

Financial Services

Our financial services team manages clients' challenges in an ever-changing business environment. Knowing which issues to negotiate or litigate and which to resolve at an early stage is crucial. We help clients evaluate strategy, tactics, and possible outcomes.

We have extensive experience representing a broad variety of clients with diverse needs. Our lawyers frequently counsel financial institutions – including many regional and community lenders – and borrowers regarding commercial lending transactions, foreclosures, restructuring, bankruptcies, receiverships, and regulatory matters. We also add value through the skills, knowledge, and work ethic gained from our decades of representation in the financial sector.

Our creditors' remedies and bankruptcy team has earned a national reputation for creative, practical, and cost-effective solutions for financial institutions and companies affected by the labyrinth of federal and state laws governing interactions with consumers. Licensed and admitted to practice in numerous states and U.S. district courts, our lawyers appear throughout the country.

Our areas of counsel include:

- Financial transactions
- Class action defense
- Consumer financial litigation defense
- Compliance
- Bankruptcy

Reported Decisions

We are involved in numerous cases that shape and define this area of law, including the following representative matters:

- *Roark v. Credit One Bank* 2018 WL 5921652 (D. Minn., 2018)
- *Remington v. Financial Recovery Services, Inc.*, 2017 WL 1014994 (D. CT)
- *Bradford v. LVNV Funding*, 3 F. Supp. 3d 708 (6th Cir. 2015)
- *Donaldson v. LVNV Funding*, 2015 WL 1539607 (S.D. Ind. 2015)
- *Bradford v. LVNV*, Docket 2:11-CV-291 (E.D. Tenn., Feb. 25, 2014)
- *White v. Sherman*, 2013 WL 5936679 (E.D. Tenn., Nov. 4, 2013)



- *Robinson v. Sherman*, 2013 WL 3968446 (E.D. Tenn., July 31, 2013)
- *Ferris & Salter v. Thomson Reuters Corporation*, 2012 WL 3815624 (D. Minn.)
- *Dumoulin v. Palisades Collection, LLC*, 11-149 (Idaho Supreme Court)
- *Zigdon v. LVNV Funding, LLC*, 2010 WL 1838637 (N.D. Ohio 2010) and 2010 WL 2332692 (N.D. Ohio 2010)
- *Brill v. Financial Recovery Services, Inc.*, 2010 WL 5825480 (D. Neb. 2010)
- *Lougee v. Ad Astra Recovery Services, Inc.*, 2010 WL 2077178 (D. Colo. 2010)
- *Mack Financial Services v. Tim Flanigan Trucking, Inc.*, 2010 WL 234729 (D. Minn. 2010)
- *Jiminez v. Accounts Receivable Management, Inc.*, 2010 WL 5829206 (C.D. Cal. 2010)
- *Waite v. Financial Recovery Services, Inc.*, 2010 WL 5209350 (M.D. Fla. 2010)
- *Vinton v. Certegy Check Services*, 1:08-cv-881 (W.D. Mich. 2009)
- *Hollis v. Northland Group, Inc.*, 2009 WL 250075 (D. Minn. 2009)
- *Grim v. West Publishing Corp.*, 08-1264 (Berks County, PA 2008)
- *Hernandez v. Palisades*, 3:06-CV-1382 (D. Conn. 2008)
- *Cerjawseski v. Financial Recovery Services, Inc.*, 2008 WL 3091318 (N.D. Ind. 2008)
- *Stampley v. LVNV Funding, LLC*, 583 F. Supp. 2d 960 (N.D. Ohio 2008)
- *Sivak v. LVNV Funding, LLC*, 3:06-CV-01400 (D. Conn. 2007)
- *Posso v. Asta Funding, Inc.*, 07-C-4024 (N.D. Ill. 2007)
- *Galbraith v. Resurgent Capital Services*, 2006 WL 2990163 (E.D. Cal. 2006)
- *Jackson v. Financial Recovery Services, Inc.*, 1:05-cv-023 (D. N.D. 2006)
- *Perera v. Blue Ribbon et. al.*, CV-04-1668 (D. Oregon 2005)
- *Malm v. Household Bank*, 2004 WL 1559370 (D. Minn. 2004)
- *Richardson v. AllianceOne Receivables Management*, 2004 WL 867732 (S.D. N.Y. 2004)
- *Wiegand v. JNR Adjustment Co.*, 2002 WL 724456 (D. Minn. 2002)
- *Alexander v. Omega Management*, 67 F. Supp. 2d. 1052 (D. Minn. 1999)

