

# Joe N. Nguyen

## Partner

Philadelphia, PA

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Joe Nguyen is a highly sought-after commercial litigator and trusted advisor who represents financial services institutions in high-stakes class-action and single plaintiff suits throughout the country. He has a proven track record of success serving as first-chair at trial and litigating cases before state and federal courts nationwide, as well as before the American Arbitration Association and the Financial Industry Regulatory Authority. Joe is the primary relationship lawyer for a number of national firm clients and leads a team of seasoned litigators throughout the Mid-Atlantic region. In addition to representing clients in litigation, Joe regularly counsels clients on compliance and regulatory matters.

As a recognized and results-driven leader within the firm, Joe serves on the firm's board of directors. In his role, he is responsible for providing oversight and strategic direction of the firm and its more than 200 attorneys. He is also a regarded thought-leader, having presented on various topics impacting the financial services industry.

Joe assists clients with a unique perspective developed during his role as Vice President and Assistant General Counsel at one of the country's largest mortgage providers. In that role, he managed a large team of lawyers and paraprofessionals, was the lead in-house counsel for the company's nationwide class action portfolio, and was responsible for the day-to-day strategic management of significant borrower litigation. Joe also advised executive leadership on legal issues and risk management, provided regulatory and compliance advice, and managed internal and government investigations.

Prior to his role as a senior in-house lawyer, Joe practiced at an international law firm, where he was a lead attorney on a team that served as national FINRA arbitration counsel for a large broker dealer; prosecuted criminal trials at the Office of the Philadelphia District Attorney; and was a judicial extern for the Chief Judge of the Western District of Pennsylvania.

## RESULTS

- obtained complete dismissal of class action involving privacy and constitutional claims; *Knudsen, et al. v. Customers Bank, et al.*, Cause No. DV 16-977 (Mont. 2020)
- served as lead defense counsel in class action under Massachusetts consumer protection laws; *Pantano, et al. v. Ocwen Loan Services, LLC*, No. 1977CV00530 (Mass. 2021)

## FOCUS

Complex Commercial & Class Action Litigation  
Financial Services Litigation  
Litigation  
White-Collar Defense, Internal Investigations & Corporate Compliance  
Securities Litigation & Enforcement

## BAR ADMISSIONS

Pennsylvania

## COURTS

U.S. Court of Appeals for the Third 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 Western District of Pennsylvania

## EDUCATION

J.D., *magna cum laude*, University of Pittsburgh School of Law  
B.A., Franklin & Marshall College

## MEMBERSHIPS

Asian Pacific American Bar Association of Pennsylvania  
Minority Bar Committee, Pennsylvania Bar Association  
National Asian Pacific American Bar Association  
National Conference of Vietnamese American Attorneys  
Stradley Ronon Diversity Committee

## LANGUAGES

Vietnamese



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- served as lead defense counsel in class action under Massachusetts consumer protection laws; *Cabral, et al. v. PHH Mortg. Corp.*, No. 19-cv-12245 (D. Mass.)
- serves as lead defense counsel in TILA class action; *Dunn, et al. v. PHH Mortg. Corp.*, No 20-CV-05848 (D.N.J.)
- served as lead trial counsel in Iowa state court action *Ingersoll v. Deutsche Bank et al.*, No CVEQ02277661 (Iowa)
- served as lead defense counsel in class action involving higher education financing; *Shaya Edelman, et al. v. Higher One Holdings, Inc., WEX Bank, Inc., and Customers Bancorp, Inc.*, Case 2:17-cv-01700 (E.D. Pa.)
- served as lead defense counsel in FDCPA class action; *Basketbill v. PHH Mortg. Serv.*, No. 19-3993 (E.D. Pa.)
- obtained complete dismissal of TILA class action; *Rankin v. Customers Bank et al.*, No. 19-1508 (E.D. Pa.)
- defeated appeal before the Third Circuit related to the Pennsylvania Loan Interest and Protection Law, *Conway v. US Bank, NA*, No. 19-2498 (3d Cir.)
- obtained complete dismissal of RESPA class action; *Gutierrez et al. v. FNBA et al.*, No. 18-479 (D. Md.) on remand No. 441429 (Md.)
- obtained complete dismissal of insurance dispute; *Richard v. Finance of Am. Mortg. et al.*, No. 18-559 (M.D. Pa.)
- obtained summary judgment in question of first impression related to HOA sales; *RFB Properties II, LLC v. Deutsche Bank*, No. 18-0099B (D.C.)
- defeated appeal to Supreme Court of Delaware; *Poston v. Deutsche Bank*, No. 579, 2108 (Del.)
- defeated appeal to Fourth Circuit and certiorari to US Supreme Court; *Talley v. OLS*, No. 18-1777 (4<sup>th</sup> Cir.) and No. 18-1390 (US)
- obtained complete dismissal in TILA matter; *Romaka v. H&R Block Mortg. Corp.*, No. 71-7411 (E.D.N.Y.)
- defeated appeal in cash deposit dispute; *Slinko v. OLS*, (NJ)
- obtained complete dismissal in RICO class action; *White v. US Bank*, No 18-10683 (D.N.J.)
- obtained complete dismissal of nationwide class action; *Bantum v. MERS*, No. 11-4431 (E.D. Pa.)
- obtained summary judgment in real estate matter; *Topper v. Fannie Mae*, No. 10-7266 (Pa. Com. Pl.)
- successfully moved to enforce class action waiver in putative class action involving lender placed insurance; *Ulbrich v. GMAC Mortg.*, No. 11-62424 (S.D.N.Y.)
- obtained summary judgment in indenture trustee liability case; *Becker v. U.S. Bank*, 2011 WL 3875575 (E.D. Pa.)
- obtained judgment after bench trial in lender liability case; *Dicostanzo v. CCO Mortg.*, No. 1104036517 (Phila. C.P.)



