



## → Benjamin D. Brooks

### Associate

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Benjamin D. Brooks is an Associate in the Business Trial Practice Group in the firm's San Diego office.

### Areas of Practice

Ben focuses his practice on class action defense and regulatory enforcement and compliance. He has advised banks, mortgage servicers, and other financial institutions on establishing procedures that will withstand regulatory scrutiny under various consumer protection laws and regulations. In addition, Ben has litigated residential mortgage-backed securities matters as well as matters under the Fair Credit Reporting Act, Truth in Lending Act, Racketeer Influenced and Corrupt Organizations Act, federal and state securities laws, and state consumer-protection statutes, including the California Unfair Competition Law.

### Experience

- Advised national bank in establishing and implementing consumer-facing remediation strategies
- Advised marketplace lending institution in connection with an FDIC examination report asserting TILA and UDAP violations
- Provided regulatory advice to global e-commerce company regarding bank licensure and usury restrictions
- Represented mortgage servicer in putative class action relating to HAMP trial payment plan communications
- Obtained summary judgment on federal and state securities fraud claims against investment bank in residential mortgage-backed securities litigation
- Representing national bank in RMBS litigation asserting breach of contract claims for failure to properly service loans in accordance with accepted servicing practices and contractual servicing obligations
- Representing financial institution in putative nationwide class action asserting FCRA claims
- Representing mortgage servicer in putative nationwide class action asserting RICO and fraud claims challenging fees for default-related services
- Represented national bank in putative nationwide class action asserting breach of contract claim relating to refinancing of FHA-insured mortgages

### Practices

Class Action Defense

Litigation

## Industries

Financial Services

Mortgage Banking

## Education

J.D., University of Chicago, 2015, with High Honors, Order of the Coif; Pro Bono Service Initiative Award

B.M., California State University at Sacramento, 2012, *summa cum laude*

## Admissions

California

New York

U.S. District Court for the Southern District of New York

U.S. District Court for the Central District of California