

Conference Speakers

Irv Ackelsberg is a consumer specialist with Community Legal Services, Inc. in Philadelphia where he has practiced for 28 years, now serving as a Managing Attorney. He has extensive experience in the areas of foreclosure defense, bankruptcy, real estate, student loans and consumer fraud. Most recently, he has concentrated most of his work on the predatory lending practices of the subprime mortgage industry, including in this work extensive individual representation and effective advocacy on the state and national level. Mr. Ackelsberg has authored a number of articles and is a contributing author of the Pennsylvania Consumer Law treatise. He is a frequent lecturer at training events for lawyers, housing counselors, and for the larger community. He was the 2001 recipient of the Philadelphia Bar Association's Andrew Hamilton Award for exemplary service in the public interest and the 1997 recipient of the Striving Towards Excellence Award presented by Pennsylvania Legal Services.

F. Paul Bland, Jr. is a staff attorney for Trial Lawyers for Public Justice, where he engages in socially significant, precedent-setting complex civil litigation. He is a co-author of *Consumer Arbitration Agreements: Enforceability and Other Issues*, a manual published by the National Consumer Law Center and the TLPJ Foundation. Mr. Bland is currently handling or has handled appeals before more than a dozen U.S. Courts of Appeal and state appellate courts. In 2002 he was named San Francisco Trial Lawyer of the Year by the San Francisco Trial Lawyers Association, along with co-lead counsel Jim Sturdevant, for work in *Ting v. AT&T*, 182 F. Supp. 2d 902 (N.D.Cal. 2002). He was selected the 2001 Maryland Trial Lawyer of the Year by the Maryland Trial Lawyers' Association, for arguing *Wells v. Chevy Chase Bank*, 363 Md. 232, 768 A.2d 620 (2001).

Mr. Bland has successfully argued more than half a dozen other cases that led to pro-consumer reported decisions. He is a member of the Board of the National Association of Consumer Advocates. His other areas of expertise include consumer class actions, fighting class action abuse, ERISA preemption, SLAPP suits and *qui tam* litigation. Prior to coming to TLPJ, Mr. Bland was a plaintiffs' class action and libel defense attorney with the Law Office of Kieron Quinn and Quinn, Ward and Kershaw, in Baltimore, Md. Prior to that he was Chief Nominations Counsel to the U.S. Senate Judiciary Committee.

Scott C. Borison is a member of Legg Law Firm, LLC, which has offices in Frederick, Md. and Encino Calif. His consumer practice primarily involves claims under the TILA, HOEPA, RESPA, FDCPA, FCRA and state laws that apply to consumer lending, collection and servicing issues. In addition, he has experience in Telephone Consumer Protection Act cases.

Bernard Brown was a founding member and one of the two original co-chairs of NACA, serving as co-chair and a board member until 1996. He has been in private practice in Kansas City since 1980. His first car fraud jury trial was in 1984, and between then and 1996 his office was devoted entirely to representing consumer plaintiffs who are victims of car fraud — particularly the fraudulent resale of wrecked and rebuilt cars and odometer fraud cases. More recently he has also worked on class action cases, again in connection with car sales and subprime financing (including claims of credit reporting torts, wrongful repossessions, and

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pattern overcharges), and has worked on cases involving fraudulent home equity lending schemes. He has handled a number of reported appeals and federal district court decisions of significance in these areas of the law

Mr. Brown has been active in public interest work since he was in his early twenties, beginning with volunteer work at the headquarters of Common Cause in Washington, D.C. He has worked regularly with National Consumer Law Center staff for many years on various materials, and has written or provided commentary for many articles relating to consumer law. Mr. Brown has drafted several bills that have been offered in the U.S. Congress, and has worked closely on a number of issues with many leading consumer groups (such as Consumers Union, Consumer Federation of America, Public Citizen, U.S. PIRG, Center for Auto Safety, and Consumers for Auto Reliability and Safety). He has testified as the designated representative of many such groups (and of NACA) before a number of committees in Congress and state legislatures.

Ronald L. Burdge is a consumer law trial attorney in private practice in Dayton, Ohio. A sizeable percentage of the reported cases under Ohio's Consumer Sales Practices Act (the Ohio UDAP law) come from Mr. Burdge's 24 years of representing thousands of consumers in auto-fraud and lemon cases in three states and numerous federal courts. He is board certified in civil trial law and has extensive trial and appellate experience in individual and class action cases involving lenders, car dealers and manufacturers, and is one of the few consumer law trial attorneys who has tried a class action case to a jury.

He has obtained several multi-million dollar verdicts, authored numerous consumer law articles in national, state, and local publications, and lectured extensively, including over ten years as chair and co-chair of the Annual Consumer Law Practice Seminar sponsored by the Ohio Bar Association, and to the Ohio Judicial College. He is also an examiner for the National Board of Trial Advocacy. During the last few years Mr. Burdge has given testimony and opinions as an expert witness on consumer law and attorney fee issues in numerous state and federal courts, and annually conducts a consumer law attorney fee survey.

Mark A. Chavez is a graduate of Stanford Law School and a partner in the law firm of Chavez & Gertler LLP located in Mill Valley, Calif. Mr. Chavez was selected through the Attorney General's Honors Program and joined the U.S. Department of Justice in Washington, D.C. He subsequently worked in private practice with Pillsbury, Madison & Sutro and Farrow, Bramson, Chavez & Baskin, before founding Chavez & Gertler LLP in 1994. Mr. Chavez is A-V rated by Martindale-Hubbell.

In the course of his career, Mr. Chavez has represented plaintiffs in a wide variety of class actions, private attorney general cases, and other complex civil litigation matters involving financial services, lending practices and insurance charges. His significant class action experience includes arguing *Linder v. Thrifty Oil*, 23 Cal.4th 429 (2000) before the California Supreme Court and acting as lead or co-lead counsel in over 80 class actions filed in federal and state courts. These class actions have resulted in some of the largest recoveries ever achieved in consumer cases in California.

