



SABRINA M. ROSE-SMITH

Partner

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Sabrina Rose-Smith is a partner in Goodwin's Financial Industry and Consumer Financial Services Litigation practices. Her nationwide practice includes both defending financial institutions against consumer class actions and government enforcement actions, and regulatory compliance counseling for banks, credit card issuers, mortgage lenders and specialty finance companies. She is the lead editor of two firm blogs: LenderLaw Watch and Consumer Finance Enforcement Watch. Goodwin's LenderLaw Watch blog monitors, chronicles and analyzes news and legal issues affecting clients and others in the consumer finance industry; Goodwin's Consumer Finance Enforcement Watch blog is the marketplace's first resource for real-time reporting on the full range of public federal and state consumer finance enforcement activity. She also serves as chair of the firm's Committee on Racial and Ethnic Diversity.

Ms. Rose-Smith defends financial services clients in cases involving the Truth In Lending Act (TILA), the Fair Debt Collection Practices Act (FDCPA), the Real Estate Settlement Procedures Act (RESPA), the Fair Housing Act (FHA), the Equal Credit Opportunity Act (ECOA), the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA), the Telephone Consumer Protection Act (TCPA), state and federal unfair and deceptive trade practices (UDAP) statutes and other alleged violations of law arising from her clients' lending, servicing and/or collections activity.

Ms. Rose-Smith serves as Chair of CRED@Goodwin.

AREAS OF PRACTICE

Litigation + Dispute Resolution

Consumer Financial Services Litigation

Consumer Financial Services Enforcement + Government Investigations

Fair + Responsible Lending

Financial Industry

EXPERIENCE

Her areas of experience include:

- Class action defense, including successful methods for defeating class certification in both consumer finance and business litigation matters involving banks and other financial services businesses
- Assisting financial institutions in the creation and licensing of new specialty finance products, such as debit and stored value cards, installment loans and money transmission
- Developing and implementing effective internal compliance auditing procedures for financial institutions and counseling on problems that may arise in external government audits

She has recently represented:

- A nationwide mortgage lender in a government enforcement action based on alleged failure to comply with Federal Housing Administration guidelines for FHA – insured loans
- A national bank in a lawsuit alleging systemic violations of the Fair Housing Act
- A venture capital firm in a nationwide class action alleging that a company the firm invested in committed unfair and deceptive trade practices in the marketing and servicing of small dollar loans
- A mortgage lender in a class-wide federal jury trial involving lender's alleged violations of RESPA's affiliated business rules
- A national bank against civil claims arising out of its mortgage default servicing activity, including UDAP claims regarding fees charged and breach of contract claims for wrongful foreclosure or the conduct of vendors involved in the foreclosure/collections process
- A regional bank regarding its compliance with HUD regulations for FHA lenders and loan servicers
- A nationwide lender in a multi-district litigation (MDL) based on alleged unfair and deceptive sales and marketing of loan products

PROFESSIONAL ACTIVITIES

Ms. Rose-Smith is a member of the American Bar Association (Business Law, Litigation and Minority Trial Lawyer sections) and has served on executive committees within NAWL, the National Association of Women Lawyers. She is fellow for the Leadership Council on Legal Diversity (LCLD) and mentor to women and minorities within the firm and the broader legal profession. She is also a District Activist Leader for the National MS Society, and in that role she advocates for individuals with MS and serves as a liaison between elected officials and the National MS Society.

PUBLICATIONS

Ms. Rose-Smith's recent publications include:

- "The CFPBs Proposed Prepaid Card Regulations: A Primer," *LenderLaw Watch*, November 17, 2014
- "Plaintiffs Find Little Traction In Suits Against Banks Over "Payday" Loans," *LenderLaw Watch*, November 13, 2014
- "Supreme Court Will Not Review Third Circuit FDCPA Decision," *LenderLaw Watch*, November 10, 2014
- "D.C. District Court Strikes Down HUD's Disparate Impact Rule," *LenderLaw Watch*, November 6, 2014
- "CFPB Spotlight Still On Student Loans," *LenderLaw Watch*, October 30, 2014
- "CFPB Finalizes Mortgage Rules Amendments," *LenderLaw Watch*, October 27, 2014
- "CFPB Takes Action to Enforce New Mortgage Servicing Rules," *LenderLaw Watch*, October 13, 2014
- "Goodwin Procter's Ben Saul Comments On CFPB Enforcement of New Mortgage Servicing Rules," *LenderLaw Watch*, October 8, 2014
- "CFPB Sets Sights On Payday Lending 'Cycle Of Debt'," *Law360*, March 25, 2014
- "Small-Dollar Lenders Under Fire From AGs And CFPB," *Law360*, February 20, 2014

Ms. Rose-Smith's recent speaking engagements include:

- "American Bar Association 2017 Business Law Section Spring Meeting," April 6, 2017, New Orleans, LA
- "ACI's 28th National Consumer Finance: Class Actions & Litigation Conference," April 4, 2017, New York, NY
- "Payday Loan Bar Association 2016 Annual Meeting," November 9, 2016, Santa Barbara, CA
- "Payday Loan Bar Association 2015 Annual Meeting," November 4, 2015, Scottsdale, AZ
- "Consumer Protection Agency Limits Payday Lenders: Understanding Proposed Regulation LIVE Webcast," August 26, 2015
- "ACI Women Leaders in Financial Services Industry Law," June 15, 2015, New York, NY
- "2015 Business Law Section Spring Meeting," April 16, 2015, San Francisco, CA
- "LegalTech® New York 2015," February 3, 2015, New York, NY
- "Payday Loan Bar Association 2014 Annual Meeting," November 9, 2014, Kiawah Island, SC
- "The American Lawyer's New Partner Forum," November 4, 2014, New York, NY

CREDENTIALS

EDUCATION

J.D.

Vanderbilt University Law School

B.A.

Hollins University

ADMISSIONS

BAR

District of Columbia
Virginia

COURTS

U.S. Court of Appeals for the Second Circuit
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. Court of Appeals for the District of Columbia Circuit
U.S. District Court for the Eastern District of Virginia
U.S. District Court of Maryland
U.S. District Court for the District of Columbia
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Northern District of Illinois