Professionals

Todd J. Anlauf

Bradley R. Armstrong

John P. Boyle

Nathan M. Brandenburg

Kevin M. Busch

Jill M. DeRouchey

Sarah E. Doerr

Michael T. Etmund

Christopher Ferreira

Sandra L. Fussy

Beth A. Gliedman

Timothy L. Gustin

Aylix K. Jensen

Elizabeth H. Kiernat

Issa K. Moe

Michael S. Poncin

Suzanne M. Rivers

Erik L. Romsaas

Brian J. Schoenborn

Alex R. Schoephoerster

Glen E. Schumann

Christopher D. Stall

Taylor D. Sztainer

Bryant D. Tchida

Patrick T. Zomer

News

Attorney Issa K. Moe Rejoins Moss & Barnett
04.03.2024

Brian T. Grogan Re-elected and Brian J. Schoenborn Elected to Moss & Barnett Board of Directors
01.24.2024

Consumer Relations Consortium Announces 2024 Legal Advisory Board Members [to include Aylix K. Jensen and Issa K. Moe]
insideARM, 01.18.2024

Aylis K. Jensen Elected a Shareholder of Moss & Barnett

01.10.2024

Todd J. Anlauf Elected to Board of Directors of the Minnesota Chapter of Lambda Alpha International (LAI) Land Economics Society

10.01.2023

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in *The Best Lawyers in America* and *Best Lawyers: Ones to Watch* for 2024

08.17.2023

Moss & Barnett Congratulates Our 2023 Minnesota *Super Lawyers* and *Rising Stars*

07.17.2023

Moss & Barnett Announces New Shareholders: Michael T. Etmund, Mary Frances Price, and Jeffrey A. Wieland

02.22.2023

Kevin M. Busch, Christopher D. Stall, and James J. Vedder Included as *The Best Lawyers in America* "Lawyers of the Year" for 2023

The Best Lawyers in America, 08.18.2022

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in *The Best Lawyers in America*, *Best Lawyers: Ones to Watch*, and *Best Lawyers* "Lawyers of the Year" for 2023

The Best Lawyers in America, 08.18.2022

Alert: New Remedies to Combat "Revenge Liens"

Moss & Barnett Advocate (Summer 2022 edition), 08.15.2022

Moss & Barnett Congratulates Our 2022 Minnesota *Super Lawyers* and *Rising Stars*

07.18.2022

Elizabeth ("Betsy") Kiernat Selected to *Twin Cities Business* Notable Women in Banking & Finance (2022)

Twin Cities Business (April edition), 04.13.2022

Alex R. Schoephoerster Named to the Class of 2021 "5 Under 40" by *St. Cloud Times/Local1Q*

St. Cloud Times/Local1Q, 03.28.2022

Moss & Barnett Announces New Shareholders: Bradley R. Armstrong, Lindsay L. Case, Maggie H. Garborg, Peter J. Kaiser, John P. Kennedy, and Erik L. Romsaas

03.02.2022

John P. Boyle and Jana Aune Deach Re-elected to Moss & Barnett Board of Directors

02.23.2022

Lawyer Justin S. Boschwitz Joins Moss & Barnett
01.19.2022

Nathan M. Brandenburg Joins Moss & Barnett
09.01.2021

Kevin M. Busch Named *Best Lawyers* 2022 "Lawyer of the Year"
The Best Lawyers in America®, 08.19.2021

Moss & Barnett Congratulates Our 2021 Minnesota *Super Lawyers* and *Rising Stars*
07.20.2021

Company Expenses Paid with Forgiven PPP Loan Proceeds Are Tax Deductible
02.19.2021

Moss & Barnett Announces New Shareholders: Kathy Y. Allen, Kelly C. Engebretson, Brittney M. Miller, John M. Schmid, and Alex R. Schoephoerster
01.20.2021

Fifteen Moss & Barnett Lawyers Named to 2021 *Best Lawyers*® List
The Best Lawyers in America, 08.20.2020