Mr. Chavez was one of the founders of the National Association of Consumer Advocates and previously served as its Co-Chair. He is currently on the boards of the National Consumer Law

Center, the Stanford Public Interest Law Foundation and Disability Rights Advocates.

Hyung S. Choi practices in Tempe, Ariz. He started his consumer protection practice as a sole practitioner with focus on suing abusive car dealers. His practice soon expanded to suing all abusive business entities involved in the automobile industry. Mr. Choi now is a partner in the law firm of Choi Rhee & Fabian PLC. The firm sues car dealers, lenders, insurance companies, manufacturers, repair shops, and other businesses. Prior to law school Mr. Choi worked as an engineer for General Motors. He received his J.D. *cum laude* from Arizona State University in 1993 and BSME from the General Motors Institute.

Jean Constantine-Davis has been an attorney with AARP and AARP Foundation since 1985. She is currently working in the Foundation's litigation group on issues involving fraudulent and predatory mortgage lending practices targeted at elderly homeowners. Prior to joining the litigation group Ms. Constantine-Davis worked for AARP's Legal Counsel for the Elderly representing low-income, elderly residents of the District of Columbia who were threatened with eviction and foreclosure on their homes. In 1995 she was awarded the Jerrold Scoutt Prize for her work on behalf of the low income, vulnerable elderly population of D.C.

Ms. Constantine-Davis has been a consumer fellow of the American Bar Association's Consumer Financial Services Committee since 1995. She also served as a member of HUD's Negotiated Rulemaking Committee on the Mortgage Broker Rule and as a consumer representative in the Mortgage Reform Working Group's deliberations on reform of Truth in Lending and RESPA. Ms. Constantine-Davis graduated *magna cum laude*, *Phi Beta Kappa* in 1973 from the University of Maryland. She received her law degree from Catholic University of America in 1978.

Elizabeth De Armond is on the faculty of Chicago-Kent College of Law, where her research focuses on consumer law and privacy issues. She has been a frequent contributor to NCLC publications and is a co-author of the 2004 supplement to *Fair Credit Reporting* as well as a contributing author to *Fair Credit Reporting* (5th ed. 2002) and *Consumer Warranty Law* (2d ed. 2000). Previously, she was in private practice in Texas and a clerk for Cornelia Kennedy of the U.S. Court of Appeals for the Sixth Circuit. She is a member of the Illinois, Massachusetts, and Texas bars.

Thomas Domonoske first practiced law in California, and then as a legal aid lawyer in rural Virginia. From July 1996 through August 2000, he was a Senior Lecturing Fellow at Duke Law School. While at Duke, he maintained a small consumer law practice in Virginia through an Of Counsel relationship with the Law Office of Dale W. Pittman, another ex-legal aid lawyer. In August 2000, he returned to the practice of law in Virginia with that office. His primary emphasis is on auto fraud and mobile home fraud issues; both involve Certificates of Titles that require prescribed forms and dealer-arranged financing. Mr. Domonoske has published articles about auto fraud, Virginia titling laws, illegal lease termination provisions, and processing fees in car sales. Additionally, he has contributed to subsections of the National Consumer Law Center's manual, *Truth in Lending*, and frequently provides trainings on these issues at consumer law conferences.

Michael D. Donovan, a founding member of Donovan Searles, LLC in Philadelphia, PA, is admitted to practice before the Supreme Court of the United States, the U.S. Courts of Appeals for the

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Second, Third, Eighth, Ninth and Tenth Circuits, the United States District Court for the Eastern District of Pennsylvania, the U.S. District Courts for the Southern and Eastern Districts of New York as well as the state courts of Pennsylvania and New York and the courts of Washington, D.C. He is a graduate of Vermont Law School (J.D. *cum laude* 1984) and Syracuse University (A.B. 1981). He was the Head Notes Editor and a staff member of the VERMONT LAW REVIEW from 1982 through 1984. While on the LAW REVIEW, he authored Note, *Zoning Variance Administration in Vermont*, 8 VT. L. REV. 370 (1984). Following graduation from law school, Mr. Donovan was an attorney with the Securities and Exchange Commission in Washington, D.C., where he prosecuted numerous securities cases and enforcement matters, including injunctive and disciplinary actions against public companies, broker/dealers and accounting firms.

Mr. Donovan is a member of the American Bar Association (Litigation and Business Law Sections), the Pennsylvania Bar Association, the New York Bar Association, and the District of Columbia Bar Association. He is the Chair of the Consumer Law Subcommittee of the ABA Litigation Section's Class Actions and Derivative Suits Committee. He is also the former Vice Chair of the National Association of Consumer Advocates and an active member of Trial Lawyers for Public Justice. Mr. Donovan has also co-authored *Preserving Judicial Recourse for Consumers: How to Combat Overreaching Arbitration Clauses*, 10 LOYOLA CONSUMER L. REV. 269 (1998); "The Overlooked Victims of the Thrift Crisis," *Miami Review*, Feb. 13, 1990 and "Conspiracy of Silence: Why S&L Regulators Can't Always Be Trusted," *Legal Times*, Feb. 5, 1990.

Kurt Eggert is an Associate Professor of Law and Director of Clinical Education at Chapman University School of Law. His articles about predatory lending include *Held Up In Due Course: Predatory Lending, Securitization, and The Holder In Due Course Doctrine*, 35 Creighton L. Rev. 503 (2002) and *Lashed To The Mast And Crying For HELP: How Self-Limitation Of Autonomy Can Protect Elders From Predatory Lending*, 36 Loy. L.A. L. Rev. 693 (2003).

Mr. Eggert's testimony to a joint Congressional subcommittee hearing about predatory lending is available at <http://financialservices.house.gov/media/pdf/110503ke.pdf>.

Robert Eppes has been, for the last 20 years, Special Agent In Charge of the National Highway Traffic Safety Administration-Odometer Fraud Unit in Kansas City, Mo. He is responsible for conducting and coordinating large scale, multi-jurisdictional, odometer fraud investigations in 14 mid-western states. Several of his investigations have been featured on nationally televised programs including CBS "60 Minutes." Mr. Eppes has received awards from the U.S. Secretary of Transportation and several professional organizations for his efforts to combat odometer fraud. In an effort to heighten awareness of odometer fraud he has provided training nationwide to 3500 federal, state and local law enforcement officers. Mr. Eppes has testified extensively regarding fraud and loss values regarding odometer fraud related issues and he is certified as a personal property appraiser specializing in automobiles and light trucks.

