



Our Creditors' Rights and Bankruptcy practice

group advises financial institutions with regard to the complex federal and state law issues that arise in the context of consumer financing and residential mortgage lending.

The consumer finance and residential mortgage banking industries face increased scrutiny in legal compliance.

New litigation theories of recovery emerge based on various state and federal lending statutes. In addition, federal and state legislators propose new law to curb a perception of "predatory lending" and other problems in lending. Legal counsel with experience in consumer finance litigation, regulation compliance, and legislative advocacy can team with banking interests to minimize problems, devise strategies, and change policy.

Bricker & Eckler Consumer Finance Litigation Practice Group

At Bricker & Eckler LLP, our Consumer Finance & Mortgage Banking Practice Group provides its clients with the litigation resources to effectively defend the full range of federal, state, and common law causes of action arising out of consumer financing and residential mortgage transactions. If you are looking for a full service firm with deep resources to handle your consumer finance based needs, Bricker & Eckler LLP looks forward to providing those services.

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Consumer Finance Litigation



BRICKER & ECKLER LLP



consumer finance litigation

Practice Overview

Bricker & Eckler builds its reputation as premier counsel in Ohio and surrounding states by defending residential mortgage lenders and servicers against a broad variety of claims asserted under the following federal and state statutes and regulations:

Federal

- Equal Credit Opportunity Act
- Fair Credit Reporting Act
- Fair Debt Collection Practices Act
- Home Ownership and Equity Protection Act
- National Bank Act
- Racketeering Influenced Corrupt Organizations Act
- Real Estate Settlement Procedures Act
- Truth in Lending Act and Regulation Z

State

- Consumer mortgage lending statutes
- Consumer protection statute provisions
- Predatory lending statutes
- Unfair or Deceptive Trade Practices Acts

In addition to these statutory causes of action, our litigators also defend various common law claims frequently asserted in this area, including

- Fraud
- Negligent misrepresentation
- Negligent supervision
- Illegality of contract
- Breach of contract
- Breach of fiduciary duty
- Breach of an implied duty of good faith
- Conversion

Bankruptcy Proceedings

The firm's Consumer Finance and Mortgage Banking Practice Group also includes bankruptcy attorneys to maximize the full range of defenses and litigation options available to clients. Bricker & Eckler LLP's creditors' rights and bankruptcy practice group offers comprehensive legal services to clients affected by insolvency or non-performing debt. We provide a multidisciplinary approach that employs the firm's negotiation, litigation and transactional skills to fashion creative and effective

solutions to problems faced by financially troubled individuals and their creditors. Our bankruptcy litigators offer experience asserting defenses arising from borrowers' bankruptcy actions, defending claims brought in adversary proceedings and settling debtors' claims with bankruptcy trustees. Outside the courtroom we have represented lenders and borrowers in the restructuring and work out of both commercial and consumer debt obligations. With this depth of experience, Bricker & Eckler LLP's bankruptcy attorneys can recognize and understand the interface between consumer financial services litigation and bankruptcy actions, so that clients have the full benefit of the defenses and procedural safeguards available to them regardless of the specific forum in which the claim or matter arises.

Class Actions

With the Consumer Finance and Mortgage Banking Practice Group's substantive knowledge of applicable lending regulations, its litigation resources, and its developed local presence, Bricker & Eckler LLP also defends its clients in class action lawsuits arising in the consumer finance context.