



## Financial Services Litigation

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## Our Practice

Subject to intense regulation and government scrutiny, financial institutions are regularly targeted in litigation. Defending these cases requires business acumen, industry knowledge and litigation savvy.

Stradley Ronon's financial services litigation practice represents clients in matters involving nearly every type of consumer and commercial financial product. We understand our clients' industries, products, services and challenges, and regularly handle individual, class action and multidistrict litigation in state and federal courts throughout the mid-Atlantic region.

Our team collaborates with members of our other practices, including securities, bankruptcy and restructuring to provide seamless, integrated service that meets our clients' needs and helps them achieve their goals.

## The Stradley Difference

We resolve matters responsively and efficiently, focusing on our clients' business objectives. Our team is committed to early case assessment – to evaluate opportunities for quick resolution. When litigation is appropriate, clients can rely on our industry knowledge and seasoned trial skills. We have a proven track record of litigating complex financial disputes and achieving results desired by our clients.

We communicate regularly with our clients, providing proactive risk management advice and the information needed to make business



decisions. Our lawyers stay current on industry developments and changes in law, publishing and speaking on the impact of these laws on the industry. We invest in industry conferences and education programs so our team is up to date on legal trends and understands our clients' business.

## Our Services

Stradley Ronon attorneys regularly advise clients in the following areas:

### CONSUMER LENDING

#### Mortgage Origination & Servicing

Our team handles litigation arising from the origination and servicing of residential mortgages, including:

- **Contested Foreclosures.** We are well-versed in responding to borrower foreclosure challenges, including fraud, predatory lending, and federal and state statutory violations, including TILA, HOEPA and RESPA. We

also handle standing challenges questioning the servicer's ability to foreclose, as well as attacks based on the securitization of mortgages.

- **Lien Priority & Title Disputes.** We litigate lien priority disputes between lenders, as well as property title disputes, and we pursue title insurance claims to achieve our clients' goals.
- **Tax Sales.** We work with servicers and taxing authorities to resolve tax disputes stemming from the servicing of mortgage loans. These workouts may include petitions to set aside tax sales, redeeming the property, pursuing titles claims, reacquiring lost property and negotiating other creative solutions.
- **Fair Lending.** Our attorneys appear before federal and state commissions and courts to defend lending discrimination claims based on race and other protected

classes. We also defend ECOA claims arising from denials of credit, and have successfully defended claims of alleged “predatory lending” discrimination and “reverse redlining.”

- **Client Training & Systemic Counseling.** We counsel clients in their foreclosure practices to prevent problems before they arise. For example, we have worked with servicers to rewrite foreclosure affidavits, acceleration and default notices, and document management practices. We also conduct training for our clients on best practices for affidavit review and notarization.

### Auto Financing



Our team defends individual and class action suits against auto finance companies. We have extensive experience litigating claims arising under the FTC Holder Rule based on dealer misconduct. We also handle claims based on allegedly wrongful repossessions. Our team has defended class actions involving allegedly defective repossession and deficiency notices, and we counsel banks and auto finance companies to ensure that their collection notices comply with state and federal laws.

### Retail Banking

We represent banks and credit unions in disputes concerning check and debit card processing, wire transfers, checks by phone and remotely created checks, return items, and deposit accounts. We handle claims of check fraud, negligently opened accounts, ATM fee notifications, and other servicing

issues under UCC Articles 3, 4 and 4A, the EFTA, and Regulation E. Further, we counsel banking clients on responding to subpoenas, handling garnishments, and complying with the FCRA and other consumer finance laws.

### Credit Cards

Our attorneys defend credit card companies in individual, class and multidistrict litigation brought under a variety of consumer protection laws. We frequently handle cases arising under TILA and Regulation Z, TCPA, FDCPA and state law equivalents, FCRA, FCBA, and ECOA. Our attorneys have experience defending putative class action claims brought against credit card issuers based on payment protection programs.

### Privacy Issues

Although technology makes collecting, monitoring and processing personal information easier, financial institutions must implement measures to protect consumer and employee information. We help clients understand and comply with applicable laws and standards. We also assist financial institution clients in responding to data breaches when they occur and are prepared to defend such claims in court.

### Debt Collection



Our team represents debt collectors and purchasers in individual and class actions involving alleged violations of state and federal law. These include FDCPA claims and state equivalents, TCPA, SCRA, state UDAP statutes, and other consumer protection and privacy laws. Claims often arise based on communications with

debtors, the collections process and the assumption of accounts by debt buyers. We advise and counsel clients to ensure that all written and oral communications with debtors are in compliance with the law.

### Short-Term & Payday Loans

We are well-versed in defending claims by consumers challenging short-term and payday loan products.

### Governmental Investigations & Enforcement

Our team also assists clients in responding to governmental investigations and civil or criminal enforcement proceedings related to financial services and products.

### COMMERCIAL LENDING/LENDER LIABILITY & FORECLOSURE

Highly experienced in litigating commercial lending disputes, we have handled cases arising from troubled loans, personal property and real estate lien enforcement, intercreditor disputes, and pursuit of temporary restraining orders and other emergency protections in fraud and related matters.

We have a significant commercial lender-liability defense practice and litigate fraudulent conveyances, wrongful denials of credit, environmental exposures, asset recovery and foreclosures, and lending discrimination claims. We also handle other claims falling under the general category of “lender liability,” including fraud in the inducement, breach of fiduciary duty, tortious interference with contractual relations, conversion, breach of contract and negligent misrepresentation.



For more information on our Financial Services Litigation practice, visit [www.stradley.com/financelit](http://www.stradley.com/financelit).



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## ABOUT STRADLEY RONON

For more than 95 years, Stradley Ronon has helped private and public companies – from small businesses to Fortune 500 corporations – achieve their goals. With nine offices and more than 200 attorneys, Stradley Ronon is proud to help companies manage their legal challenges and grow their businesses.

[www.stradley.com](http://www.stradley.com)

## LOCATIONS

Pennsylvania  
Washington, D.C.  
New York  
California  
New Jersey  
Illinois  
Delaware



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