Joanne S. Faulkner is in solo private practice in New Haven Conn., restricted to consumer matters, preferably for persons who cannot afford to pay a lawyer. In October, 2002, she received the prestigious Vern Countryman Award from the National Consumer Law Center "for excellence and dedication in the practice of consumer law on behalf of low-income consumers."

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Ms. Faulkner is a past chair of the Consumer Law Section of the Connecticut Bar Association and edited its Newsletter for many years. She was a member of the Federal Reserve Board's Consumer Advisory Council, and has served on advisory committees to the Connecticut Law Revision Commission. She was on the Board of Directors of the National Consumer Law Center and is a trustee thereof. Ms. Faulkner has lectured for the Connecticut Bar Association on consumer laws, and has assisted NCLC in editing various manuals, including *Truth in Lending*, *Automobile Fraud*, *Credit Discrimination*, *Fair Credit Reporting Act*, *Fair Debt Collection*, and supplements.

Richard N. Feferman is an Albuquerque attorney. He has built a three lawyer firm, Feferman & Warren, which handles a wide variety of individual and class action consumer cases throughout New Mexico, as well as in Arizona and Colorado. Most of the firm's cases are federal lawsuits against car dealers, debt collectors, and lenders. In 1999 Mr. Feferman and Ms. Warren were nominated for Trial Lawyers of the Year with Trial Lawyers for Public Justice, for their \$669,000 jury verdict against a New Mexico car dealer for odometer fraud and tortuous debt collection practices. Mr. Feferman also won a bench trial where the judge awarded punitive damages of \$250,000 against Fleetwood for mobile home sales fraud.

His favorable published decisions of nationwide impact include *Yazzie v. Amigo Chevrolet, Inc.*, 189 F.Supp. 2d 1245 (D.N.M. 2001) and *DiMezza v. First USA Bank, et al.*, 103 F. Supp. 2d 1296 (D.N.M. 2000). Mr. Feferman edited and co-authored *Consumer Law in New Mexico*, published by the New Mexico State Bar Association. Mr. Feferman is a 1971 graduate of the University of Michigan Law School.

Cary L. Flitter is a partner responsible for litigation with the law firm of Lundy, Flitter, Beldecos & Berger, P.C. in Montgomery County, Penn., and Burlington County, N.J. Mr. Flitter litigates a variety of commercial disputes, injunctions, consumer credit and consumer fraud matters, both individual and class actions. He serves on the adjunct faculty at Widener University School of Law where he teaches Consumer Law and Litigation, including federal practice and procedure. From 1991 to 1999 Mr. Flitter served on the adjunct faculty at Philadelphia University where he taught commercial law. He is a graduate of Widener University School of Law and of the National Institute for Trial Advocacy.

Mr. Flitter is a contributing author to *Pennsylvania Consumer Law* by Carter, Geo. Bisel Publishing Co. (2003) and a contributor to *Consumer Class Actions* 5th Ed. by the National Consumer Law Center. He has written articles for the National Law Journal, the Legal Intelligencer and other publications. Mr. Flitter is a frequent lecturer around the country and consultant for the media in matters of consumer credit, fair credit reporting, fair debt collection practices, automobile dealer fraud, consumer class actions, use of expert witnesses in consumer cases, statutory attorneys fees and credit privacy. Mr. Flitter serves as the year 2003 co-chair of the Federal Courts Committee of the Montgomery (County, Penn.) Bar Association.

Neil J. Fogarty is a senior attorney with Northeast New Jersey Legal Services, Jersey City, N.J., practicing bankruptcy and consumer law since 1977. He is admitted to practice in New Jersey and New York. He was a member of the Federal Reserve Board's Consumer Advisory Council from 1986 to 1988 and has been the President of the Consumers League of New Jersey for

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eighteen years. He was a member of the New Jersey Supreme Court Committee on Special Civil Part for five years and a lecturer at the Institute for Continuing Legal Education on consumer credit regulation for five years. He has contributed to the National Consumer Law Center's publications *Consumer Law in a Box*; *Pleadings*; forms for *Consumer Bankruptcy Law and Practice*; *Repossessions and Foreclosures*; and *Truth in Lending*. He has practiced before the Third Circuit Court of Appeals as well as the New Jersey Supreme Court.

Jean Ann Fox is an advocate for consumer protection for the Consumer Federation of America, a nonprofit association of 300 consumer groups, established in 1968 to advance the consumer interest through research, education, and advocacy. She specializes in financial services, electronic commerce, and consumer protection issues. Before going to work for CFA in 1997, Ms. Fox served as a Board member, President and Vice President of CFA. She is also Vice Chairman of the Board of Directors of Consumers Union, publisher of Consumer Reports magazine. She serves on the Steering Committee and on the Internet working group of the Trans Atlantic Consumer Dialogue. Ms. Fox is Vice President of the Virginia Citizens Consumer Council, a volunteer statewide advocacy organization. She served as President and lobbyist for VCCC for ten years.

Ms. Fox formerly worked as Director of the Allegheny County Bureau of Consumer Affairs in Pittsburgh, Pennsylvania; as an Extension Home Economist for the University of Georgia Cooperative Extension Service; and as Regional Manager, Bureau of Consumer Services, Pennsylvania Public Utility Commission. Ms. Fox holds a Masters degree from the Graduate School of Public and International Affairs at the University of Pittsburgh and a Masters degree in consumer economics from Cornell University. Her undergraduate degree in home economics is from the University of Tennessee.

