

Phillip R. Robinson, Esq.

PROFESSIONAL EXPERIENCE

THE CONSUMER LAW CENTER LLC, Silver Spring MD

Attorney & Owner, June 2014--Present

- Full-service, active litigation firm concentrating on complex, consumer litigation in state and federal court.
- Successfully negotiated multiple class-wide and individual settlements; waived any right to attorney fees in two class-wide settlements resulting in the dismissal of hundreds of state court judgments and deficiency waivers for hundreds Maryland consumers at risk of foreclosure.
- Obtained \$38,630,344.00 Jury Verdict against second largest debt buyer in the industry in the Circuit Court for Baltimore City (May 2016) which was remitted to \$25,000,000 by trial court and judgment of liability was affirmed on appeal.
- Recognized national trainer and presenter on mortgage servicing and debt collection issues.
- Successfully represented parties and *Amici Curiae* in multiple successful appeals before Maryland appellate courts.

THE LAW OFFICES OF PHILLIP ROBINSON, Silver Spring MD

Attorney & Grassroots Advocacy Consultant, June 2000—May 2014

- Of Counsel to the Legg Law Firm LLC in Frederick, Maryland concentrating on consumer protection litigation in state and federal court in the areas of Fair Debt Collection Practices by unlicensed debt buyers, foreclosure defense, predatory mortgage finance cases, debtor rights in bankruptcy, and appellate practice.
- Served as class counsel in multiple Fair Debt Collection Practices Act matters which collectively have resulted in the dismissal of more than 20,000 state court collection matters, the promises to no longer collect upon more than \$20,000,000 in other consumer debt, and the licensure of multiple unlicensed collection agencies acting in the State.
- Solo practitioner providing legal and public affairs consulting in government relations, grassroots advocacy, organizational management, and education law. Clients included the National Albanian American Council, Prince George's County Municipal Association, and Adams and Associates, Inc.
- Organized successful volunteer-based campaign to support state and local property tax appeal legislation; managed successful media outreach for school board candidate forum; designed and implemented community connections plan for international development program (including media releases, newsletter, and website content); provided technical assistance and research for federal grant proposals; and created and implemented grassroots advocacy plan for municipal officials seeking to influence county and state policy.
- Perform legislative analysis of proposed bills; research the Maryland Annotated Code; follow court and administrative procedures; conduct discovery; and draft bills and amendments, correspondence and legal filings; research variety of issue areas including municipal government, appropriations, financial services, zoning, and education legislation.

CIVIL JUSTICE INC., Baltimore MD

Executive Director, Deputy Director, Of Counsel January 2004—May 2012

For this emerging non-profit, lead all operations including member development and recruitment, network outreach, planning and organizing development activities, and expanding referral services. Acted as counsel to Maryland consumers who have been victims of predatory real estate practices in the areas of state or national banking regulation or management.

- Supervised and managed work of up to 6-8 attorneys and 3-4 para-professionals in active litigation practice.
- Successfully networked with other legal service providers in the State to increase the quality and quantity of legal referrals offered to Civil Justice attorneys—4,000 clients referred annually.

- Served as public interest expert in Maryland foreclosure reform process (2007-2011) before the Maryland legislative, executive, judicial branches; led effort to recruit 1400 pro bono attorneys to provide assistance to Maryland homeowners facing foreclosure and other creditor abuse issues.
- Served as class counsel in multiple banking regulation issues in which the defendants established sham entities in violation of the Real Estate Settlement Procedures Act for the purposes of charging fees for services that were not performed. The combined cases resulted in settlement funds of \$5,000,000 for the class and refunds of nearly 100 percent of the average overcharge.
- Designed, wrote, and secured several hundred thousand dollar commitments to sustain and increase organization services to Maryland consumers who had been victim of certain predatory real estate practices while facing foreclosure and in bankruptcy; successfully increased annual operating budget by 333% and established cash and committed fund reserves equal to two years of annual budgets.
- Presented and led more than 50 national, state, and local continuing legal education sessions for thousands of attorneys in the areas on consumer protection (i.e. real estate practices, foreclosure defense, and debt collection).

