



May 4, 2020

● Welcome!

Welcome to our first formal edition of *All Consuming* - our e-newsletter devoted to financial litigation insights. Our goal is to bring you the most up-to-date information that allows you to be proactive in your business.

We will be covering a variety of issues and encourage you to [contact us](#) if there is a particular legal item you would like to see addressed.

If there is anyone you feel needs to receive this e-newsletter, please [email us](#) with the subject line All Consuming, and we will get them added.

Thank you for reading!

[Spilman Thomas & Battle's Consumer Finance Practice Group](#)

● WATCH LIST – Senators Warren and Brown Propose Pausing All Debt Payments

By [Nicholas P. Mooney II](#)

Sen. Elizabeth Warren (D-Mass.) and Sen. Sherrod Brown (D-Ohio) have released a proposal calling on Congress to provide additional protections for consumers during the COVID-19 pandemic. Their proposal notes that an unprecedented 22,000,000 Americans filed for unemployment benefits in the past four weeks. Millions of them received or will receive a \$1,200 stimulus check the senators argue will not cover one month of basic expenses.

Their proposal acknowledges the Coronavirus Aid, Relief, and Economic Security Act provides needed consumer protections, but they argue more must be done to protect consumers.

Click [here](#) to read the entire article.

● *ACA International v. Healey* - Will Massachusetts' Debt Collection Freeze Hold Up To Constitutional Heat?

By [Kelly J. Kimble](#)

A number of states have issued executive orders or other emergency declarations to provide relief from certain debt collection practices in the wake of the COVID-19 crisis. Such measures include ceasing new

wage attachments and vehicle repossessions, etc. None have been as comprehensive as the regulation issued by Massachusetts Attorney General, Maura Healey, on March 26, 2020. The breadth of scope of this regulation, titled "Unfair and Deceptive Debt Collection Practices During the State of Emergency Caused by COVID-19", has resulted in a lawsuit filed by the Association of Credit and Collection Professionals ("ACA"), in the U.S. District Court for the District of Massachusetts. Along with its complaint challenging the validity of the regulation, the ACA filed a motion for temporary injunctive relief that, if granted, would immediately halt enforcement of the regulation.

Click [here](#) to read the entire article.

● **Freddie Mac and COVID-19**

By Wesley A. Shumway

Freddie Mac has taken a series of steps to assist its borrowers, sellers, and servicers during these unprecedented times, and should help Freddie Mac continue its goal to "keep mortgage money flowing, support the stability of the housing market, and promote housing affordability."

Click [here](#) to read the entire article.

● **Featured Attorney Spilman Profile**



Debra Lee Allen

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Debra Lee has proven working remote can work -- long before the COVID-19 pandemic. Her practice currently is focused on commercial loan recovery in West Virginia, Pennsylvania, and Maryland, practicing from her remote location in Charles Town, West Virginia. For more than 30 years, Debra Lee has practiced law in the financial services industry representing banks, financial institutions, non-bank creditors, business owners, insurance companies and bankruptcy trustees.

Her representative experience includes helping clients to collect debt or recover collateral from a defaulted commercial transaction, which can include commercial foreclosure, UCC sale of equipment and other property, receivership, resolution of real estate disputes or quiet title action, lien priority litigation, unraveling sale of tax lien, prosecuting fraudulent conveyance claims, defending and prosecuting actions in bankruptcy, and debt collection. She counsels clients and prepares documentation for loan workouts and settlements. She is well versed in defending lender liability claims asserted against financial institutions in state and federal courts, in both commercial and consumer transactions. She counsels financial institutions regarding compliance with federal and state consumer protection laws.

Debra Lee's experience as in-house counsel for Transamerica, Citigroup, SunTrust Mortgage, Inc., and Capital One Services, LLC involved a broad spectrum of activities in the financial services sector. For example, she served as legal advisor to lending business lines, including operations, default servicing, capital markets, credit, audit and compliance. She managed large litigation dockets and the implementation of large settlements. She also worked in mortgage servicing, advising on mortgage servicing team procedures and counseling business in legal issues related to mortgage insurance rescission and repurchase.

Debra Lee is extremely well respected by her clients and colleagues alike. She was nominated by her peers for inclusion in The Best Lawyers in America in the area of Financial Services Regulation Law. In 2017, she was named the Best Lawyers® "Lawyer of the Year" for Financial Services Regulation Law in Morgantown, W.Va.



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