Stephen Gardner is an attorney in private practice, focusing on consumer class actions, representing individuals and such organizations as Center for Auto Safety and Center for Science in the Public Interest. Prior to entering private practice, Mr. Gardner was an Assistant Dean of Clinical Education and visiting assistant professor of law at Southern Methodist University. His major publications include NCLC and NACA's *The Practice of Consumer Law* (co-author), NCLC's *Consumer Class Actions* (contributing author) and *Unfair and Deceptive Acts and Practices* (contributing author); *Lost in the Supermarket: Consumer Confusion and Marketing Mania* (Nutrition Labeling Handbook 1995), *See Dick and Jane Sue: A primer on State Consumer Protection Laws* (American Law Institute 1992), *How Green Were My Values: Regulation of Environmental Marketing Claims* (Toledo Law Review 1991) and *Caveat Vendor* (editor). Mr. Gardner has been a member of the Board of Directors of the National Association of Consumer Advocates. He has also served on the board of Consumers Union. Mr. Gardner received his J.D. from the University of Texas.

Dan Hedges has been in legal services doing consumer law in West Virginia since 1969, beginning with foreclosure defense against shingle gangsters (door-to-door siding sales). Mr. Hedges was with Appalachian Research & Defense Fund from 1971 until the 1996 Congressional effort to strip court access from low income citizens, and since then with Mountain State Justice, Inc., a non-profit legal services office.

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Gail Hillebrand is a senior attorney at the West Coast Regional Office of Consumers Union, nonprofit publisher of Consumer Reports magazine. Ms. Hillebrand manages the credit and finance advocacy team. Her issues include banking, consumer credit, the Community Reinvestment Act, electronic benefit transfer, arbitration reform, accounting reform, electronic commerce, consumer legal rights and remedies, and the Uniform Commercial Code revision process. Ms. Hillebrand is a member of the American Law Institute. She is the former founding chair and a current board member of the California Reinvestment Committee, a statewide coalition working to encourage financial institutions to serve low-income consumers and neighborhoods. Ms. Hillebrand has served on the Consumer Advisory Council to the Board of Governors of the Federal Reserve, and on the boards of the National Community Reinvestment Coalition and the San Francisco Women Lawyers Alliance. Before joining Consumers Union in 1985, Ms. Hillebrand clerked for the Honorable Robert Boochever of the Ninth Circuit U.S. Court of Appeals and practiced law with the San Francisco office of McCutchen, Doyle, Brown & Enersen. She holds a B.A. in Economics from the University of California at San Diego, and a J.D. from the Boalt Hall School of Law, University of California at Berkeley.

Robert J. Hobbs is Deputy Director of NCLC. In his 30 years at NCLC, Mr. Hobbs has specialized in consumer credit issues, with particular attention to fair debt collection practices. He briefed and argued *Mitchell v. W.T. Grant Co.* before the U.S. Supreme Court. He was the designated consumer representative in the Federal Trade Commission rulemakings on creditor remedies and preservation of consumers' claims and defenses. Mr. Hobbs has testified on and proposed amendments adopted as part of the Fair Debt Collection Practices Act and the Truth in Lending Act, and participated in drafting NCLC's Model Consumer Credit Code (1974). He writes NCLC's popular treatise *Fair Debt Collection* (5th Ed.), the *NCLC REPORTS* bi-monthly newsletter on fair debt collection and repossession, and *The Practice of Consumer Law* (2003), and edits the annual National Consumer Law Center, *Consumer Law Pleadings on CD-Rom*. Mr. Hobbs is a former member of the Consumer Advisory Council to the Federal Reserve Board, a Director and outgoing Treasurer of the National Association of Consumer Advocates, Inc., and a graduate of Vanderbilt University and of the Vanderbilt School of Law.

Cheryl Hystad is the Executive Director of the Maryland Consumer Rights Coalition. The Coalition is a non-profit, non-partisan consumer education and advocacy organization. On behalf of the Coalition, Ms. Hystad educates individuals, organizations and public officials about consumer rights and advocates for consumer interests before the Maryland legislature.

Ms. Hystad is an attorney with extensive experience handling consumer cases, first at the Legal Aid Bureau in Baltimore and then in private practice. She has represented individual consumers in a wide variety of cases including mortgage fraud, property flipping, foreclosure, bankruptcy, warranty, credit reporting, and debt collection cases. In addition, Ms. Hystad taught in the Civil Litigation Clinic at the University of Baltimore Law School for two years. Ms. Hystad graduated from Towson State University, cum laude, in 1980 and received her J.D. from the University of Maryland, with honors in 1983. She is a member of the Maryland Bar.

Dale Irwin is in private practice in Kansas City, Mo., with the firm of Slough, Connealy, Irwin & Madden, LLC, devoting his practice to consumer law. He began his career as a legal services lawyer in 1973 and has been in private practice since 1983. He is a founding member of the National Association of Consumer Advocates. He co-taught consumer advocacy at the

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University of Missouri-Kansas City School of Law with Bernard Brown. He is a past recipient of the Missouri Bar Association's Pro Bono Award. He served a year as a guest columnist with the Kansas City Star, writing articles on consumer law topics, including auto repossession law. He and Mr. Brown successfully fought against the non-uniform amendments to Revised Article 9 that were pushed by the bankers association in the Missouri legislature. He has been involved in and is currently handling numerous individual and class actions attacking automobile repossession practices.

De Vonna Joy is a solo practitioner with the law firm Consumer Justice Law Center. Attorney Joy limits her practice to consumer protection, litigating for consumers under state and federal laws. This practice consists of redressing rights arising from consumer fraud in various areas. Some of these areas include identity theft cases, automobile fraud, time share sales violations and other sales scams, illegal debt collection practices, credit report violations, and other consumer disputes.

Ms. Joy received her J.D. from Marquette University Law School in 1987. She clerked for Justice Donald Steinmetz at the Wisconsin Supreme Court. She opened her law firm as a solo practitioner in 1999. Ms. Joy is the moderator for the Legal Action of Wisconsin Badgerlaw Consumer Group Section. She is the 2002 recipient of the Association For Women Lawyers Pro Bono Award, as well as the 2001 recipient of the Volunteer Lawyers Project Outstanding Pro Bono Attorney Award from the Waukesha County Bar Association and Legal Action of Wisconsin Volunteer Lawyers Project.