EDUCATION

GEORGETOWN UNIVERSITY LAW CENTER
Washington, DC
Visiting Student, 1998 Area: **Public Service Law**

AMERICAN UNIVERSITY
Washington, DC
Bachelor of Arts, 1989 Major: **Political Science**

WIDENER UNIVERSITY SCHOOL OF LAW
Wilmington, DE
Juris Doctorate, 1998 Area: **Administrative Law**

ADDITIONAL BACKGROUND

Appointed Member of the Maryland State Bar Association's Laws
Committee (2019 to present)

Recipient of the Consumer Advocate of Year Award, National Association of Consumer
Advocates (2016)

Appointed Member, Montgomery County Advisory Comm. on Consumer Affairs (2007-2011, 2020 - present)

Appointed Member, Maryland Consumer Rights Coalition Board of Directors (2010-2011).

Recipient of the Denis J. Murphy Consumer Advocate of the Year, Maryland Consumer
Rights Coalition (2008)

Appointed Member, Governor O'Malley's Homeownership Preservation Task Force (2007)

Member, National Association of Consumer Advocates (2005 to Present)

Member, Public Justice (2006 to Present)

Member, Civil Justice, Inc. (2002-2004, 2012-Present)

Member, Maryland State Bar Association (2004-Present)

Member, Anne Arundel County Bar Association (2014 to present)

Admitted to Maryland State, U.S. District Courts for Maryland and the District of Columbia, the U.S. Circuit
Courts of Appeal for the Fourth Circuit, and the U.S. Bankruptcy Court for Maryland

Phillip R. Robinson, Esq.
CONSUMER LAW CENTER LLC

8737 Colesville Road, Suite 307
Silver Spring, MD 20910

Phone: (301) 448-1304
Email: Phillip@MarylandConsumer.com

LIST OF SAMPLE REPRESENTATIVE CONSUMER LAW CASES

Keneipp v. Fountainhead et al. (Civil Action No. 03-cv-02813-WMN) and *Johnson v. Fountainhead* (Civil Action No. 03-cv-03106-WMN) (November 2, 2005)

- Appointed Class Counsel by the federal court in matters which settled and returned 100% of over charges to Maryland homeowners deceived as part of illegal kick-back and referral scheme.

Greer v. Crown Title Corp., Cir. Ct. Balt. City, Case No. 24-C-02001227 (September 2005)

- Appointed Class Counsel by state circuit court in matter which settled and returned 130% of over charges to Maryland homeowners deceived as part of illegal kick-back and referral scheme

Shorb et al. v. Draper & Goldberg, PLLC, Cir. Ct. of Fred. Cty., Case No. 10-C-04-002942 (October 2005)

- Successfully petitioned for a modification to proposed *cy pres* award to include an award to Civil Justice to provide prospective relief to consumers who had been victim of certain predatory real estate practices while facing foreclosure and in bankruptcy.

Robinson v. Fountainhead Title Group Corp., 447 F.Supp.2d 478 (D.Md. 2006); 252 F.R.D. 275 (D.Md. 2008)

- Appointed Class Counsel by federal court in largest illegal kick-back and referral scheme in Maryland history.

Benway v. Resource Real Estate Services, 239 F.R.D. 419, (D.Md. 2006)

- Appointed Class Counsel by federal court in nationwide illegal kick-back and referral scheme.

Taylor v. Savings First et al. Cir. Ct. Balt. City, Case No. 24-C-02001635 (January 2008).

- Appointed Class Counsel by state circuit court in mortgage broker fee scheme resulting in more than \$8,000,000 being returned to class members. Appointed Class Council by state circuit court in certified class action against Wells Fargo.