Moss & Barnett Congratulates Our Lawyers Listed to Minnesota "Super Lawyers" and "Rising Stars" Lists for 2020
07.20.2020

New Legislation Gives Employers More Flexibility with PPP Loans
06.05.2020

New Federal Small Business Loan Programs
04.02.2020

Changes to Bankruptcy Law Affect Farmers and Small Businesses
Moss & Barnett Advocate (Summer 2020 edition), 03.31.2020

Kevin M. Busch and Timothy L. Gustin Re-elected to Moss & Barnett Board of Directors
02.17.2020

Kevin M. Busch Named "Best Lawyers" 2020 "Lawyer of the Year"
The Best Lawyers in America®, 08.15.2019

Moss & Barnett Congratulates Our Lawyers Selected for Inclusion in "The Best Lawyers in America" for 2020
The Best Lawyers in America®, 08.15.2019

Moss & Barnett Congratulates Its Lawyers Named to Minnesota "Super Lawyers" and "Rising Stars" Lists for 2019
07.05.2019

Bryant D. Tchida Joins Moss & Barnett
05.13.2019

John P. Boyle and Jana Aune Deach Elected to Board of Directors and Beth A. Gliedman Elected a Shareholder of Moss & Barnett
05.02.2019

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America®" for 2019
08.15.2018

Moss & Barnett Opens St. Cloud Office
07.09.2018

Moss & Barnett Congratulates Its Lawyers Named to Minnesota "Super Lawyers" and "Rising Stars" Lists for 2018
07.05.2018

Aylix K. Jensen Joins Moss & Barnett
05.08.2018

Todd J. Anlauf Inducted into Lambda Alpha International Land Economics Society
04.26.2018

Nicholas J. Kaster and Patrick T. Zomer Elected Shareholders of Moss & Barnett
03.23.2018

Michael T. Etmund Selected for a Second Term as ACA International New York Attorney State Chair
10.20.2017

Sarah E. Doerr Selected as ACA International Minnesota Attorney State Chair
10.19.2017

Kevin M. Busch Named "Best Lawyers" 2018 Minneapolis "Lawyer of the Year"
10.04.2017

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America®" for 2018
08.15.2017

Moss & Barnett Congratulates Its Lawyers Named to Minnesota "Super Lawyers" and "Rising Stars" Lists for 2017
07.05.2017

Aaron A. Dean, Susan A. King, and Taylor D. Sztainer Elected Shareholders of Moss & Barnett
04.04.2017

Kevin M. Busch and Timothy L. Gustin Re-elected to Moss & Barnett Board of Directors
03.09.2017

Sarah Doerr Named to Compliance Professionals Forum Editorial Review Board for 2017
02.20.2017

Michael S. Poncin and Michael T. Etmund Selected as ACA Attorney State Chairs
10.06.2016

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America®"
for 2017
08.15.2016

Moss & Barnett Congratulates Its Lawyers Named to Minnesota "Super Lawyers" and "Rising Stars"
Lists for 2016
07.05.2016

Caroline Simonson and Sarah Doerr Elected Shareholders
03.01.2016

Bradley R. Armstrong Joins Moss & Barnett
01.07.2016

Michael J. Bradley and Kevin M. Busch Named "Best Lawyers" 2015 Minneapolis "Lawyers of the
Year"
08.18.2014

Moss & Barnett Congratulates Its Lawyers Selected for Inclusion in "The Best Lawyers in America®"
for 2015
08.18.2014

Moss & Barnett Congratulates Its Lawyers Named to Minnesota "Super Lawyers" and "Rising Stars"
Lists for 2014
07.07.2014

Events

Trends in St. Cloud's Commercial and Residential Markets
Harvester Square, 539 East Saint Germain Street, St. Cloud, MN, 05.16.2024

Building Wealth in Your Business: "Strategies for Sustainable Growth & Transition"
St. Michael Theater, 4300 O'Day Avenue, 3rd Floor, St. Michael, MN 55376, 05.22.2024

Answering Compliance Questions Related to Email Communications
Zoom Webinar, 04.26.2024

Sara E. Filo, Aylix K. Jensen, and Moss & Barnett are Pleased to be a Diamond Sponsor of Women in Consumer Finance 2023

