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Kirstin D. Kanski

Of Counsel

Contact

Minneapolis

P 612.268.7002 | **F** 612.268.7001

kkanski@spencerfane.com



Overview

Kirstin Kanski maintains a comprehensive banking and financial services practice in which she provides strategic legal advice to financial institutions on a variety of bank regulatory matters, including enterprise risk management, corporate governance, charters and activities, data privacy, consumer compliance, payment systems, digital assets, third-party risk, regulatory applications, mergers and acquisitions, exams, enforcement actions, and remediation. She has significant experience in the design and implementation of enterprise compliance, risk, data privacy, ethics, and investigation programs.

As an experienced litigator, Kirstin also advises banks and financial services companies in resolving consumer and commercial defaults, consumer and complex fraud matters, corporate trust matters, insolvency proceedings, receiverships, regulatory investigations, and litigation. She has successfully resolved matters on behalf of state and national banks, outside directors, and payment processors with the Office of the Comptroller of the Currency, Federal Deposit Insurance Corporation, the Consumer Financial Protection Bureau, and the Federal Reserve.

Kirstin brings a balanced perspective when advising her clients, pulling from her years of practice both in the industry and at the Federal Reserve. Notably, she served as senior counsel and vice president to one of the largest American multinational financial services companies, and senior counsel to the Federal Reserve Bank of Minneapolis.

Additionally, Kirstin has represented both creditors and trustees in complex preference and fraudulent transfer cases. She has also represented clients in state and federal criminal proceedings, previously serving as CJA panel counsel in the District of Minnesota.

Beyond private practice, Kirstin serves as adjunct faculty at the University of St. Thomas School of Law, teaching banking law, financial regulation, and UCC Article 2 Sales.

Education

- William Mitchell College of Law, 2005 (J.D.), *summa cum laude*

- North Dakota State University, 2001 (B.S.), *highest honors*

Bar Admissions

- Minnesota

Court Admissions

- U.S. Court of Appeals for the Eighth Circuit
- U.S. Court of Appeals for the Eighth Circuit Bankruptcy Appellate Panel
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Tenth Circuit Bankruptcy Appellate Panel
- U.S. District Court for the District of Minnesota
- U.S. Bankruptcy Court for the District of Minnesota
- U.S. District Court for the District of Colorado
- U.S. Bankruptcy Court for the District of Colorado

Community Involvement

- Feed My Starving Children, Minnesota Council
- University of St. Thomas School of Law, Adjunct Faculty
- Mitchell Hamline School of Law, Former Adjunct Faculty

Distinctions

- *Best Lawyers in America*, Banking and Finance Law; Privacy and Data Security Law, 2027
- *Minnesota Lawyer*, Attorney of the Year, 2016
- *Minnesota Super Lawyers*, Rising Star, 2012-2017
    - Top Women Attorneys in Minnesota, 2016
- Minnesota State Bar Association, North Star Lawyer, 2015-2016

Memberships

- ABA Banking Law Committee
- Federal Bar Association, Board of Directors
- International Women's Insolvency and Restructuring Confederation
- Minnesota State Bar Association, Bankruptcy Section
- Hennepin County Bar Association, Creditor/Debtor Remedies, Board Member
- Turnaround Management Association
- North Dakota State Bar Association

Presentations and Publications

- "The Debanking Minefield: Navigation Fair Access in 2026," *Minnesota Banker*, September/October 2026
- "The Debanking Minefield," *Show-Me Banker*, July 2026
- "The Debanking Minefield: Navigating Fair Access in 2026," *Law360*, July 2026

- "The Role of Gift Cards in Shopping 3.0.," Best Buy + Retail Gift Card Association (RGCA) Education Forum, June 2026
- "Powering Up While Powering Down: The CFPB Proposes Significant Overhaul of Fair Lending As It May Near the End," *The Banking Law Journal*, March 2026
- "Regulatory Turbulence in Washington, D.C.: Recapping a Year of Disruption and How to Best Position your Organization for 2026," Spencer Fane Webinar, December 2025
- "Embracing Innovation: Banking Digital Assets Beyond GENIUS," Kansas Bankers Association *e-Source Newsletter*, September 2025
- "Legal Eagle Spotlight: The Banking Industry Embraces the Digital Age," *Show-Me Banker*, August 2025
- "OCC's Digital Embrace Delivers Risk, Opportunity For Banks," *Law360*, June 2025
- "Executive Orders Paving Way For New Era Of Crypto Banking," *Law360*, March 2025

Related Experience

- Advised on design and implementation of data privacy compliance program.
- Advised on design and implementation of enterprise investigations program for $1.7 trillion firm.
- Advise on consent order remediation with multiple regulatory agencies.
- Successfully litigated and resolved $20 million in fiduciary duty claims brought by the FDIC against former bank officers and directors.
- Successfully litigated and resolved $127 million in fiduciary duty claims brought by the FDIC against former bank officers and directors.
- Successfully litigated and resolved $9 million in fiduciary duty claims brought by the FDIC against former bank officers and directors.
- Obtained dismissal of $32.7 million False Claims Act case on behalf of former bank outside directors.
- Successfully enforced terms of interest rate swap agreements and obtained $1.2 million judgment and dismissal of all lender liability claims on behalf of an American multinational financial services company.
- Represented payment processor against claims alleged by the Consumer Financial Protection Bureau.
- Obtained dismissal of litigation through successfully enforcing terms of an asset purchase agreement entered into with FDIC involving potential $7 million exposure.
- Represented a bank and its former officers and directors on civil claims arising out of a $35 million participated loan transaction.
- Successfully enforced terms of Small Business Administration (SBA) guaranty to favorably resolve all claims on behalf of bank.
- Obtained dismissal of all lender liability claims in two cases arising out of contested foreclosure on behalf of a California-based custodial and trust services company.
- Successfully prosecuted mortgage fraud and racketeering claims as special assistant Hennepin County Attorney.
- Successfully obtained temporary injunctive relief and defeated all lender liability claims to pursue resolution of in excess of $4 million fraud and contract claims.
- Successfully argued appeal affirming substantive consolidation of special purpose entities utilized in $3.8 billion Petters Ponzi scheme.
- Served as trial counsel on behalf of Chapter 11 Trustee, successfully obtaining substantive consolidation of special purpose entities used to operate Petters Ponzi Scheme.
- Represented court-appointed Chapter 7 trustee in over 30 contested avoidance actions to recover fraudulent transfers of estate assets.
- Jointly prosecuted denial of discharge action on behalf of Chapter 7 trustee with the Colorado Attorney General's Office.
- Served as lead trial counsel in civil rights excessive force action on behalf of Pro Se Project litigant.
- Served as defense trial counsel on trial of 26-count indictment, including mail fraud, wire fraud, and tax evasion.