

# BUCKLEY

## **Class Actions Practice**

Buckley, a preeminent class action defense firm, vigorously defends leading financial institutions, including banks and non-bank mortgage lenders and servicers, credit card issuers, auto lenders, PACE administrators, and insurers, as well as retailers in putative class actions across the nation. We are involved in class action claims alleging violations of a wide range of federal and state consumer protection laws, as well as consumer credit statutes, wrongful underwriting and servicing practices, credit discrimination, and inflated or otherwise wrongful insurance claims.

Buckley has achieved groundbreaking success for our clients in these disputes, frequently obtaining dismissal at the pleading stage. We consistently deliver efficient and effective representation in class action matters by combining our knowledge of the financial services industry and relevant regulations to devise the best possible and most comprehensive defense strategies imaginable.

In addition, we frequently handle complex parallel proceedings, including government enforcement and civil litigation, congressional investigations, and regulatory counseling matters that often present themselves alongside class action litigation.

Our Class Actions team includes some of the most experienced financial services class action trial and appellate attorneys in the country. Our firm is ranked nationally in Band 1 by *Chambers* for consumer finance litigation.

Noteworthy work includes the representation of:

- A bank in a series of putative class actions concerning the bank's processing of ACH transactions submitted by online payday lenders that are owned and operated by Indian tribes
- Multiple financial institutions in a class action, against over 50 other banks, seeking to recover allegedly excessive overdraft fees for charges made to customers' accounts on electronic debit transactions
- A national bank and one of its operating subsidiaries in a putative class action challenging the interest rate allegedly charged pursuant to an equipment finance agreement between the client and a California resident and small business owner, obtaining a dismissal of all claims
- A national bank, in which class certification was defeated and a partial judgment on pleadings in a class action under the Fair Credit Reporting Act

and the Equal Credit Opportunity Act was obtained

- Financial institutions in putative class actions alleging violations of various state UDAP laws, including California's Unfair Competition Law (Cal. Bus. & Prof. Code § 17200 *et seq.*)
- Property Assessed Clean Energy administrators in putative class actions involving allegations of unfair, unlawful, and deceptive advertising and marketing practices
- Numerous entities, including financial institutions, in putative nationwide Telephone Consumer Protection Act class actions
- Insurance companies in multiple putative nationwide and state-specific class actions concerning lender-placed insurance
- A mortgage originator and servicer in a mass action involving hundreds of mortgage borrowers alleging various fraudulent acts in connection with the origination and servicing of their loans
- Banks and nonbank mortgage lenders in putative class actions challenging the formation and operation of the Mortgage Electronic Registration System
- Large mortgage servicer in a putative nationwide class action regarding customer enrollment in home service and home warranty plans
- Leading credit card issuer in a class action regarding the reduction in credit lines and assessment of overlimit fees

## **Sub Practices**

### **Topic Spotlight: Assistance in responding to government oversight of pandemic relief**

The federal government's financial response to the Covid-19 pandemic is measured in trillions of dollars, and the intensity of oversight related to that response reflects this unprecedented commitment. All involved in the government's response, particularly financial services providers, should expect increased scrutiny of how those dollars have been and will be spent.

Buckley's white collar, enforcement, congressional investigations, class actions, complex civil litigation, and False Claims Act & FIRREA teams are prepared to assist with government and congressional inquiries, examinations, investigations, and government and private party litigation that arise from the pandemic response. We work

closely with our financial services regulatory practices to combine the firm's core substantive experience with our deep knowledge of government investigations and litigation of all kinds.

**Learn more »**