
Success Stories: Financial Services and Real Property Litigation Group

Maddin Hauser's long history of representing financial institutions on a wide range of issues provides a depth and breadth of experience that allows us to approach our clients' needs – including regulatory compliance, transactional, or litigation — from a unique perspective. Below are just a few of our success stories.

Independent Foreclosure Review (IFR)	Title Insurance Defense
Financial Institution Litigation Representation	Financial Institution Representation: Receivers/Bankruptcy
National Mortgage Laws and Regulations	Drafting Legislation and Lobbying for Mortgage Industry
Lender and Servicer Representation in One of the Nations Largest Mortgage Fraud Schemes	Advanced Scripts and Procedures for Efficient Court Proceedings (ASPECT™)
Lending Litigation Toolkit™ (or L2TK™)	Difficult and Media-Sensitive Cases

- For more than two years, Maddin Hauser (as one of only a small handful of law firms nationwide) has assisted in the national Independent Foreclosure Review (IFR), the largest investigation of its kind regarding the default servicing practices of the nation's largest mortgage servicing companies. We helped independent consultants and federal regulators develop methods for evaluating servicer compliance with state and federal laws (including the SCRA, RESPA, FCRA, and Bankruptcy Code). As part of the IFR process, our Maddin Hauser team:

- Evaluated and applied foreclosure laws and processes from all 50 states
 - Worked with federal regulators to create proposed guidance addressing unique legal issues, particularly in areas where there was little or no judicial authority interpreting or applying key statutes and regulations
 - Worked with independent consultants in the implementation of agency consent orders
 - Evaluated mortgage servicing systems, including document retention and software systems, and helped identify potentially problematic procedures
 - Reviewed and applied GSE Investor Requirements (including FNMA, FHA, VA and others) on a wide range of issues, including loan modifications, payment applications, default servicing, and escrow and suspense account maintenance
 - Evaluated loan modification processing – from application through underwriting – as well as proper application of investor funds to modified loans (including proper capitalization and escrow reconciliations)
 - Evaluated servicer compliance with internal policies and procedures
 - Evaluated the appropriateness of potential borrower remediation

- Maddin Hauser regularly represents financial institutions in litigation regarding borrower claims asserted under RESPA, TILA, FCRA, and other federal and state statutes including issues

relating to origination, servicing, default servicing, loan modification disputes, servicing transfers, and credit reporting. The firm regularly litigates complex matters to successful conclusions, always seeking pragmatic and creative solutions.

- Our national expertise in mortgage laws and regulations has led to our firm representing clients throughout the country. In addition to appearing in various jurisdictions nationally, our firm also coordinates and supervises mortgage litigation across the country for some of our lender and servicer clients, including the retention and supervision of local counsel.
- Clients regularly retain Maddin Hauser to handle difficult and media-sensitive cases. For example, we have handled cases involving allegedly mistaken “trash outs” of properties, including one case that received international attention. The firm was able to determine that the prior mortgage servicer had supplied erroneous information in the service transfer of a large portfolio of loans, and that error caused the “trash-out”. Cases like these require coordination of cross-claims, working knowledge of default servicing processes and vendor relationships, and sensitivity to the impact on our clients’ reputations.
- We have represented lender and servicer clients in one of the nation’s largest mortgage fraud schemes, which included multiple lenders, more than 200 straw borrowers, and a fake title agency. Maddin Hauser successfully coordinated and defended multiple borrower lawsuits and filed indemnification actions against brokers, appraisers, title insurance agents, and others involved in the fraud. Our firm also coordinated with federal investigators to determine correct title for more than 100 properties, and we assisted our clients with insurance and restitution claims.
- Maddin Hauser represents title insurance companies as defense and coverage counsel, including having handled some of the largest claims related litigation on behalf of insured lenders in the history of our home state. In addition, we regularly handle large, complex cases –on behalf of lenders and underwriters – regarding claims and coverage under title insurance policies and closing protection letters.
- We regularly represent financial institutions in the appointment of receivers and in bankruptcy actions, regarding commercial loans and escalated/complex consumer bankruptcies.
- Our firm’s expertise extends to drafting legislation and lobbying on behalf of the mortgage industry. For example, members of our firm have been deeply involved in the drafting and passage of several laws relating to mortgage origination and servicing, and we have represented mortgage industry trade groups seeking to file amicus briefs in important appellate cases.
- Using our compliance experience, Maddin Hauser has created **ASPECT™, our Advanced Scripts and Procedures for Efficient Complia**