

## Eric M. Hurwitz

### Co-Chair, Financial Services Litigation

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Eric Hurwitz co-chairs the financial services litigation practice at Stradley Ronon. Eric focuses his litigation practice on defending financial institutions from claims arising out of nearly every type of consumer and commercial financial product. He has extensive experience defending both single plaintiff and class action lawsuits against banks, mortgage lenders and servicers, student lenders, credit card companies, auto finance companies, debt collection companies and other financial services institutions. These include claims under the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), Fair Credit Reporting Act (FCRA), Fair Debt Collection Practices Act (FDCPA) and Telephone Consumer Protection Act (TCPA), as well as state unfair trade practices laws. Eric also defends insurers in coverage disputes, including property casualty, flood, disability and life insurance claims, as well as payment and performance bond claims.

Eric represents clients in resolving title insurance disputes, contested lien priorities, and bankruptcy-related claims including alleged stay and discharge violations. He also defends banks from claims involving converted, forged and altered checks under the Uniform Commercial Code, as well as claims under the Electronic Funds Transfer Act.

### RESULTS

- obtained summary judgment awards on behalf of mortgage servicers from consumer claims based on predatory lending, lack of standing to foreclose, and violations of TILA, RESPA and state unfair trade practices laws
- secured summary judgment award in action filed against a “write-your-own” flood insurer based on the failure to comply with proof-of-loss policy provision, and obtained affirmance by the U.S. Court of Appeals for the Sixth Circuit
- obtained a favorable settlement in a class action lawsuit filed against a debt collection company for the alleged violation of the FDCPA, based on a purported defective dunning letter
- resolved claims against credit card companies, mortgage servicers and auto finance companies for alleged violations of the FCRA
- defended student loan servicers against identity theft and fraud-related claims, as well as claims for violation of the TCPA

(continued)

### FOCUS

Financial Services Litigation  
Complex Commercial & Class Action Litigation  
Bankruptcy, Workouts & Creditors' Rights  
Insurance Coverage Advisory & Litigation Litigation  
Financial Services  
Construction  
White-Collar Defense, Internal Investigations & Corporate Compliance  
Special Situations

### BAR ADMISSIONS

Maryland  
New Jersey  
New York  
Pennsylvania

### COURTS

Pennsylvania Supreme Court  
U.S. Court of Appeals for the Third Circuit  
U.S. Court of Appeals for the Fourth Circuit  
U.S. Court of Appeals for the Sixth Circuit  
U.S. District Court for the Eastern District of Pennsylvania  
U.S. District Court for the Middle District of Pennsylvania  
U.S. District Court for the Eastern District of New York  
U.S. District Court for the Southern District of New York  
U.S. District Court for the District of New Jersey  
U.S. District Court for the District of Maryland

### EDUCATION

J.D., *magna cum laude*, Boston University School of Law  
B.A., *magna cum laude*, University of Texas at Austin, Phi Beta Kappa



# Eric M. Hurwitz

Page 2

- represented a national bank in seeking to set aside a defective tax sale which would have voided the bank's mortgage
- retained as counsel to assist a mortgage servicer with revisions to nationwide foreclosure affidavits, and assisted with client training on best practices for affidavit review and notarization
- enforced arbitration provisions in credit card agreements, student loan agreements and retail installment sales contracts to obtain more favorable forum for litigation
- favorably settled action filed by HUD against mortgage servicer for alleged discrimination against pregnant loan applicant in violation of the Equal Credit Opportunity Act
- obtained dismissal of class action claims filed against an auto finance company based on allegedly wrongful repossession notices and practices