Kirsten Keefe is a staff attorney in the Consumer Housing and Economic Development Unit of the Greater Upstate Law Project, Inc. (GULP) in Albany, New York. She returned to her hometown to open the first legal services consumer unit in northeastern New York. Ms. Keefe primarily represents victims of consumer fraud in the greater Capital District, including home-equity lending, unfair debt collection, and unfair credit reporting. Ms. Keefe trains and advises housing advocates about consumer issues statewide, as well. Ms. Keefe formerly worked in the Consumer Housing Unit of Community Legal Services, Inc. (CLS) in Philadelphia. She is a graduate of the College of the Holy Cross and of the Beasley School of Law at Temple University, where she has taught consumer law, as well. Prior to attending law school, Ms. Keefe served as a U.S. Peace Corps volunteer in Thailand.

Kathleen Keest will join the Center for Responsible Lending in the fall/winter of 2004. She is a specialist in consumer credit and previously was an Assistant Attorney General in the state of Iowa, where she served as Deputy Administrator of the Iowa Consumer Credit Code. Since 1984, she has frequently lectured and trained on state and federal consumer law nationwide, including to audiences of state and federal regulators and enforcement agencies, and has written extensively on consumer credit topics. She is a member of the Board of Directors of the National Association of Consumer Advocates, and served as its co-chair 1998-1999.

From 1985 to 1996, she was a staff attorney with the National Consumer Law Center. At NCLC Ms. Keest consulted with attorneys and agencies representing consumers nationwide concerning both individual consumer credit transactions and industry-wide practices, served as an expert witness in a number of cases, and trained extensively. She also was the primary author of NCLC's publications *Truth in Lending* and *The Cost of Credit: Regulation and Legal Challenges*. She

was editor-in-chief of NCLC REPORTS and author of NCLC REPORTS *Consumer Credit and Usury Edition*. Ms. Keest is a member and fellow of the Consumer Financial Services Committee of the ABA Business Law Section, and served as chair of the committee's Interest Rate Subcommittee from 1991-1994. She previously worked with the Legal Services Corporation of Iowa for nine years, specializing in consumer matters, and served as an assistant counsel on a subcommittee of the U.S. Senate Judiciary Committee in 1978-1979.

Bryan Kemnitzer is a partner in the firm of Kemnitzer, Anderson, Barron & Ogilvie, LLP, which is well known in the field of lemon law and consumer class actions. Attorneys in the firm have established precedents in several landmark cases published in the reports of the California Court of Appeal. The firm won the 2001 California State Bar President's Pro Bono Service Award and the Community Award from the East San Jose Community Law Center.

Mr. Kemnitzer is a member of the Bar Association of San Francisco. Other memberships include: the National Association of Consumer Advocates, the American Trial Lawyers Association, the San Francisco Lawyer Referral Service and the Board of Governors for the Consumer Attorneys of California. He has tried more than 30 jury trials including cases against Ford, Chrysler, Mercedes Benz, Maserati, Brunswick and Ford Motor Credit. Mr. Kemnitzer was a lead trial attorney in *Ibrahim v. Ford* (1989) 214 Cal. App. 3d 874 and *Kwan v. Mercedes Benz* (1994) 23 Cal. App. 4th 174. Mr. Kemnitzer holds a B.A. from Stanford University and a J.D. from McGeorge School of Law (University of the Pacific).

Eric Kennedy started his career at Weisman, Goldberg & Weisman (now Weisman, Kennedy & Berris) in 1980. Mr. Kennedy has been managing partner of the firm since 1996 and maintains an active practice in the areas of medical malpractice, product liability, automobile liability, security fraud and class actions. Mr. Kennedy has been recognized in The Best Lawyers in America publication since 1989 and in 2000 was listed by the National Law Journal as one of the 10 best trial lawyers in the State of Ohio.

While most of his legal career has been devoted to the representation of individual clients, Mr. Kennedy sat on the National Settlement Committee in the Breast Implant litigation, was trial counsel in the Teletronics pacemaker litigation where over 20,000 cases were consolidated into a single federal court. He served as class counsel in the \$4.8 billion national diet drug settlement. As lead counsel in the Sulzer Prosthetic Hip and Knee Litigation, he was instrumental in its resolution for over \$1 billion.

He was an adjunct professor at Case Western Reserve University School of Law from 1982 through 1985. Additionally, Mr. Kennedy is the chairperson of a welfare-to-work, non-profit organization; has established a health care clinic at an inner city high school and is heading an endowment campaign for The Cleveland Bar Foundation. He is an invited member of the Celebrezze Inn of Court, International Academy of Trial Lawyers, American College of Trial Lawyers and the International Society of Barristers.

Mark Leymaster started his law practice in 1976 as a staff attorney at the National Consumer Law Center. While there he wrote articles on electronic banking and the poor and the first APR Calculator software. He went on to litigate adjudicatory rate cases as an administrative law judge at the Massachusetts Division of Insurance. He is currently the managing partner at

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Renaissance Software in Silver Spring, Md. where he has a patent on an expert legal system for commercial financing, develops software and consults as a consumers' expert in predatory lending cases.

Deanne Loonin is a staff attorney at NCLC who focuses on consumer credit issues affecting low-income consumers, particularly elders, immigrants, and survivors of domestic violence. She also works extensively on student loan, credit discrimination and homeownership issues. Ms. Loonin is co-author of the report *Credit Counseling in Crisis: The Impact on Consumers of Funding Cuts, Higher Fees and Aggressive New Market Entrants* (April 2003). She is also co-author of the *NCLC Guide to Surviving Debt* (4th ed. 2002) and *Credit Discrimination* (3d ed. 2002.) and author of *Student Loan Law* (2d ed. 2002). Ms. Loonin joined the Center in 1997 after having worked at Bet Tzedek Legal Services in Los Angeles. She directed Bet Tzedek's senior consumer fraud unit, and developed its vocational school fraud and student loan advocacy project. Ms. Loonin received her B.A. from Harvard University and her J.D. from Boalt Hall at the University of California at Berkeley.

