

Banking & Financial Services Litigation

Members of the financial services industry rely on Plunkett Cooney to quickly, efficiently and consistently resolve their banking and finance-related litigation.

The firm's practice involves virtually all types of litigation, including matters involving commercial and residential mortgage claims, lender liability claims, collection actions, fair debt collection claims, Fair Credit Reporting Act claims, commercial paper claims under Article III of the Uniform Commercial Code (UCC), wire transfer claims under Article IV-A of the UCC and bank deposit and collection claims under Article IV of the UCC. Our financial services clients have prevailed in such actions by summary disposition, jury and non-jury trial verdict and upon appeal.

Plunkett Cooney's attorneys have particular experience as counsel to national lenders, commercial banks, loan servicers, special servicers, investment funds, and insurance carriers in residential mortgage litigation. Approved to undertake Fannie Mae and Freddie Mac assignments, Plunkett Cooney's attorneys have also obtained numerous summary judgments/summary dismissals on behalf of residential mortgage lender/servicers.

As a leading legal services provider to the financial industry, our attorneys have successfully defeated claims under various federal statutes, including the Home Affordable Modification Program (HAMP), the Truth-In-Lending Act (TILA), the Real Estate Settlement Procedures Act (RESPA), the Federal Debt Collection Practices Act (FDCPA), the Fair Credit Reporting Act (FCRA), the Home Ownership and Equity Protection Act (HOEPA) and Housing and Urban Development (HUD) regulations.

Our attorneys also provide representation with respect to various state statutes such as the Michigan Mortgage Brokers and Servicers Licensing Act, Michigan's foreclosure by advertisement statutes, the Ohio Mortgage Brokers Act and Indiana's judicial foreclosure statutes, as well as common law claims, including breach of contract, conspiracy, tortious interference, negligence, breach of fiduciary duty, promissory estoppel and fraud.

In addition, the firm represents collection agencies, financial institutions, leasing companies, as well as related professionals who are targeted in claims brought by consumers related to non-residential mortgage debt collection. These matters often involve individual and class action claims stemming from alleged violations of the FDCPA, FCRA, Telephone Communications Protections Act (TCPA), TILA and related state statutes, including the Michigan Consumer Protection Act, the Indiana's Deceptive Consumer Sales Act and the Ohio Consumer Sales Practices Act.