Proctor v. Metropolitan Money Store Corp., 645 F.Supp.2d 464, 483 (D.Md.2009); *Winston v. Regional Title & Escrow LLC*, (U.S. Dist. Ct., Civ. Act. No. 08-2633-RWT) (D.Md. 2009)

- Appointed Class Counsel for a settlement class representing part of the single largest foreclosure rescue scheme in the country with the Metropolitan Money Store Corporation.

Geesing v. Matthews, Balt. Cir. Ct. Civ No. 24-O-10001394 (Jan. 2011)

- Counsel in class action Motion to Dismiss on behalf of a group of Defendants facing foreclosure based upon robo-signed documents upon which the witness testimony presented to the state courts was not based upon any personal knowledge by the affiant who testified otherwise; result in the dismissal of more than 200 similar pending actions in the state.

Hauk v. LVNV Funding, LLC, 749 F. Supp. 2d 358 (D. Md. 2010)

- Counsel in class action in which the Court granted denied motion to dismiss by unlicensed collection. Case settled and provided significant relief to class in the form of dismissal of thousands of collection cases, credit correction and promises not to collect upon accounts valued at more than \$9,000,000.

Johnson v. Midland Funding, LLC, Case No.: 1:09-cv-02391-RDB (2010)

- Counsel in settlement class action involving an unlicensed collection. Case settled and provided significant relief to class in the form of over 5,000 collection actions being dismissed in state court, cash payments to class members, and licensure of Defendants with state.

Bradshaw v. Hilco Receivables, LLC, 725 F. Supp. 2d 532 (D. Md. 2010), 765 F. Supp. 2d 719 (D. Md. 2011)

- Counsel in class action in which the Court granted summary judgment in favor of the class for unlawful debt collection by a collection agency without a license which was a violation of federal and state consumer protection statutes; Court had previously struck Defendants' affirmative defenses for not complying to new, federal pleading standards. Case settled and provided significant relief to class in the form of credit correction and promises not to collect upon accounts valued at more than \$16,000,000.

Winemiller v. Worldwide Asset Purchasing, LLC, 1:09-CV-02487, 2011 WL 1457749 (D. Md. Apr. 15, 2011)

- Counsel in class action in which court denied Defendants' motion to dismiss and found as a matter of law that corporate, publically traded corporations could be liable for the illegal collection activities of the subsidiary collection agency. Case settled and provided significant relief to class in the form of credit correction and promises not to collect upon accounts valued at more than \$10,000,000.

Gardner v. Montgomery County Teachers Fed. Credit Union, 1:10-CV-02781-JKB, 2012 WL 1994602 (D. Md. June 4, 2012)

- Counsel in putative class action in which the Court granted summary judgment in favor of named plaintiff in Truth in Lending Act case filed concerning the illegal security interests assumed by the defendant credit union related to credit cards issued by the credit union to its members.

Piotrowski v. Wells Fargo Bank, N.A., CIV.A. DKC 11-3758, 2013 WL 247549 (D. Md. Jan. 22, 2013)

- Counsel in putative class action under the Equal Credit Opportunities Act against mortgage servicer for failing to timely communicate and notify borrowers about the status of their mortgage modification applications.

Castillo v. Nagle & Zaller, PC, CIV.A. WDQ 12-cv-2338 (2013)

- Class counsel in \$300,000 settlement with unlicensed collection agency law firm which utilized nonattorney employees to collect.

Rand v. Main Street Acquisition Corporation, Cir. Ct. for Balt, Civ No. 24-O-13-004864 (2015)

- Appointed class counsel and obtained final approval in class action settlement involving over 250 void judgments that resulted in the deletion of more than \$1,000,000 in judgments from the public records and other relief to the class.

Turner v. Asset Acquisition Group, LLC, Cir. Ct. for Balt, Civ No. 24-C-13-004861 (2015)

- Appointed class counsel and obtained final approval in class action settlement involving over 60 void judgments that resulted in the deletion of nearly \$300,000 in judgments from the public records and other relief to the class.