Cathy Lesser Mansfield is a Professor of Law at Drake University Law School in Des Moines, Iowa. She teaches a variety of Consumer Law courses and has been on the Board of Directors of the National Association of Consumer Advocates since 1999. She lectures nationally about consumer law issues. Her publications include *Literacy & Contract*, 13.2 *Stanford Law and Policy Review* 233 (2002) (with Alan M. White) and *The Road to Subprime "HEL" was Paved With Good Congressional Intentions: Usury Deregulation and the Subprime Home Equity Market*, 51 *S.C.L. REV.* 473 (2000).

Laura McDowall is a partner in the law firm of Young & McDowall in Akron, Ohio. She earned her B.A. in English/Philosophy from Kentucky Wesleyan College in 1982, and her J.D. from the University of Akron School of Law in 1987. Since 1987, her practice has been concentrated on consumer protection cases, including lemon law, auto fraud, predatory lending, wrongful collection, and opposing mandatory arbitration clauses and confidentiality in discovery and settlements. She recently served on a committee of the Ohio Bar Association which prepared standardized jury instructions for consumer trials, and is the co-author of the Lemon Law chapter of Baldwin's *Ohio Consumer Law Handbook*.

Ms. McDowall is involved in NACA, the Ohio Academy of Trial Lawyers, the Summit County Trial Lawyers Association, and the Ohio State and Akron Bar Associations. A frequent lecturer on consumer topics, she has presented seminars to attorneys, professional and civic groups. She has also testified and written position papers for the Ohio Legislature on consumer topics.

Brian R. Mildenberg is a founding shareholder of Mildenberg and Stalbaum, P.C., and concentrates his practice in predatory lending and consumer financial services litigation, representing low-income consumers facing mortgage foreclosure and prosecuting consumers' rights against banks and others involved in the consumer financial services industry. Mr. Mildenberg is co-counsel in a number of class actions against lenders. His firm currently represents hundreds of consumer borrowers in predatory lending claims against mortgage companies. Mr. Mildenberg also represents clients in consumer bankruptcies, general consumer

rights litigation, fair debt collection matters, personal injury claims, and credit and employment discrimination cases.

Mr. Mildenberg is a graduate of Fordham University School of Law (J.D.), and of The George Washington University (B.A., International Relations), and is admitted to practice before the Supreme Court of Pennsylvania, the United States District Court for the Eastern District of Pennsylvania, the United States District Court for the Middle District of Pennsylvania, and the United States District Court for the Northern District of Indiana. He is a member of the National Association of Consumer Advocates, where he is the Moderator of the Mortgage Fraud listserv, the Pennsylvania Bar Association-Legal Services to the Poor Committee, the American Bar Association-Litigation Section, and the American Civil Liberties Union.

Willard P. Ogburn is the Executive Director of the National Consumer Law Center, having formerly served as staff attorney and then as Deputy Director. His areas of legal specializations include credit and property insurance and regulation, banking, and taxation. He has provided expert testimony and administrative representation before a range of Congressional and regulatory committees on the national and state levels. Mr. Ogburn has also served as Deputy Commissioner for Consumer Credit with the Massachusetts Banking Commission, as an analyst with the Federal Office of Management and Budget, and as an attorney for Cleveland's Legal Aid Law Reform Unit. Mr. Ogburn is author of NCLC's *Fair Credit Reporting* and has been published extensively in *Clearinghouse Review*, and *NCLC Reports*. He received a J.D. from the University of Chicago Law School and holds a B.A. from Brown University.

Gwen Orłowski is a senior attorney at Legal Services of New Jersey in the Anti-Predatory Lending Project and the Senior Citizens Legal Rights Project. A graduate of Georgetown University and Rutgers School of Law in Newark, she has more than ten years' experience in housing and elder law. Prior to joining LSNJ, Ms. Orłowski was an assistant clinical professor and adjunct professor of law at Seton Hall University Law School. Her past experience also includes work with the Elizabeth Coalition to House the Homeless and Ocean-Monmouth Legal Services.

Mark Pettit has been a member of the Boston University Law School faculty since 1977, instructing in the areas of contracts, evidence, and consumer law, and has twice served as associate dean for administration. He was a 1993 recipient of the Metcalf Award for Excellence in Teaching, the highest honor for faculty at Boston University. Among Mr. Pettit's recent publications are *Freedom, Freedom of Contract, and the 'Rise and Fall,'* for the Boston University Law Review, and an essay on teaching contracts in the St. Louis University Law Journal. He is also a former executive editor of the *University of Chicago Law Review*. His career includes serving as an associate at the New York City law firm of Cravath, Swaine & Moore and a clinical fellow and staff attorney for the Mandel Legal Aid Clinic at the University of Chicago. He was a visiting professor at Harvard Law School in fall 1999 and spring 2001. Mr. Pettit received his A.B. *summa cum laude*, from Bowdoin College and holds a J.D. from the University of Chicago Law School.

Carol Pryor is a Senior Policy Analyst at The Access Project, a national health research and advocacy organization, where she has written and contributed to a number of reports on the issue of medical debt. These include *Unintended Consequences: How Federal Regulations and Hospital*

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Policies Can Leave Patients in Debt, which was published by The Commonwealth Fund in June 2003, and *Getting Care but Paying the Price: How Medical Debt Leaves Many in Massachusetts Facing Tough Choices*, published in February 2004. Prior to working at The Access Project, Ms. Pryor worked at the Massachusetts Department of Public Health and Division of Health Care Finance and Policy. She has a Bachelor's degree from the University of California, Berkeley, and Masters' degrees in Public Health and in Education from Boston University.