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- assisted in obtaining dismissal in UCC class action; *Hudson v. Eaglemark Sav. Bank*, 2011 WL 1755540 (E.D. Pa.)
- obtained judgment after bench trial in lender liability case; *Meekins v. HSBC*, No. 080701801 (Phila. C.P.)
- obtained summary judgment in breach of contract case; *Parisi v. Wells Fargo*, 2011 WL 6339835, 2011 WL 6370060 (M.D. Pa.)
- obtained summary judgment in AAA arbitration; *Roth v. Barclays*, No. 14430069910 (AAA)
- obtained judgment on the pleadings in TILA action; *Sherzer v. Homestar Mortg.*, 2011 WL 5075075, 2011 WL 5075086 (E.D. Pa.)
- obtained summary judgment in a \$1 million TILA case; *Azur v. Chase Bank*, No. 06-cv-1088 (W.D. Pa.), affirmed 601 F.3d 212 (3d Cir.)
- obtained judgment in UCC Article 4A case; *Jewish Heritage Prgms. v. Bank of America*, No. 10-1369 (E.D. Pa.)
- obtained dismissal in lender liability case after conducting AAA arbitration hearing; *Kiessling v. Am. Bankers Life*, No. 08-1600, 2008 WL 5248246 (M.D. Pa.)
- obtained dismissal of a \$1 million civil RICO case; *Guy's Mechanical Inc. v. Bank of America*, No. 07-80 (W.D. Pa. 2008), affirmed 2009 WL 1803255 (3d Cir.)
- during jury trial, obtained judgment under Rule 50 on essentially all of the plaintiff's claims for damages; *Wise v. AmeriCredit*, No. 09-102 (E.D. Pa.)

## SPEAKING ENGAGEMENTS

- Presenter, "Key Litigation Developments and Trends Under the FCRA," AFSA Winter Committee Meeting
- Presenter, "Navigating the Minefield: Hot Issues in Mortgage Litigation and Compliance," Pennsylvania Bar Institute Real Estate CLE
- Panelist, "Leading with Emotional Intelligence" 8th Annual Philadelphia Diversity & Leadership Conference
- Presenter, "Mastering Foreclosure Techniques and MERS," Rossdale CLE Seminar
- Panelist, "Protecting Privileged Communications in Business Transactions and Investigations," Association of Corporate Counsel, Greater Philadelphia Chapter
- Panelist, Pennsylvania Supreme Court Judicial Candidates Debate
- Speaker, "Autopsy of a Distressed Real Estate Loan," National Conference of Vietnamese American Attorneys

## RECOGNITION

- *HousingWire*, Rising Star
- *The Legal Intelligencer*, "Lawyers on the Fast Track"



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- Pennsylvania Super Lawyers, Rising Star
- Philadelphia Diversity and Leadership Conference, Leadership Excellence Award

## **IN THE COMMUNITY**

Joe previously volunteered with Philadelphia Reads, a program of the Philadelphia Mayor's office that helps inner-city youth improve their reading skills. He also volunteered for Minority Law Day, an annual Pennsylvania Bar Association program designed to introduce inner-city high school students to the practice of law and encourage them to consider pursuing a career in the legal profession.

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