Baumgardner v. Blatt, Cir. Ct. for Anne Arundel County, Civ. No. C-02-CV-14-000785 (2015)

- Appointed class counsel in matter against collector utilizing Maryland courts to knowingly collect upon void judgments.

Martinez v. Grand Bel Manor Condominium, et al., Cir. Ct. for Montgomery County, Civ. Case No. 410129-V (2016)

- Appointed class counsel in matter involving unlawful debt collection by a condominium association and unlicensed debt collection by a management company.

Finch v. LVNV Funding, LLC, 212 Md. App. 748, 71 A.3d 193 cert. denied, 435 Md. 266, 77 A.3d 1084 (2013)

- Counsel in certified class action obtained a reported decision reversing initial dismissal and thereafter obtained an order declaring thousands of pending consumer judgments void as a matter of law and obtained a jury verdict of \$38,630,344.00 (which was remitted to \$25,000,000).

Barbely v. Dyck O'Neal Inc., Cir. Ct. for Anne Arundel County, Civ. Case No. 02-C-14-190995 (2016)

- Counsel in certified class action which eliminated several million in mortgage deficiencies allegedly owed for a class of 38 consumer mortgage loans.

Wilcox v. Primestar, Cir. Ct. for Anne Arundel County, Civ. Case No. 02-C-14-000099 (2016)

- Appointed Class Counsel in matter involving hundreds of class members subjected to unlicensed debt collection practices by an unlicensed mortgage debt buyer.

Hansford v. Erin Capital Management, LLC, Cir. Ct. for Baltimore City, Civ. No. 24-C-13-004860 (2016)

- Counsel in certified class action which resulted in the elimination of over 100 judgments entered against the class members statewide and the establishment of a \$250,000.00 common fund for the class.

Jason v. Nat'l Loan Recoveries, LLC, 227 Md. App. 516 (2016)

- Counsel in successful appeal reversing dismissal of putative class action at the motions to dismiss stage.
- Class Counsel for class-wide settlement which will vacate hundreds of state court judgments; waived any right to any attorney fees.

Cain v. Midland Funding, LLC, 452 Md. 141 (2017)

- Counsel in successful appeal of a putative class action which reversed the trial court's order compelling the plaintiff to arbitration

Swann v. Pontus Capital Management LLC, Cir. Ct. for Anne Arundel County, Civ. Case No. C-02-cv-15-2117 (2017)

- Class Counsel for class-wide settlement involving hundreds of class members subjected to unlicensed debt collection practices by an unlicensed mortgage debt buyer; waived any right to any attorney fees.

Dazza v. Kirschenbaum, Phillips & Levy, P.C., No. CV RDB-16-3954, 2017 WL 1315510 (D. Md. Apr. 10, 2017) & *Doyle v. Frontline Asset Strategies, LLC*, No. CV RDB-16-3501, 2017 WL 1230819 (D. Md. Apr. 4, 2017)

- Counsel in putative class actions (consolidated by the court) against debt collection attorneys improperly using the state courts to collect upon void judgments; successfully defeated motions to dismiss.

Murray v. Midland Funding, LLC, 233 Md. App. 254, 163 A.3d 271 (2017)

- Counsel in successful appeal reversing the improper dismissal of putative class action.

Jernigan et al. v. Protas, Spivok & Collins, LLC, (U.S. Dist. Ct., Civ. Act. No. 1:16-cv-03058-ELH) (D.Md. 2017)

- Counsel in successful appeal reversing the improper dismissal of putative class action.

Payne et al. v. Marriot Employees Federal Credit Union, (U.S. Dist. Ct., Civ. Act. No. 2:18-cv-04009-WB) (E.D. Pa. August 2019)

- Appointed class counsel in case involving high-cost “mini-loans” in violation of the Truth in Lending Act
- Case settled and statutory damages of nearly \$600 per class member were secured for a \$45 per class member violation.