The Renaissance Esmeralda in Indian Wells, CA, 12.11.23-12.13.23

Alex R. Schoephoerster and Moss & Barnett are Pleased to be a Sponsor of The Impact of Web3 on Law & Society

University of St. Thomas School of Law, 1000 LaSalle Avenue, Minneapolis, MN 55403, 10.23.2023

Common Credit Reporting Mistakes for Debt Buyers and Collection Agencies to Avoid
RMAi 2023 Annual Conference, Aria Resort & Casino, Las Vegas, Nevada, 02.07.2023

Sarah E. Doerr, Aylix K. Jensen, and Moss & Barnett are Pleased to be a Gold Sponsor of Women in Consumer Finance 2022

Hosted by insideARM in Palm Springs, CA, 12.05.2022

Sarah E. Doerr and Moss & Barnett are Pleased to be a General Corporate Sponsor of the IWIRC Leadership Conference 2022

IWIRC Leadership Summit 2020, Dorsey & Whitney LLP, 50 South 6th Street, Suite 1500, Minneapolis, MN 55402, 08.03.2022

9th Annual Capital Markets and M&A Update: Dealmakers Panel

9th Annual Capital Markets and M&A Update, Golden Valley Country Club 7001 Golden Valley Road Minneapolis, MN 55427, 01.26.2022

Sarah Doerr, Aylix Jensen, and Moss & Barnett Are Pleased to be a Sponsor of 2021 Women in Consumer Finance

In Person at The Westin Kierland Resort and Spa in Scottsdale, Arizona (Dec. 6-8, 2021) or Online (Dec. 13-15, 2021), 12.06.2021

Consumer Law – Recent Trends in Article III Standing

Jointly Hosted by the MSBA Consumer Litigation Section and the HCBA Debtor Creditor Section (Live Webinar), 06.16.2021

Enhancing Emotional Intelligence

Women in Consumer & Commercial Finance Virtual Conference, 12.09.2020

Aylix K. Jensen Served as the Member Representative for the Consumer Litigation Section at the Minnesota State Bar Association "Meet the Bar" Event

Minnesota State Bar Association One-on-One Zoom Meetings with Law Students from University of Minnesota Law School, 10.09.2020

Collections and Bankruptcy

2019 ACA International Convention & Expo, Hilton San Diego Bayfront, San Diego, California, 07.15.2019

Consumer Law: Innovative Strategies for Avoiding and Defeating TCPA Lawsuits
Minnesota CLE Webcast, 01.10.2019

(When) Can Student Loans Be Discharged in Bankruptcy Without a Showing of Undue Hardship?
2018 Bankruptcy Institute, Minnesota CLE Conference Center, 600 Nicollet Mall #370, 3rd Floor, City Center, Minneapolis, MN 55402, 10.04.2018

How to Write Collection Letters that Avoid FDCPA Claims
2018 ACA International Annual Convention and Expo, Music City Center, Nashville, TN, 07.25.2018

Payment Compliance 101: What Every Collection Agency Should Know
AccountsRecovery.net Webinar, 02.22.2018

Issues with Purchased Judgments
Receivables Management Association International (RMA) Webinar, 10.17.2017

Sarah E. Doerr and Moss & Barnett Sponsor "A Candid Conversation About Compliance"
Compliance Professionals Forum Regional Peer Meeting, 100 South Fifth Street Suite 1800, Minneapolis, MN 55401, 09.18.2017

Moving Forward – How Will the Election Results Impact the Collection Industry and the Proposed CFPB Rules?
Webinar sponsored by New York State Collections Association Education Committee, 02.10.2017

Impact of Recent Court Decision on New York Debt Collection
Webinar sponsored by New York State Collections Association Education Committee, 11.08.2016

Protect Your Assets! Protect Your Assets! Four Things You Need to Know for Call Center Compliance
2016 ACA International Annual Convention and Expo, Hyatt Regency Denver and Colorado Convention Center, Denver, CO, 06.18.2016

ATDS Possibilities & Pitfalls: Strategies for Complying with the FCC's July 2015 TCPA Order
02.2016

ARM Industry Pressures: A Frank Conversation with Industry Experts on Challenges and Best Practices
Interactive Intelligence Live Webinar, 11.17.2015

