buy Here, Pay Here Dealers, May 2017
- "Select Issues in Auto Finance," Annual Consumer Financial Services Conference, The Conference on Consumer Finance Law, May 2017
- Consumer Credit Compliance Certification Program Module 4, National Automotive Finance Association, May 2017
- "Financing Sub Prime," Consumer Financial Services Conference, Hudson Cook/CounselorLibrary, April 2017
- "Eruption in Online Small Business Lending: Exploring the Legal Issues Unique to Small Business Lending," Consumer Financial Services Committee Meeting, American Bar Association, Business Law Section, April 2017
- Consumer Credit Compliance Certification Program Module 1, National Automotive Finance Association, February 2017
- Consumer Credit Compliance Certification Program Module 4, National Automotive Finance Association, November 2016
- "CFPB Updates for the Banking/Commercial Lawyer," 2016 Banking and Commercial Law Update Seminar, November 2016
- "Avoiding Collection Mistakes," "Compliance Issues/Ways to Protect Your Operation" and "Current Developments Update," 2016 East Coast Conference, National Alliance of Buy Here, Pay Here Dealers, November 2016
- "Does Size Matter? When it Comes to the CFPB, it Doesn't," Annual User Summit, DealerSocket, October 2016
- Consumer Credit Compliance Certification Program Module 1, National Automotive Finance Association, September 2016

- "Auto Finance/CFPB Regulations," 2016 Annual Consumer Financial Services Conference, September 2016
- Consumer Credit Compliance Certification Program Module 4, National Automotive Finance Association, June 2016
- "Collection Best Practices," 18th Annual National Conference, National Alliance of Buy Here, Pay Here Dealers, May 2016
- Consumer Credit Compliance Certification Program Module 1, National Automotive Finance Association, April 2016
- "Practical Compliance for Auto Finance and Leasing Professionals," Consumer Financial Services Conference, Hudson Cook/ CounselorLibrary, April 2016
- Consumer Credit Compliance Certification Program Module 1, National Automotive Finance Association, January 2016

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## Publications

- "The Cars We Drive Say a Lot About Us" 76 Consumer Financial L.Q. Rep. 11, 2023
- ["CFPB Proposes Rule to Establish Public Registry of Terms and Conditions in Form Contracts That Claim to Waive or Limit Consumer Rights and Protections,"](#) *Business Law Today*, Business Law Section, American Bar Association, January 2023
- "Financial Institutions and Commercial Law Committee Report on the 2022 Amendments to the Uniform Commercial Code," co-author, *Oklahoma Bar Journal*, 24, Vol. 94, no. 1, January 2023
- "CFPB Claims that Discrimination Is a UDAAP," *Non-Prime Times*, April 2022
- "Time to Pull Out the Trusty Old Crystal Ball," *Non-Prime Times*, February 2022, co-authored with Rochelle Fowler, Nikki Munro and Patty Covington
- "CFPB Sues Software Company for Providing Substantial Assistance," *Non-Prime Times*, December 2021
- "FTC Obtains \$450,000 Settlement with Dealership's Owner/Manager," *Tennessee Dealer News*, Fall 2021
- "GAP Benefits and Refunds: Seems Like the Repeat Button Is On," Hudson Cook *Insights*, August 2021
- "The Hidden Dangers of In-Car Tech to Consumer Privacy," *Dealer Compliance Today*, July 2021
- Consumer Complaints on the Rise - CFPB's Annual Complaint Report," Hudson Cook *Insights*, April 2021

- "Calling His Shots - Acting Director Shares His Vision for Aggressive CFPB," *Non-Prime Times*, March 2021
- "The Consumer Financial Protection Bureau," *Consumer Finance Law: Understanding Consumer Financial Services Regulations*, American Bar Association, Business Law Section, February 2021, co-authored with Allyson B. Baker
- "Truth in Lending," *Consumer Finance Law: Understanding Consumer Financial Services Regulations*, American Bar Association, Business Law Section, February 2021
- "CFPB Bites of the Month - Monthly Top 10," Hudson Cook *Insights*, October 2020 - Present, co-authored with Justin Hosie and Chris Capurso
- "Dealership's Finance Manager Had Duty to Inform Buyer of Inconspicuous Arbitration Clause in Purchase Agreement Due to False Impression that Buyer's Signature Was Only to Verify Information," Hudson Cook *Insights*, November 2020
- "Car Buyer Granted Default Judgment Against Dealership for Violations of TILA, Connecticut Retail Installment Sales Finance Act, and State's Unfair Trade Practices Act," Hudson Cook *Insights*, October 2020
- "Menu? We Don't Need No Stinkin' Menu. Yes, You Do!," *Tennessee Dealer News*, Summer 2020
- "Recovery Association Proposes Changes in a COVID-19 World," Hudson Cook *Insights*, July 2020
- "More Considerations When Conducting Off-Site Sales in a COVID-19 World," Hudson Cook *Insights*, May 2020
- "Learning from Other Dealers' Mistakes," *Texas Dealer*, May 2020
- "Be Careful with Sales Made at a Customer's Home," Hudson Cook *Insights*, April 2020
- "Thinking of Force-Placing CPI on All Buyers? Think Again." Hudson Cook *Insights*, February 2020
- "Actions Speak Louder than Words," *Non-Prime Times*, November/December 2019
- "Getting rid of those sneaky weeds," *SubPrime Auto Finance News*, November/December 2019
- "In Times of Peace, Prepare for War," *Tennessee Dealer News*, Sept/Oct 2019
- "Are You Properly Vetting Your Service Providers?," Hudson Cook *Insights*, July 2019
- "Like to Text Without Following the Law? Have We Got a Deal for You!" *RV News*, June 2019, co-authored with Tom Hudson
- "It's 10 P.M. Do You Know What Your Repossession Agents Are Doing?," *Tennessee Dealer News*, May/June 2019
- "RV Dealership Advertising Malpractice," *RV News*, April 2019, co-authored with Tom Hudson
- "What's All the Fuss About Anyway?" *Non-Prime Times*, March/April 2019



