



Scott J. Helfand

PARTNER

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OVERVIEW

Scott defends consumer financial services providers, insurers and other businesses, drilling down for business-focused solutions in complex litigation.

Clients he assists include installment lenders, auto finance companies, mortgage servicers, mortgage lenders, banks, credit unions, debt collection companies, auto insurers and commercial property insurers. Scott defends these companies in class actions, individual lawsuits, arbitration and against government enforcement actions. In addition to this work, Scott regularly represents clients in a wide range of general commercial litigation matters, including breach of contract claims and alleged business torts. He also represents clients on appeal, having briefed cases in state appellate courts and supreme courts and in multiple circuits of the federal court of appeals.

Scott has particular experience with claims involving:

- Telephone Consumer Protection Act (TCPA)
- Truth in Lending Act (TILA)
- Fair Debt Collection Practices Act (FDCPA)
- Fair Credit Reporting Act (FCRA)
- Real Estate Settlement Procedures Act (RESPA)
- Illinois Consumer Fraud and Deceptive Business Practices Act

Industry

Financial Services & Capital Markets

Services

Appellate

Class Action Defense

Commercial Litigation

Consumer Financial Services

Credit Unions

Financial Institutions M&A and Regulatory Compliance

Insurance

Litigation & Alternative Dispute Resolution

White Collar, Internal Investigations, & Compliance

- Insurance coverage disputes
- Bad faith litigation

Although Scott thoroughly enjoys litigating these claims, he recognizes that it often makes sense for the client to avoid the courtroom. Scott always begins cases with a simple question: what is the best way to proceed from the client's business perspective?

Experience

CLASS ACTION DEFENSE AND APPEALS

- Defended consumer installment lender in putative class action involving alleged violations of TCPA's limits on use of automatic telephone dialing systems.
- Defended mortgage servicer in putative class action involving alleged improper collection practices under federal and state law.
- Defended national bank in putative class action involving alleged violations of the TCPA's limits on use of automatic telephone dialing systems.
- Defended in federal district court and on appeal mortgage lender in putative class action involving alleged violations of the FCRA's limitations on accessing consumer credit reports.
- Defended in federal district court and on appeal automobile insurer in putative class action involving alleged violations of state laws regarding notice to insureds.
- Represented retailer in putative class action involving alleged disclosure violations under TILA.
- Defended mortgage lender on appeal in state appellate court and supreme court in case raising complex issues about the interplay between commercial paper and real property law.
- Obtained dismissal of a putative class action arising from FCRA claims against a furnisher.

OTHER LITIGATION AND ARBITRATION

- Defended state bank in lawsuit involving alleged violations of state consumer fraud act in connection with making of residential mortgage loan.
- Defended state bank in lawsuit involving alleged breach of contract in connection with making of commercial mortgage loan.

Experience

- Defended mortgage lender against foreclosure counterclaims alleging violation of RESPA's requirements for qualified written requests.
- Defended consumer installment lender in bankruptcy adversary proceeding involving alleged disclosure violations under TILA.

Education

- J.D., DePaul University College of Law
 - *cum laude*
- B.A., University of Pittsburgh
 - English Writing
 - *magna cum laude*

Admissions

- Illinois
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Central District of Illinois
- U.S. District Court, Eastern District of Missouri
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. Court of Appeals, Seventh Circuit

Clerkships

- Appellate Court of Illinois, Second District, 2004-2006