Collection Law from Start to Finish
National Business Institute, 11.09.2015

Recent Court Decisions On Leaving Messages: Impact On Your Call Center Operations
ACA International 2015 Convention & Expo, Sheraton Boston & Hynes Convention Center, Boston,
MA, 07.19.2015

The FDCPA and State Collection Licensing Laws: Implications for Collectors and Creditors' Counsel
DBA International Webinar, Sponsored by Roetzel, 06.10.2015

Current Trends in Consumer Litigation
insideARM's Larger Market Participant Summit, Washington, D.C., 04.23.2015

Publications

Judge Denies Competing Motions for Sanctions in FDCPA Case | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 04.22.2024

Judge Grants MSJ For Defendant in FCRA Reasonable Investigation Case | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 03.25.2024

Judge Grants MSJ for Defendant in FDCPA Jurisdiction Case | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 02.26.2024

The Times and Crimes of Consumer Fraud: FCRA Best Practices for Identity Theft Claims
Moss & Barnett Advocate (Fall 2023/Winter 2024 edition), 02.26.2024

25 State AGs Back FCC's Plan to Include AI Voices in TCPA Artificial Voice Definition | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 01.29.2024

Judge Grants MTD in FDCPA Class Action Over Credit Reporting Language in Letter | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 12.11.2023

CFPB Cites 'Pay-to-Pay' Fees as Problem in New Supervisory Highlights on Junk Fees | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 10.30.2023

My Journey to Credibility from Ground Zero
Women in Consumer Finance, 10.16.2023

Appeals Court Largely Affirms Sanctions Against Plaintiff's Attorney in FDCPA Case | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 07.24.2023

To Disclose or Not to Disclose: A Primer on Data Breach Notification Rules
Moss & Barnett Advocate (Fall 2022 edition), 12.15.2022

Court Finds That Use of the Model Validation Notice is Not Required to Comply with Regulation F
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (September/October 2022),
10.17.2022

Eleventh Circuit Vacates Dismissal of FDCPA Case and Finds that Wasted Time and Emotional
Distress Can Confer Article III Standing
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (September/October 2022),
10.17.2022

Additional Disclosure Requirements in Massachusetts for Debt Buyers
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (September/October 2022),
10.17.2022

Eighth Circuit Rejects Attorney's Attempt to Expand the Scope of Third-Party Disclosure Violations
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (September/October 2022),
10.17.2022

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (September/October 2022 edition)
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (September/October 2022 edition),
10.17.2022

Third Circuit Finds that Determining Accuracy Under the FCRA Should be Based on a "Reasonable
Reader" Standard
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (August 2022), 08.30.2022

Tenth Circuit Finds that Materiality Must be Determined Through the Perspective of the Reasonable
Consumer
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (August 2022), 08.30.2022

Early-Out Servicers Are Not Debt Collectors for Purposes of the FDCPA
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (August 2022), 08.30.2022

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (August 2022 edition)
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (August 2022 edition), 08.30.2022

No FDCPA Violation Where Consumer Claims Not to Recognize Creditor Name
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (July 2022), 07.21.2022

The CFPB Favors State Regulation Regarding Consumer Credit Reporting
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (July 2022), 07.21.2022

Will the Definition of an ATDS Soon Include Text Messages?
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (July 2022), 07.21.2022

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (July 2022 edition)

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (July 2022 edition), 07.21.2022

Collecting Fees on Loan Payments in Maryland May Not be Permissible

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (June 2022), 06.20.2022

Pack Your Desk: Permanent “Work from Home” in Minnesota Has Been Signed into Law

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (June 2022), 06.20.2022

Only Debt Collectors Who Have Applied for Licensure are Authorized to Collect in California

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (June 2022), 06.20.2022

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (June 2022 edition)

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (June 2022 edition), 06.20.2022

Does a Consumer Revoke TCPA Consent by Requesting Mailed Statements?

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (May 2022), 05.19.2022

CFPB Critical of Deleting Tradelines

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (May 2022 edition), 05.19.2022

Furnishers’ Beware: The CFPB Argues that the FCRA Requires Investigation of Legal Issues Raised in Indirect Disputes

The Safe Harbor: Debt Collection Law Update by Aylix K. Jensen (May 2022), 05.19.2022

Who’s Next? The CFPB Advises of Intention to Supervise Nonbank Financial Companies

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (May 2022 edition), 05.19.2022

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (May 2022 edition)

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (May 2022 edition), 05.19.2022

All's Fair in Love and Bankruptcy

Moss & Barnett Advocate (Spring 2022 edition), 05.13.2022

Team Publications: *The Safe Harbor: Debt Collection Law Update by Aylix Jensen*

Moss & Barnett Advocate (Spring 2022 edition), 05.13.2022

Desperate Times Call for Desperate . . . Banners?