Grayson v. Freedom Mortgage Corporation, Cir. Ct. for Montgomery County, Civ. Case No. 444996-V (November 2019).

- Appointed class counsel in settlement class that returned substantial sums in excess of the improper fees imposed and collected.

Graham v. Servis One, Inc., (U.S. Dist. Ct., Civ. Act. No. 2:18-cv-4377-WB) (E.D. Pa. November 2020)

- Appointed class counsel in settlement case in case mortgage servicing case involving claims for sums not lawfully due and in violation of the Fair Debt Collection Practices Act

LIST OF SAMPLE INDIVIDUAL IMPACT CASES

Wells Fargo Home Mortg., Inc. v. Neal, 398 Md. 705, 922 A.2d 538 (Md.,2007)

- Co-counsel for the *amici curiae*.

Delph v. AllState Home Mortgage, Mont. Cty. Cir Ct. Case No. 278020V (July 2008)

- First judgment in Maryland to find a payment-option-arm mortgage loan to be unfair and deceptive pursuant to the state UDAP statute; successful remand motion reported at 478 F. Supp. 2d 852 (D. Md. 2008).

Griffin v. Bierman, 403 Md. 186 (2008)

- Served as trial and appellate co-counsel for homeowner challenging the constitutionality of Maryland foreclosure notice requirements; the Court of Appeals denied the challenge but the published decision aided the legislative reforms enacted a month later by the legislature and has tipped the deference to homeowners in Maryland's foreclosure proceedings.

New Towne Properties LLC v. Boyd, Md. Court of Special Appeals (Case No. 2058) (unpublished) (10/17/2008)

- Served as co-counsel at the trial level and counsel at the appellate level for homeowners victimized by a foreclosure rescue scheme. In this first impression case, the appellate court upheld the lower court ruling in favor of homeowners and the protections of a new state law to protect vulnerable homeowners.

Massey v. Lewis, CIV. AMD 08-261, 2009 WL 6885028 (D. Md. Feb. 24, 2009)

- Served as counsel at the trial level for victim of wide ranging bankruptcy and mortgage fraud scheme which resulted in criminal and civil judgments. Through this representation, Ms. Massey received title to her home back as well as a judgment for damages and attorney fees in the amount of \$670,000.

Harmon v. BankUnited, CIV. WDQ-08-3456, 2009 WL 3487808 (D. Md. Oct. 22, 2009)

- Served as counsel in surviving a motion to dismiss a consumer protection act claim involving a payment option mortgage.

Addison v. Lochearn Nursing Home, LLC, 411 Md. 251, 983 A.2d 138 (2009)

- Served as trial and appellate co-counsel in opposing motion to compel arbitration; established that denials of motions to compel arbitration cannot be appealed in Maryland until a final order is entered in the trial court.

Julian v. Buonassissi, 414 Md. 641 (2010)

- Served as trial and appellant counsel for successful appeal the the Maryland Court of Appeals concerning the rights of mortgage backed security to property acquired by massive foreclosure rescue fraud in favor of client and victim.

Boyd v. New Towne Properties LLC, US Bank. Ct., for Md. Case No. 08-00357, Final Judgment (June 2010).

- Obtained final judgment of \$104,000 for victims of foreclosure rescue scheme; achieved previous settlements for clients which reformed mortgage to loan amount at the time of the scam resulting in a return of \$150,000 in equity.

Hollidayoake v. JBL Mortgage Network, LLC, et al, Anne Arundel Cir. Ct. Civ No. 02-C10-155944 (2012)

- Served as lead counsel for all pre-trial and trial purposes; presented plaintiff's Real Estate Settlement Procedures Act and state unfair and deceptive practice claims against mortgage defendants in six-day jury trial concerning the arrangement of payment option mortgages for a 72 year old consumer.

