



Partner Lucy Morris comments for American Banker on CFPB lawsuit with Fifth Third Bank

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According to an article in *American Banker*, the Consumer Financial Protection Bureau (CFPB) is receiving blowback from a federal judge and banking experts for tactics used in its lawsuit against Fifth Third Bank. In 2020, the CFPB sued Fifth Third Bank, alleging employees opened checking, savings and credit card accounts without customers' consent. The Bureau allegedly sent 18,500 emails to bank customers and former employees asking if Fifth Third has ever opened an account without a customer's consent. Fifth Third sought an emergency intervention in federal court, saying the Bureau's actions had interfered with its customer relationships. In April 2022, Judge Douglas Cole of the U.S. District Court for the Southern District of Ohio put a halt to the mass email.

Hudson Cook partner [Lucy Morris](#), a former CFPB deputy enforcement director, told *American Banker*, "There is a right and a wrong way to do it. You don't want to send out an email that suggests the company is engaged in wrongdoing. The Bureau doesn't want to be accused of bias. There are all types of fallout from an email that went to tons of customers suggesting that something is wrong."

Subscribers to *American Banker* may [read the article here](#).

Lucy chairs Hudson Cook's [Government Investigations, Examinations, and Enforcement practice group](#). She counsels financial institutions and others in complying with federal consumer financial laws and prohibitions against unfair, deceptive, or abusive trade practices. Lucy is an experienced advocate and litigator, representing clients in government investigations, examinations, and enforcement actions before federal and state agencies, including the [CFPB](#), FTC, U.S. Department of Justice, and state AG offices.

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