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (April 2022 edition), 04.20.2022

Choosing the Right Assumed Business Name for Your Collection Agency

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (April 2022 edition), 04.20.2022

Is Your State Next? The Adoption of Consumer Privacy Laws

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (April 2022 edition), 04.20.2022

Here We Go Again: The CFPB Claims its Authority Includes Ability to Review for Discrimination

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (April 2022 edition), 04.20.2022

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (April 2022 edition)
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (April 2022 edition), 04.20.2022

Prohibition Regarding Leaving Messages When Seeking Location Information
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (March 2022 edition), 03.21.2022

The Safe Harbor: Debt Collection Law Update by Aylix Jensen (March 2022 edition)
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (March 2022 edition), 03.21.2022

Continue to Proceed with Caution When Collecting Medical Debt in Nevada
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (March 2022 edition), 03.21.2022

Requesting Too Much Assistance from the Alleged Victim in Identity Theft Investigations
The Safe Harbor: Debt Collection Law Update by Aylix Jensen (March 2022 edition), 03.21.2022

The Future of Credit Reporting Medical Debt
The Safe Harbor: Debt Collection Law Update by Aylix K. Jensen (March 2022 edition), 03.21.2022

Federal Surprise Billing Law is Now in Effect
The Safe Harbor: Debt Collection Law Update by Aylix K. Jensen (March 2022 edition), 03.21.2022

Reg F Lawsuit Filed Over Alleged Calls Made After Cease Request Communicated | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 03.14.2022

Pa. Judge Denies Stay Request in Hunstein Case | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 02.21.2022

The Caselaw that Shaped the Industry in 2021
Accounts Recovery.net Compliance Digest, 01.03.2022

Judge Grants Defendant's MSJ in FDCPA Case Over Alleged Disputed Debt | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 01.03.2022

Bank Settles Collection Call Lawsuit for \$3.5M | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 11.29.2021

Judge Grants MTD in FDCPA Case Over Calls to Debtor's Mother | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 10.11.2021

Judge Denies Motion to Compel Over How 'Receivable' and 'Account' are Defined | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 09.13.2021



Judge Denies Credit Repair Org's MTD in Suit Filed by CFPB | What this Means, from Aylix K. Jensen of Moss & Barnett

Accounts Recovery.net Compliance Digest, 08.23.2021

Judge Grants MSJ in TCPA Case Over Collection Calls | What this Means, from Aylix K. Jensen of Moss & Barnett

Accounts Recovery.net Compliance Digest, 06.14.2021

Appeals Court Affirms Ruling for CRO Sued by Collectors For Allegedly Sending Fraudulent Disputes | What this Means, from Aylix K. Jensen of Moss & Barnett

Accounts Recovery.net Compliance Digest, 04.12.2021

Choppy Seas Ahead: Navigating Chapter 13 Bankruptcies in Uncertain Times

*GGi FYI Debt Collection, Restructuring & Insolvency Newsletter (Spring 2021)**, 04.09.2021

Appeals Court Affirms Dismissal of FDCPA Over Issue with Collection Lawsuit, Lack of Title Chain | What this Means, from Aylix K. Jensen of Moss & Barnett

Accounts Recovery.net Compliance Digest, 03.22.2021

Are Early Out Services Banned in Texas? An Examination of How Texas Debt Collection Requirements Apply to Early Out Entities

insideARM, 03.01.2021

Judge Denies Stay Request in FCRA Permissible Purpose Case | What this Means, from Aylix K. Jensen of Moss & Barnett

Accounts Recovery.net Compliance Digest, 03.01.2021

Is This the End of Credit Reporting for Debt Collectors?

insideARMN, 02.18.2021

Can We Say Goodbye to Six-Figure Emotional Distress Jury Awards? The Future of Actual Damages Awards in Light of the Seventh Circuit's Standing Decisions

insideARM, 02.09.2021

"You Hurt My Feelings!" An Examination of Emotional Distress Damages under the FDCPA

insideARM, 02.02.2021

Advice Regarding Implementation

AccountsRecovery.net, 01.07.2021

Appeals Court Issues Four More Rulings on Lack of Standing | What this Means, from Aylix K. Jensen of Moss & Barnett

Accounts Recovery.net Compliance Digest, 12.28.2020

Are Your Company's Debt Collection Practices or Policies Creating an Impermissible Disparate Impact?