John Rao is a staff attorney at the National Consumer Law Center. Mr. Rao focuses on consumer credit and bankruptcy issues and directs the Center's case consulting services, providing technical assistance and litigation support to attorneys in a wide range of consumer law cases. He also participates in the Center's litigation efforts. He has served as a panelist and instructor at numerous bankruptcy and consumer law trainings and conferences, and has served as a trainer for housing counselors and attorneys on predatory mortgage lending issues. Mr. Rao is a contributing author and editor of NCLC's *Consumer Bankruptcy Law and Practice* manual, co-author of NCLC's *Repossessions and Foreclosures* manual, and contributing author to NCLC's *Student Loan Law* and *Stop Predatory Lending* manuals, and NCLC Reports: *Bankruptcy and Foreclosures Edition*. He is also a contributing author to *Collier on Bankruptcy* (Matthew-Bender) and the *Collier Bankruptcy Practice Guide*. He is a member of the board of directors for the National Association of Consumer Bankruptcy Attorneys and the American Bankruptcy Institute. Prior to coming to the Center, Mr. Rao served as head of the consumer law unit at Rhode Island Legal Services. He is a graduate of Boston University and received his J.D. from the University of California (Hastings).

Ira Rheingold is Executive Director of the National Association of Consumer Advocates. Previously he worked at the Legal Assistance Foundation of Chicago as a supervisory attorney in charge of the Foreclosure Prevention and Senior Housing Projects. His responsibilities included community outreach and education, staff and volunteer training, grant writing, legal and policy advocacy and the development of impact litigation against predatory mortgage lenders. The major focus of his litigation practice was the representation of senior and disabled homeowners victimized by mortgage brokers, lenders and contractors who targeted minority low-income communities with high interest, high fee home equity loans. Mr. Rheingold also worked for three years as a legal services attorney in suburban Washington D.C. At that job, the primary focus of his work was welfare and homelessness prevention. Prior to becoming a legal services attorney, Mr. Rheingold worked as a legislative advocate for low-income community groups in rural Southern Maryland. He is a graduate of Georgetown Law School.

John Roddy is a partner in the Boston law firm of Roddy Klein & Ryan and a 1980 *cum laude* graduate of Boston College Law School. For the past six years he has co-chaired the Practising Law Institute's bi-coastal conference on consumer credit class action litigation, *Consumer Financial Services Litigation*, held annually in New York, NY and San Francisco, California. Mr. Roddy has written and spoken on consumer law and consumer class actions locally and nationally. He served as an Assistant Attorney General in the Consumer Protection Division of the Massachusetts' Attorney General's Office and as Legislative Counsel to former Attorney General Frank Bellotti for most of the 1980s. His firm's practice is focused upon the representation of consumers victimized by unfair and deceptive business practices. Most

recently, his firm served as co-lead counsel in the \$167 million Household Lending settlement and in the \$55 million Fairbanks Capital settlement.

Stuart T. Rossman is the Director of Litigation at NCLC. He is an experienced trial attorney who, after 13 years of private practice, served as a Chief of the Trial Division and Chief of the Business and Labor Protection Bureau (consisting of the Fair Labor and Business Practices Division, the Insurance Fraud Division, the Medical Fraud Control Unit and the Unemployment Fraud Division) at the Massachusetts Attorney General's Office. He also founded and chaired the Attorney General's Abandoned Housing Task Force, a project created to assist municipalities and community groups in seeking solutions to abandoned properties. Mr. Rossman is the former Chairman of the Volunteer Lawyer Project, the oldest and largest pro bono legal services program in Massachusetts, and continues to serve on its Board of Directors. He also is a member of the adjunct faculty of the Northeastern University School of Law where he has taught Civil Trial Advocacy since 1993. Mr. Rossman is a graduate of the University of Michigan and Harvard Law School.

Richard J. Rubin is a private attorney in Santa Fe, New Mexico, whose federal appellate practice is limited to both representing consumers in federal consumer credit protection cases, including credit reporting and debt collection abuse litigation, and to consulting for other consumer rights specialists around the country. He and his solo practice were the subject of a profile published in the January 1993 ABA Journal. Mr. Rubin has taught consumer law at the University of New Mexico School of Law, is a regular contributor to the Consumer Credit and Sales Legal Practice Series manuals published by NCLC, and presents continuing legal education and attorney-training programs nationally in the areas of consumer credit, warranty law, and debt collection abuse. The United States Court of Appeals for the Seventh Circuit has acknowledged Mr. Rubin as a "nationally known consumer-rights attorney" (*Bass v. Stolper, Koritzinsky, Brewster & Neider, S.C.*, 1997 U.S. App. LEXIS 41397, *5 (June 6, 1997)). Mr. Rubin is the past chair of the National Association of Consumer Advocates (NACA) and in 2000 was the recipient of the Vern Countryman Award.

Pamela Sah is a staff attorney and fair housing coordinator with the Foreclosure Prevention Project at South Brooklyn Legal Services (SBLS). At SBLS, Ms. Sah fights predatory mortgage lending practices in low-income neighborhoods and communities of color throughout New York City, primarily through litigation using consumer protection and civil rights laws to defend homeowners in foreclosure. Ms. Sah has worked as a social worker with homeless people in San Francisco, helped organize to save a community garden on the Lower East Side of NYC, and, after 9/11, advised Arab immigrants subject to INS "special registration" procedures.

Margot Saunders has been the Managing Attorney of the Washington office of the National Consumer Law Center since 1991. Her areas of specialization include electronic commerce and the electronic delivery of public benefits, predatory lending and consumer credit law, and energy/utility issues. Ms. Saunders testifies regularly before Congressional committees and federal administrative agencies on behalf of low-income clients. She was the key consumer representative in the congressional debate over consumer protections and consumer exemptions in the federal Electronic Signatures and Electronic Records Act of 2000. Ms. Saunders also was the drafter of the comments joined by many consumer organizations which were submitted to the Federal Reserve Board regarding electronic disclosure of credit information.

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Before joining NCLC, Ms. Saunders was the consumer specialist for North Carolina Legal Services. In North Carolina, she represented low-income clients and regularly lobbied the North Carolina General Assembly on consumer issues.

Brad Scriber is Housing Coordinator for the Consumer Federation of America. In this capacity, he works to educate consumers about housing and housing finance issues, such as predatory lending, home equity loans, credit reporting, and credit scoring, through media interviews and through direct outreach initiatives. He was the lead researcher on the study *Credit Score Accuracy and Implications for Consumers* released by the Consumer Federation of America and the National Credit Reporting Association.

