



# THOMAS M. HEFFERON

Partner

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Tom Hefferon, partner and former co-chair of Goodwin's Financial Industry practice, focuses his practice on civil litigation and government enforcement matters, with particular emphasis on the banking and consumer financial services industries. Mr. Hefferon frequently provides compliance advice and litigation risk analysis to industry clients.

## AREAS OF PRACTICE

Consumer Financial Services Litigation

Class Actions

Appellate Litigation

Consumer Financial Services Enforcement + Government Investigations

Fair + Responsible Lending

Litigation + Dispute Resolution

Financial Industry

Financial Industry Litigation

Fintech

## EXPERIENCE

Mr. Hefferon has a national practice concentrating on defending prominent financial institutions facing class action lawsuits pending in a large variety of state and federal courts. These cases typically arise under state and federal laws, including the Real Estate Settlement Procedures Act (RESPA), the Fair Housing Act (FHA), the Truth in Lending Act (TILA), the Fair Credit Reporting Act (FCRA), the Fair Debt Collection Practices Act (FDCPA), the Telephone Consumer Protection Act (TCPA), state and federal unfair and deceptive acts and practices laws (UDAP), other consumer lending statutes and regulations, bankruptcy laws and the common

law.

The matters at issue in these cases include fair lending; the legality under RESPA of a variety of business practices; federal preemption; arbitration; assignee liability; loan servicing; foreclosure, bankruptcy and default issues; and claims that challenge various lending practices under a wide variety of federal and state statutes, including UDAP laws. He has an active practice before numerous state and federal courts. In the last several years, Mr. Hefferon and others in the group have defended more than 200 putative class actions, most of which were brought as nationwide class actions, and have been lead counsel in four multidistrict litigation proceedings. He also is acting and has previously acted as lead counsel to mortgage industry trade associations appearing as amicus curiae in cases that present significant issues for the consumer credit industry, and as counsel to trade associations in connection with regulatory comment letters.

In the 2011 Term, Mr. Hefferon argued in the United States Supreme Court, for the Respondent in *Freeman v. Quicken Loans, Inc.* The case involved an important consumer credit question under RESPA, which the Court decided unanimously in his client's favor. Mr. Hefferon also has presented oral argument in most federal circuit courts and in a number of state supreme and lower appellate courts.

Mr. Hefferon also represents financial institutions and trade groups in a variety of contested matters in court and before federal and state administrative agencies, including the Consumer Financial Protection Bureau (CFPB), the Federal Trade Commission, the Department of Housing and Urban Development, the Federal Deposit Insurance Corporation, numerous state attorneys general, and state banking agencies. He is actively representing consumer finance companies in CFPB examinations and enforcement proceedings.

In addition to his specialty area, Mr. Hefferon has represented a range of corporate and individual clients, and has substantial experience in complex commercial disputes, including contract litigation, insurance disputes, lender liability cases and litigation arising in connection with bankruptcies filed under Chapters 7, 11 or 13. He has been sole or joint lead counsel in the trial of cases in federal and state courts in Massachusetts, Connecticut, New York, Missouri, Texas and Illinois.

## **PROFESSIONAL ACTIVITIES**

Mr. Hefferon is a member of the American Bar Association, and other state and local bar associations.

## **PROFESSIONAL EXPERIENCE**

During the 1989-1990 academic year, Mr. Hefferon was an adjunct assistant professor of law at Boston College Law School while on leave of absence from Goodwin.

## **RECOGNITION**

Mr. Hefferon has been selected repeatedly for inclusion in *Chambers USA: America's Leading Lawyers for*

*Business*, *U.S. News-Best Lawyer's* and *The Legal 500 U.S.* He also has been named to BTI Consulting Group's "2013 Client Service All-Star Team."

## **AWARDS**





## **PUBLICATIONS**

Mr. Hefferon frequently appears as a panelist at continuing legal education seminars and Mortgage Bankers Association and American Bar Association meetings. He has co-chaired numerous seminars on consumer credit litigation issues, including, for more than a decade, a twice-annual American Conference Institute program on class action litigation in consumer lending.

## **CREDENTIALS**

### **EDUCATION**

**J.D., 1986**

The University of Chicago  
(*magna cum laude*)

**B.A., 1982**

Trinity College  
(*magna cum laude*)

### **ADMISSIONS**

BAR

Virginia  
Massachusetts  
District of Columbia

## **COURTS**

U.S. Supreme Court  
U.S. Court of Appeals for the District of Columbia Circuit  
U.S. Court of Appeals for the Eleventh Circuit  
U.S. Court of Appeals for the First Circuit  
U.S. Court of Appeals for the Second Circuit  
U.S. Court of Appeals for the Third Circuit  
U.S. Court of Appeals for the Fourth Circuit  
U.S. Court of Appeals for the Fifth Circuit  
U.S. Court of Appeals for the Sixth Circuit  
U.S. Court of Appeals for the Seventh Circuit  
U.S. Court of Appeals for the Eighth Circuit  
U.S. Court of Appeals for the Ninth Circuit  
U.S. District Court for the District of Massachusetts  
U.S. District Court for the District of Columbia  
U.S. District Court of Maryland  
U.S. District Court for the Eastern District of Michigan  
U.S. District Court for the Eastern District of Virginia  
U.S. District Court for the Eastern District of Wisconsin  
U.S. District Court for the Northern District of Illinois  
U.S. District Court for the Central District of Illinois  
U.S. District Court for the Western District of Michigan  
U.S. District Court of North Dakota  
U.S. Bankruptcy Court of Massachusetts  
U.S. Bankruptcy Court of Maryland  
U.S. Bankruptcy Court for the Eastern District of Michigan