



## Consumer Lending and Lender

Our trial lawyers regularly defend banks, financial institutions, and consumer and commercial lenders against a broad range of claims brought by borrowers. Whether the lawsuit implicates special considerations unique to national banks, challenges the conduct of sub-prime consumer lenders, or raises novel theories of liability against commercial lenders, we offer our clients knowledge, experience, and thoughtful representation. Our litigators work in close collaboration with our clients to control costs and achieve our clients' objectives in an efficient manner.

In cases brought against consumer lenders, increasingly sophisticated plaintiffs' counsel have alleged new theories of predatory lending and violation of federal statutes such as the Truth in Lending Act, the Home Ownership and Equity Protection Act, the Real Estate Settlement Procedures Act, and the Fair Debt Collection Practices Act. Our trial lawyers often defend lenders against such claims. We also frequently litigate claims alleging fraud, conspiracy, "negligent lending," and violations of various state consumer protection statutes. Much of our practice in this area is devoted to the defense of putative class actions and other complex multi-party matters brought in courts throughout the United States.

We have an equally active practice involving defense of lender liability claims in the commercial context. Our lawyers defend banks and commercial lenders against allegations of fraud, unconscionable lending practices, breach of fiduciary duty, and violations of federal statutes such as the Equal Credit Opportunity Act, whether the claims arise in the context of collection efforts or as affirmative actions brought by borrowers. In such cases, we work closely with our clients' business and legal teams to develop cost-effective strategies for resolving the disputes in a manner that is consistent with our clients' specific business needs.

- Housing and Economic Recovery Act: What You Need to Know

### RELATED PRACTICES

- Class Actions
- Financial Institutions
- Litigation

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## Consumer Lending and Lender Liability

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