

Litigation



Our litigators have represented large national banks, mortgage servicers, debt collectors, installment and small dollar lenders, background screeners, auto lenders, and a variety of other financial services companies facing civil lawsuits filed on behalf of consumers.

We leverage a deep understanding of our clients' businesses to find an ideal litigation defense strategy for each case. Through every stage of the litigation process, we work to meet our clients' goals in an effective and cost-efficient manner. Along the way, we counsel clients on the business and regulatory implications of each case and suggest ways to address related compliance and other risks to the company.

Consumer Litigation

Our litigation attorneys have represented clients nationwide in cases involving a variety of consumer protection statutes, including the Fair Debt Collection Practices Act (FDCPA), Fair Credit Reporting Act (FCRA), the Telephone Consumer Protection Act (TCPA), federal and state unfair, deceptive or abusive trade practices laws (UDAP or UDAAP), Fair Housing Act (FHA), and various state laws.

While defending a consumer lawsuit in court is often the best option - and we are always prepared to litigate - our primary aim is to resolve the matter favorably for our client. Sometimes that means stopping a claim from reaching the courthouse through settlement discussions or alternative dispute resolution. Our attorneys have successfully negotiated reasonable, early settlements on behalf of clients where appropriate, and we strive to enforce arbitration clauses to their fullest extent.

Class Actions

Our class action experience stretches across a broad spectrum of the consumer finance industry and includes representation of mortgage companies, auto lenders, and title lenders.

We have litigated class claims involving the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), Fair Credit Reporting Act (FCRA), Equal Credit Opportunity Act (ECOA), and state consumer protection laws. Whether through dispositive motions, defeating class certification, or the appeals process, we use every tool at our disposal to help clients navigate complex class actions.

Amicus Briefs

Bolstered by decades of experience representing industry associations, Hudson Cook offers amicus brief support in critical cases with nationwide legal and policy implications. Recently, Hudson Cook served as amicus counsel to a major trade association representing credit reporting agencies before the federal Ninth Circuit Court of Appeals in a case involving a key interpretative aspect of the Fair Credit Reporting Act.

Government Enforcement Actions

Government agency lawsuits carry all the burdens of consumer litigation, and potentially more of the risk. Our litigators have defended companies in actions by the Consumer Financial Protection Bureau (CFPB), Federal Trade Commission (FTC), U.S. Department of Justice (DOJ), and various state attorneys general and financial regulatory agencies. For more information about our Government Enforcement practice, [click here](#).

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