



→ John C. Dineen

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John Dineen is a partner in the Business Trial Practice Group in the Firm's San Diego (Downtown) office.

Areas of Practice

John is an experienced litigator who represents clients in a variety of business disputes, with a special emphasis on real estate, financial institutions, mortgage banking, lender liability and consumer class action defense.

In particular, John has successfully represented clients in numerous real property cases, including quiet title actions, easement disputes, and lease and ownership disputes.

John has also successfully represented several national banks and mortgage lenders in cases involving claims for lender liability, breach of contract, unfair business practices, fraud, negligence, violations of the Truth-In-Lending Act and Real Estate Settlement Procedures Acts and many other causes of action challenging the origination or servicing of consumer loans. John is the Team Leader of the Firm's Mortgage Industry Team.

John also has significant experience in defending consumer class action claims, including claims brought under California's Gift Card Law, the Song-Beverly Credit Card Act, the Telephone Consumer Protection Act, the Consumer Legal Remedies Act, California's Rosenthal Act and other statutory claims. He has extensive experience in all aspects of class action litigation, including coordination proceedings in California courts.

Experience

Secondment

Between April, 2012 and June, 2013 at the height of the mortgage crisis, Mr. Dineen served a secondment in Wells Fargo Bank's Law Department. In that capacity he handled numerous litigation matters pending in California and other western states, which included managing outside counsel, responding to discovery, working with business teams to develop strategy and counseling the Bank on risk management and compliance with state and federal consumer protection regulations.

Representative Matters

- Represented several national retailers (in separate cases) against class action complaints challenging clients' gift card policies.
- Represented several national retailers and restaurants (in separate cases) against class action complaints challenging clients' respective credit card policies under the Song-Beverly Credit Card Act and California's unfair competition law.

- Represented a national bank with respect to a dispute between several parties involving a sublease of Native American land located in Palm Springs, CA.
- Represented a national bank in defense of claims including trespass, malicious prosecution and invasion of privacy relating to a loan secured by a large ranch in Santa Barbara County.
- Represented a national bank in defense of a class action complaint filed by a group of property owners in a development in La Jolla, CA related to the construction of the project and certain individual loans secured by individual units in the development.
- Represented a San Diego based developer with respect to endangered species act claims that threatened to prevent use of the developer's land.
- Represented a subsidiary of a national bank in defense of a class action complaint brought by lessees challenging the insurance provision contained in client's leases for certain commercial/business equipment.
- Represented a home owner in a quiet title action involving the use, maintenance and access to a private road in Point Loma section of San Diego.
- Represented national storage company in defense of a class action challenging client's practices with respect to noticing rent increases pursuant to its consumer rental contracts.
- Represented several national banks with respect to the defense of multiple (separate) lawsuits brought by residential borrower's seeking to modify the terms of their loans and/or to prevent foreclosure following the borrower's default under the terms of the respective loans.
- Represented several clients in defense of (separate) complaints asserting alleged violations of the Telephone Consumer Protection Act based on calls made by autodialers and allegedly unsolicited text messages.

Articles

- Constraints On Calif. Credit Card Class Actions
Law360, 06.23.2011

Finance & Bankruptcy Law Blog Posts

- "Update for Mortgage Lender Operations in California," March 23, 2020

Financial Institutions Law Blog Posts

- "CFPB Prevails On Summary Judgment Against CashCall, Inc.," September 2, 2016

Class Action Defense Strategy Law Blog Posts

- "In *Pineda's* Wake," May 24, 2011

Speaking Engagements

- Speaker, "Engagement Session: The Latest on Regulatory Expectations for Vendor Management", Mortgage Bankers Association Legal Issues & Regulatory Compliance Conference," May 26, 2021

Events

Foreclosure Litigation and Receivership: What it Entails and Looking Forward
Webinar, 09.22.2020

The Mortgage Banking Industry – 2019 in Review and A Look Ahead Webinar
02.04.2020

Memberships

Member, Conference on Consumer Finance Law (CCFL)

Member, Association of Business Trial Lawyers San Diego

Member, Federal Bar Association

Member, San Diego County Bar Association

Member, Welsh Inn of Court, 2007-2009

Member, Ecology Law Quarterly, 1999-2000

Podcasts & Webinars

Foreclosure Litigation and Receivership: What it Entails and Looking Forward
09.22.2020

Practices

Litigation

Class Action Defense

Financial Services Litigation

Real Estate and Land Use

Industries

Mortgage Banking

Retail

Education

J.D., University of California, Berkeley, 2002, Chair of the Moot Court Board, 2001-2002, Associate Articles Editor,
Berkeley Technology Law Journal, 2000-2001

B.A., Georgetown University, 1997, *magna cum laude*, *Phi Beta Kappa*

Clerkships

Judicial law clerk to the Honorable William Q. Hayes, United States District Judge for the Southern District of California from November, 2003 to September, 2005

Admissions

California

U.S. District Court, Southern District of California

U.S. District Court, Central District of California

U.S. District Court, Northern District of California

U.S. District Court , Eastern District of California

U.S. Court for the Ninth Circuit