



CONSUMER LITIGATION

Our expertise in the financial services arena, combined with our litigation and trial experience, provides our Consumer Litigation practice with nationwide impact. This dynamic and ever-evolving practice group is comprised of lawyers possessing experience in a wide variety of litigation and administrative proceedings.

Our financial service litigation attorneys' experience includes defending financial institutions against claims made under the Fair Credit Reporting Act (FCRA), the Fair Debt Collections Practices Act (FDCPA), the Truth in Lending Act (TiLA), and the Real Estate Settlement Practices Act (RESPA). Collectively, we have litigated and arbitrated hundreds of business disputes, including those involving securities, annuities, insurance, mortgage and consumer fraud, fraud, RICO, contract disputes, professional negligence and other misconduct, foreclosure and bankruptcy.

In foreclosure litigation, we have specifically defended against claims involving lack of standing, generalized claims of misapplication of mortgage payments, wrongful foreclosure/contested foreclosure, loan modification claims eviction matters mishandling of escrow/title/insurance, HOA liens, HAMP and MERS.



More than 15 dedicated lawyers offering their guidance



350+ combined years of law experience



Milwaukee, Chicago, West Des Moines & Indianapolis

SCOPE OF SERVICES

- Business Disputes
- Fair Credit Reporting Act
- Fair Debt Collections Practices Act
- Truth in Lending Act
- Foreclosure
- Loan Modification
- HOA Liens

REPRESENTATIVE EXPERIENCE

- Ongoing representation of Fortune 100 financial institution and its subsidiaries in consumer litigation involving claims under the Fair Credit Reporting Act, other federal and state debt collection statutes and regulations, and title issues arising out of consumer mortgage loans, credit card, and student loans.
- Representation of Fortune 100 Financial Institution in various consumer class actions in state and federal courts brought under state consumer fraud loan statutes relating to mortgage assignments, transfers and state recording taxes.
- Extensive experience handling contested foreclosures, obtaining judgments through summary judgment and bench trials.
- Negotiation of voluntary consent decrees with borrowers' counsel.



**EMERY K. HARLAN
PARTNER | MILWAUKEE**

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B I O G R A P H Y

Emery K. Harlan has more than 25 years' experience as a trial lawyer representing clients from a broad array of industries in complex consumer litigation matters. His practice includes an emphasis on representing financial institutions in multi-party cases.

Throughout his career, Mr. Harlan has served as a leader in promoting greater diversity and inclusion in the legal profession. Immediately prior to co-founding MWH Law Group, Mr. Harlan served as Chairman of one of the largest minority-owned law firms in the United States. He also co-founded the premier trade association focused on creating opportunities for women and minority-owned law firms - the National Association of Minority Owned Law Firms (NAMWOLF).



**KERRIE M. MURPHY
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B I O G R A P H Y

Kerrie M. Murphy is an experienced trial attorney. She represents and defends corporate clients on a wide range of complex matters including labor and employment, product liability, auto accidents, premises liability, workers' compensation and financial services litigation.

Ms. Murphy's consumer litigation practice involves representing financial institutions in foreclosure litigation and related counter claims involving consumer lending and servicing violations, real property title and boundary disputes, property conveyance zoning, permitting and easement issues, tax sales and evictions.



**MOYENDA M. KNAPP
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B I O G R A P H Y

Moyenda Mutharika Knapp represents clients in all phases of consumer litigation, employment law and business litigation matters, including the representation of litigants as first chair in jury trials. She litigates employment discrimination cases on behalf of employers and their management, counsels employers with regard to the discharge of employees, and provides employment-related trainings.

Her consumer litigation experience includes matters involving breach of contract actions, Carmack Amendment cases arising from interstate trucking losses, and matters involving fraud, unjust enrichment, conversion, violations of the Illinois Consumer Fraud and Deceptive Practices Act, matters involving claims of breach of non-disclosure agreements, and actions for an accounting.



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B I O G R A P H Y

Nelson W. Phillips III represents clients in consumer litigation and general litigation matters, including the representation of commercial and health care clients in a variety of matters, such as contract disputes, premises liability, product liability, white collar investigations, intellectual property claims, and defense of nursing care facilities.

For over nine years, Mr. Phillips also served as a federal and state prosecutor in both the United States Attorney's Office for the Eastern District of Wisconsin and the Milwaukee County District Attorney's Office where he litigated numerous cases before the Wisconsin Federal District and State Circuit Courts and tried a large number of those cases to verdict. Mr. Phillips has argued cases before the Seventh Circuit Court of Appeals.



**CECILLY C. SHELTON
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B I O G R A P H Y

Cecilly Shelton is an experienced litigator in the realm of mortgage loans, consumer loans, mobile home loans and commercial transactions. Ms. Shelton defends financial institutions and businesses against consumer allegations in litigation involving federal and state consumer lending violations. She represents clients to avoid, reduce or settle disputes/damages from consumers stemming from clients' performance and servicing of credit agreements, business fraud and unfair business practices.

Ms. Shelton utilizes the litigation process to enforce clients' interests in real property and personal property as she conducts closings for residential and small commercial property loans, real estate purchases, leases, large asset portfolios, and commercial loans.

"Attorneys in the MWH Consumer Litigation Group have over 100 combined years of legal experience."