Mr. Scriber has a background in housing related research, in both academic and advocacy environments. He received his Master's degree in Geography from the University of Georgia with a thesis examining home improvement mortgage lending discrimination in Atlanta, and previously worked for the National Community Reinvestment Coalition, a coalition of community non-profit organizations focused on increasing access to credit in underserved communities.

Jonathan Sheldon joined the National Consumer Law Center as a staff attorney in 1976. He specializes in state unfair and deceptive practices statutes, consumer arbitration agreements, consumer fraud and deception, repossessions and secured transactions, automobile and other leases, credit discrimination and credit reporting, and the production and editing of NCLC consumer law manuals. Mr. Sheldon writes extensively for NCLC's publications, including *Unfair and Deceptive Acts and Practices* (1982, 1988, 1991, 1997, 2001) *Automobile Fraud* (1998, 2003), *Consumer Warranty Law* (1997, 2001), *Repossessions and Foreclosures* (1982, 1988, 1995, 1999), *Consumer Class Actions* (1999) and *Consumer Arbitration Agreements* (2001, 2002). Before working at NCLC, Mr. Sheldon worked for three years at the Federal Trade Commission's Bureau of Consumer Protection. He is a graduate of Harvard University and Harvard Law School.

Diane E. Thompson has represented low income homeowners since 1994. Since 1998, she has been the Supervising Attorney of the Housing and Consumer Unit of the East St. Louis office of Land of Lincoln Legal Assistance Foundation, Inc. She concentrates her practice in homeownership defense, including installment land contracts, mortgage foreclosure defense, and affirmative suits on behalf of homeowners. Ms. Thompson is currently a member of the Consumer Advisory Council of the Federal Reserve Board. She received her B.A. from Cornell University in 1991 and her J.D. from New York University in 1994. Between 1995 and 2001, Ms. Thompson served as corporate counsel to the largest private nonprofit affordable housing provider in the East St. Louis metropolitan area. Ms. Thompson is a frequent speaker on fair housing law and predatory lending.

Steve Tripoli is an NCLC consumer advocate. Since arriving at the start of 2003, he has focused his efforts on documenting consumer fraud and abuse and bringing examples of these abuses to the attention of the public, legislators, the news media and law enforcement officials. He is principal author of the NCLC report *In Harm's Way - At Home*, focusing on consumer scams targeting America's military personnel and veterans, and he's also helped bring national

attention to the widespread abuses of the debt collection industry. Mr. Tripoli comes to NCLC after 27 years as a journalist, most recently as a reporter for the nationwide public radio business program Marketplace. He has also worked at National Public Radio, the Los Angeles Times, the Baltimore Sun and several other news organizations.

Michelle Weinberg is a senior staff attorney at the Legal Assistance Foundation of Metropolitan Chicago, director of a project entitled Consumer Legal Assistance to the Elderly. Ms. Weinberg began her career as a consumer lawyer in 1993 with the firm of Edelman & Combs, before opening a solo practice on Chicago's North Side. After two years solo, she practiced with the firm of Horwitz Horwitz & Associates in 1999-2001.

Ms. Weinberg has handled a wide range of consumer cases, including claims under the Truth In Lending Act, the Fair Debt Collection Practices Act, and other consumer protection statutes, including numerous automobile and home improvement fraud cases. In September, 2000, she won a jury trial in the "rebuilt wreck" case of *Singleton v. River Oaks Toyota*, resulting in award of \$12,200 actual damages and \$75,000 punitive damages, plus substantial attorney fees under Illinois Consumer Fraud Act. Significant appellate decisions include *Mace v. Van Ru*, 109 F.3d 338 (7th Cir. 1997) (FDCPA class certification), and *Avila v. Rubin*, 84 F.3d 222 (7th Cir. 1996) (FDCPA). More recently, Ms. Weinberg litigated a RICO/predatory lending/home improvement scam case on behalf of four individual plaintiffs against twelve named defendants, resulting in a 40 page district court decision in *Pulphus v. Sullivan*, 2003 WL 1964333; 2003 U.S. Dist. LEXIS 7080 (N.D.Ill. 2003). In July, 2004, the plaintiffs received a \$100,000 settlement from the home improvement contractor, plus a substantial confidential amount in mortgage debt reduction from the broker and lender defendants. Ms. Weinberg is a 1992 graduate of Chicago-Kent College of Law. She has been a member of the National Association of Consumer Advocates since 1997, and is currently a member of the board of directors of NACA. She is also a semi-professional musician and singer.

Dan Williams represents capital cases for the Capital Defender Office in New York. He is also a faculty member of the Trial Lawyers College in Dubois, Wy. Mr. Williams' publications include *The Supreme Court* and *Procedural Justice* in the Encyclopedia of Crime and Punishment as well as *Executing Justice: An Inside Account of the Case of Mumia Abu-Jamal* (2001). Mr. Williams is a graduate of the University of California, Berkeley and Harvard Law School.

Chi Chi Wu is a staff attorney at NCLC. Ms. Wu is a national expert on refund anticipation loans, having co-authored three reports (in 2002, 2003 and 2004) on the RAL industry. She also focuses on consumer credit issues that affect immigrants, the elderly and victims of domestic violence. Ms. Wu is co-author of the legal manuals, *Credit Discrimination* and *Truth in Lending* and the NCLC *Guide to Consumer Rights for Immigrants*, and the NCLC *Guide to Bank Accounts and Consumer Rights*. She is author of the short guide, *In Sickness and in Debt: Using Consumer Law to Help Elders Facing Overwhelming Medical Bills* and the NCLC *Guide to Consumer Rights for Domestic Violence Survivors* (Massachusetts edition). Before joining NCLC in March 2001, Ms Wu worked for five years at the Consumer Protection and Antitrust Division at the Massachusetts Attorney General's office, where she concentrated on immigrant consumer cases, health care, and consumer fraud. Ms. Wu has also represented victims of domestic violence at Greater Boston Legal Services as the Harry H. Dow Fund Fellow. She received her J.D. from Harvard Law School.