Moss & Barnett Advocate (Fall 2020 edition), 12.15.2020



Debt Buyer to Offer \$2.7M of Relief in Settlement With Maryland AG | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 11.30.2020

Judge Denies Motion for Attorneys' Fees in FDCPA Case | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 11.09.2020

Judge Denies MTD in FDCPA Case Over Garnishment SOL | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 10.26.2020

Judge Grants \$175k Settlement in FDCPA Case | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 10.05.2020

Remembering Ruth Bader Ginsburg
Accounts Recovery.net Compliance Digest, 09.21.2020

Branch Manager Fined, Barred From Renewing License as Part of Kickback Scheme | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 09.08.2020

CCPA Compliance: What Your Company Needs to Know
Moss & Barnett Advocate (Summer 2020 edition), 09.02.2020

Appeals Court Upholds Dismissal of FCRA Suit Because Plaintiff Failed to Dispute Debt With CRA | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 08.24.2020

Appeals Court Vacates Dismissal of FDCPA Suit, But Only To Dismiss it For Other Reasons | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 08.10.2020

Judge Awards \$16k in Damages & Fees to Plaintiff in FDCPA Case With Fake Law Firm | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 07.27.2020

Judge Denies MSJ in FDCPA Case Over Use of Alternate Name | What this Means, from Aylix K. Jensen of Moss & Barnett
Accounts Recovery.net Compliance Digest, 07.06.2020

Judge Grants MTD After Plaintiff Files for BK Because of Collection Letter | What this Means, from Aylix K. Jensen of Moss & Barnett
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Litigation Defense and Regulatory Compliance Counsel

Compliance and litigation defense are complementary components for the financial services industry. Moss & Barnett works closely with clients to create and update compliance programs. We seek to avoid litigation through compliance and provide national guidance on key issues such as statutes of limitation, licensing, and consumer disclosures. Companies seeking legal advice on any issue know that we have typically already researched the issue in other contexts and can leverage that base of knowledge to provide cost-effective answers. Our clients include national banks, automobile lenders, information companies, and fintech companies – including marketplace lenders and companies offering income share agreements – in addition to collection agencies and debt buyers.

We foster and enjoy robust relationships with numerous state and federal regulators. Lawyers in our office meet frequently with federal regulators in Washington, D.C. and communicate with state collection agency regulators, who frequently seek our informal input on issues. Moss & Barnett clients benefit from our relationships with the regulators who enforce laws that are often open to broad and varying interpretations.

Additionally, we provide successful litigation defense and compliance counseling in connection with individual and complex class action lawsuits under the Fair Debt Collection Practices Act (FDCPA), the Fair Credit Reporting Act (FCRA), the Telephone Consumer Protection Act (TCPA), and similar state statutes.

National Creditor Bankruptcy Counsel

We have substantial experience representing secured and unsecured creditors and other interested parties in proceedings under the U.S. Bankruptcy Code. Our counsel includes:

- Preference, fraudulent transfer, and non-dischargeability actions
- Claim allowance disputes
- Collateral recovery
- Automatic stay and discharge injunction litigation
- Contested matters and adversary proceedings

A Valued Partner

Moss & Barnett is often consulted when a company is facing “lost cause” litigation and contemplating paying enormous sums of money to settle a case. While our published court victories are well-known, our work behind the scenes to quietly – and often reasonably – resolve cases provides the greatest value to our clients.

Where We Practice

Lawyers on our team are admitted to practice in some or all of the federal district courts located in the following states:

- Arkansas
- Colorado
- Connecticut
- Illinois
- Indiana
- Michigan
- Minnesota

- Missouri
- Nebraska
- New York
- North Dakota
- Ohio
- Pennsylvania
- Tennessee
- Texas
- Wisconsin