Marchese v. JPMorgan Chase Bank, N.A., 917 F. Supp. 2d 452 (D. Md. 2013)

- Served as lead counsel through motions to dismiss stage and obtained favorable ruling that state law claims were properly stated against mortgage servicer for botched loss mitigation efforts.

In re Bolthouse, Case no. 10-17021 (Bolthouse v. PHH Mortgage Corporation (U.S.B.C. Md.)(July 22, 2013)

- Obtained \$175,000 non-confidential settlement for homeowners seeking judgment for botched modification attempts under federal and state law.

Schneck v. SunTrust Mortgage, Inc., Case No. Case No.: 11-1878—CCB (D. Md. 2013)

- Obtained \$175,000 judgment for homeowners seeking judgment for botched modification attempts under federal and state law.

Martynuska v. Nat'l Payment Relief, LLC, CIV.A. RDB-14-0265, 2014 WL 4214866 (D. Md. Aug. 22, 2014)

- Serving as lead counsel in action against unlicensed mortgage lender/collection agency under state and federal consumer protection statutes.

Hastings v. Ocwen Loan Servicing, LLC, No. CIV.A. GLR-14-2244, 2014 WL 7188784, at *1 (D. Md. Dec. 16, 2014)

- Serving as counsel in breach of a loan modification agreement and settlement agreement case brought under federal and state law.

Rizwan v. Lender Servs. Inc., 176 F. Supp. 3d 513 (D. Md. 2016)

- Successfully obtained remand of improperly removed counterclaims filed in a foreclosure case.

Ceccone v. Carroll Home Servs., LLC, 454 Md. 680, 165 A.3d 475 (2017)

- Counsel for *Amici Curiae* in precedent case establishing limits on a business' attempting to contract away its liability for consumer protection claims.

Hackett v. Bayview Loan Servicing, LLC, No. 8:18-CV-01286-PX, 2019 WL 1934672, at *1 (D. Md. Apr. 30, 2019)

- Successfully obtained remand of improperly removed class action case.

Gillis v. Household Fin. Corp. III, No. GJH-18-3923, 2019 WL 3412621 (D. Md. July 29, 2019)

- Successfully defendant motion to dismiss in mortgage servicing abuse case

Roos v. Seterus, Inc., No. CV RDB-18-3970, 2019 WL 4750418, at *1 (D. Md. Sept. 30, 2019)

- Successfully defendant motion to dismiss in mortgage servicing abuse case.

Banks v. Rushmore Loan Services, Montgomery Cir. Ct., Maryland Civ No. 444995-V

- Successfully defendant motion to dismiss in mortgage servicing abuse case.

Andrews & Lawrence Pro. Servs., LLC v. Mills, 467 Md. 126, 223 A.3d 947 (2020)

- Counsel for *Amici Curiae* in precedent case establishing the Maryland Consumer Protection Act applies to debt collection attorneys.

White v. NewRez LLC, No. CV RDB-20-1259, 2020 WL 4748539, at *1 (D. Md. Aug. 17, 2020)

- Successfully obtained remand of state law claims incorporating federal law in a case of first impression related to the collectors fee harvesting program to impose and collect convenience fee assessments to consumers for accepting payments by telephone or over the Internet.

Harris v. Nationstar Mortg. LLC, No. CV CCB-19-3251, 2020 WL 4698062 (D. Md. Aug. 13, 2020)

- Successfully survived motion to dismiss federal and state law claims in a mortgage servicing abuse case where the mortgage servicer imposed fees and charges not owed as a matter of law and also failed to conduct any reasonable investigation.

Kemp v. Nationstar Mortg. Ass'n, 248 Md. App. 1, 239 A.3d 798, cert. granted sub nom. Nationstar Mortg. LLC v. Kemp, 471 Md. 285, 241 A.3d 870 (2020)

- Successful appeal against mortgage entities charging property inspection fees against borrowers' mortgage accounts that was in violation of Maryland's usury laws.