- "Like to Live Dangerously? Have I Got a Deal for You!," *Tennessee Dealer News*, March/April 2019
- "CFPB Settlements Under Pressure," Hudson Cook *Insights*, March 2019
- "Broad Scope of Arbitration Agreement Benefits Dealer," *RV News*, February 2019, co-authored with Tom Hudson
- "FTC Shuts Down Websites that Sold Fake Documents," *Tennessee Dealer News*, Jan/Feb 2019
- "By Failing to Prepare, You are Preparing to Fail," *Non-Prime Times*, January/February 2019
- "Impatient Consumer Loses Right to Revoke Acceptance of RV," *RV News*, December 2018, co-authored with Tom Hudson
- "FTC Launches Strike Against Fake Document Sellers," *RV News*, November 2018, co-authored with Tom Hudson
- "Reports About CFPB's 'Death' are Greatly Exaggerated," *Non-Prime Times*, September/October 2018
- "2018 Annual Conference Wrap-Up," *Non-Prime Times*, July/August 2018
- "Freedom and the Right to Complain," *RV News*, July 2018
- "The U.S. Regulatory Environment For Online Small-Business Lending," *The Review of Banking and Financial Services*, Vol. 34 No. 2, February 2018
- "Exploring the Legal Issues Relevant to Online Small-Business Lending," *Business Law Today*, Business Law Section, American Bar Association, August 2017
- "Subprime Auto Finance Developments," *The Business Lawyer*, Vol. 71, Issue 2, Business Law Section, American Bar Association
- "Annual Conference Wrap-Up," *Non-Prime Times*, July/August 2016
- "Bad Boys, Bad Boys, Whatcha Gonna Do?," *Non-Prime Times*, May/June 2016
- "Defense Wins Championships," *Non-Prime Times*, March/April 2016
- "Here Comes Krampus!," *Non-Prime Times*, January/February 2016
- "It's the End of the World as We Know it," *Non-Prime Times*, November/December 2015
- "Starter Interrupt and GPS Devices: Best Practices," *Non-Prime Times*, September/October 2015
- "Navigating the Consumer Law Minefield," *Non-Prime Times*, July/August 2015
- "There May be Consumer Laws 'Lurking' in Your Commercial Transaction," *Oklahoma Bar Journal* 1203, Vol. 81, no. 14, May 2010
- "Federal Reserve Board's 2007 Final Rule on Electronic Disclosures Under Regulation Z and Technical

Amendment," *62 Consumer Financial L.Q. Rep.* 81, 2009

- "Identity Theft Red Flags and Address Discrepancies," *Oklahoma Bar Journal* 499, Vol. 80, no. 7, March 2009
- "Oklahoma's Security Breach Notification Act," *Oklahoma Bar Journal* 479, Vol. 80, no. 7, March 2009
- "Oklahoma Lending Law A Guide for Commercial Lenders," American Bar Association, Business Law Section, "Commercial Financial Services Committee, January 2008
- "Address Discrepancies: Know the New Red Flag Rules," *Paycom Report*, Vol. 4, Issue 10, 2008
- "Can You 'Spot Deliver' a Vehicle and Stay Out of Court?" *61 Consumer Financial L.Q. Rep.* 789, 2008
- "Post-Dated: Oklahoma's Deferred Deposit Lending Act," *61 Consumer Fin. L.Q. Rep.* 445, 2008
- "Oklahoma Attorney General Opinion 07-12; Commission on Consumer Credit," *61 Consumer Fin. L.Q. Rep.* 399, 2008
- "Disclosing "Negative Equity" in Retail Installment Sales Contracts," *61 Consumer Financial L.Q. Rep.* 271, 2008
- "Frequently Used Terms in Automobile Finance Transactions," co-author, American Bar Association, Business Law Section, Consumer Financial Services Committee, 2017
- "The Law of Guaranties A Jurisdiction-by-Jurisdiction Guide to U.S. and Canadian Law-Oklahoma," co-author, American Bar Association, Business Law Section, Commercial Financial Services Committee, 2013
- "Overview of Truth in Lending" and "Transactions Covered under the Truth in Lending Act," *Truth in Lending*, Chapters 1 and 2 (American Bar Association, Alvin C. Harrell editor), 2007-2017 updates
- *Vernon's Oklahoma Commercial and Consumer Forms* 2d (West Group), Miller and Harrell, selected chapters, 2010-2018 updates
- "Oklahoma Commercial Lending Law," co-author, *Commercial Lending Law A State-by-State Guide*, American Bar Association, Business Law Section, Commercial Financial Services Committee, 2009

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## Recognition and Accomplishments

Best Lawyers:

- Banking and Finance Law, 2012-2023
- Commercial Litigation, 2013-2023
- Financial Services Regulation Law, 2020-2023; Lawyer of the Year, 2022

- Litigation - Banking and Finance, 2013-2023; Lawyer of the Year, 2018

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## Education

Oklahoma City University School of Law, J.D., 1994

Oklahoma State University, B.S. in Accounting, 1991

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## Admissions

Oklahoma, 1994

U.S. District Court, Western District of Oklahoma, 1994

U.S. District Court, Northern District of Oklahoma, 2007