## SPEAKING ENGAGEMENTS

- Presenter, "Industry Experts Reveal Their Secret Case Management Best Practices," Corporate Counsel Business Journal Webinar
- Presenter, "Understand the Rules and the Legal Issues Pertaining to Unauthorized and Fraudulent Endorsements," Lorman Education Services
- Presenter, "Understand the Latest Laws, Strategies, and Ethical Challenges Concerning Communications With Borrowers and Debtors," Lorman Education Services
- Presenter, "Lessons Learned from Recent TCPA Settlements, Ongoing Ambiguities Over the Definition of an Auto Dialer, and What Servicers Can do to Mitigate Liability," American Conference Institute's National Forum on Residential Mortgage Regulatory Enforcement & Litigation
- Presenter, "Mastering Evictions & Foreclosures: Protections on Covid-19 Moratorium & Executive Orders CLE," The Rossdale Group CLE
- Presenter, "Foreclosure, Eviction and Bankruptcy Issues During the COVID-19 Pandemic," The Rossdale Group CLE Seminar
- Presenter, "Collections Communication: What You Can and Cannot Legally Say," Lorman Education Services
- Presenter, "Changing Definition of an Automatic Telephone Dialing System Under the Telephone Consumer Protection Act," Defense Research Institute Annual Meeting
- Presenter, "Mastering Foreclosure Law & MERS," The Rossdale Group
- Presenter, "How to Handle Commercial Closing Transactions," PBI Live Webcast
- Presenter, "Mastering Foreclosure Techniques and MERS," The Rossdale Group CLE Seminar
- Presenter, "Pre-judgment Collections Under the TCPA, FDCPA and CFPB," National Business Institute

## MEMBERSHIPS

ACA International, Members' Attorney Program

American Bar Association, Consumer Financial Services Committee

American Bar Association, Fidelity & Surety Law Section

Board of Directors, Philharmonic of Southern New Jersey

Board of Directors, The Philadelphia Singers

Defense Research Institute, Drug and Medical Device and Commercial Litigation Committees

Maryland State Bar Association

New Jersey State Bar Association



# Eric M. Hurwitz

Page 3

- Presenter, “Pennsylvania Foreclosure & Repossession Compliance,” Legal Compliance Resource Webinar
- Panelist, “Mastering Foreclosure Law and MERS,” The Rossdale Group CLE
- Co-presenter, “Real Estate Litigation in Pennsylvania,” National Business Institute
- Presenter, “Don’t Be Conflicted! Avoiding Ethical Pitfalls in Real Estate Matters,” Pennsylvania Bar Institute
- Presenter, “BOOT CAMP: Foreclosure and Loan Workout Procedures,” National Business Institute
- Co-presenter, “The Role of MERS in Mortgage Origination and Foreclosure,” National Business Institute
- Presenter, “Best Practices for Curing Title Problems,” National Business Institute
- Co-presenter, “Complex Commercial Foreclosure Issues – and Remedies,” National Business Institute
- Speaker, “Buying and Selling Bankrupt and Foreclosed-On Properties,” National Business Institute Troubleshooting Real Estate Transaction Problems seminar
- Presenter, “Ethics in Consumer Finance/Foreclosure Litigation,” Pennsylvania Bar Institute
- Presenter, “Mastering Foreclosure Law & MERS,” The Rossdale Group CLE
- Speaker, “Advanced Issues in Real Estate Law,” National Business Institute
- Presenter, “Curing Title Defects During Foreclosure,” National Business Institute
- Speaker, “CFPB Rules Industry Trends for Servicing,” Knowledge Congress
- Presenter, “Pennsylvania Foreclosures and Workouts,” National Business Institute
- Speaker, “MERS and Securitization in Contested Foreclosure Litigation,” myLaw CLE
- Presenter, “Advanced Title Insurance Issues,” National Business Institute
- Speaker, “New Jersey Foreclosures and Workouts,” National Business Institute
- Presenter, “Mortgage Foreclosure Process and the Use of Support Affidavits,” Flagstar Bank
- Speaker, “Top Ten Title Defects – Cured,” National Business Institute
- Speaker, “Foreclosure - The Latest Laws and Challenges,” National Business Institute



# Eric M. Hurwitz

Page 4

## RECOGNITION

- *New Jersey Law Journal*, 40 under 40, comprised of the top 40 young professionals in the New Jersey legal community
- *South Jersey Biz*, Best Attorneys in Business

## IN THE COMMUNITY

Eric serves on the board of The Philadelphia Singers, which has been the mid-Atlantic region's premier chorus for over forty years. He also serves on the board of The Philharmonic of Southern New Jersey, an 80-piece orchestra which provides quality classical music to southern New Jersey and the Delaware Valley.

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