



Melissa Gutierrez

Associate



Melissa Gutierrez is a litigator with extensive experience in financial services, real estate litigation, and commercial litigation. She assists a wide variety of lenders, loan servicers, and other financial institutions in Texas and Louisiana in matters involving both borrower litigation and complex business disputes. Melissa also represents companies of all sizes in general business disputes. She has extensive experience in guiding clients through the litigation process, from the initial claim investigation through appellate review. Melissa prides herself on her responsive, hands-on approach, and her focus is always on the efficient handling of her client's interests with an eye towards swift and favorable resolution.

No stranger to the courtroom, Melissa has extensive trial experience in both Texas and Louisiana state and federal courts, as well as in arbitration. Melissa has successfully litigated claims regarding land disputes, business divorces, fraud claims, tribal lending, borrower litigation, bankruptcy matters, auto lending, heavy equipment financing and credit, racial discrimination, sexual harassment, and construction defect cases. She routinely handles cases brought pursuant to the Texas Deceptive Trade Practices Act, the Texas and Federal Debt Collection Acts, the Real Estate Settlement Procedures Act, Louisiana's Unfair Trade Practices Act, the Federal Fair Credit Reporting Act, and the Telephone Consumer Protection Act, the Fair Housing Act, and the Equal Credit Opportunity Act.

Melissa graduated from the University of Houston Law Center in 2013, where she was a member of the Moot Court team, a senior articles editor of the *Houston Journal of International Law*, and a member the Aggie Law Society. An undergraduate of Texas A&M University, she obtained double degrees in finance and marketing.

Experience

GENERAL EXPERIENCE

Equipment financing and credit

Extensive experience handling matters arising from heavy equipment financing and credit.

Defended manufacturer in warranty and product defect claims

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Practices

Litigation

Financial Services Litigation

Small Dollar & Unsecured Consumer Lending

Cybersecurity & Privacy

Education

University of Houston Law Center, 2013, J.D.

Texas A&M University, 2010, B.B.A.

Licensed In

Louisiana

Texas

Admitted In

United States Court of Appeals, 5th Circuit

United States District Court, Southern District of Texas

United States District Court, Northern District of Texas

United States District Court, Eastern District of Texas

United States District Court, Western District of Texas

Languages

Defend luxury boat manufacturer against state and federal warranty and product defect claims.

Spanish

Represented lender in auto finance and fraud claims

Obtained take-nothing judgment in favor of lender regarding borrower's auto finance and fraud claims.

TCPA and DTPA consumer claims

Achieve successful and efficient resolution of consumer claims under various consumer protection statutes, including the TCPA and DTPA.

Mortgage litigation

Handle all aspects of mortgage litigation, including issues arising from compliance with Texas' home equity loan regulations, escrow accounts, lender-placed insurance, and mortgage servicing.

UCC claims

Obtained early dismissal of various matters involving depositors' check-related claims under the UCC.

Represented lender against fraud allegations

Successfully obtained take-nothing judgments for small-dollar lenders related to customer allegations of fraud, usury, and misrepresentation.

Accolades

- Listed in *Texas Super Lawyers*, "Rising Star," Consumer Litigation, 2019-2021

Professional & Community Activities

Houston Young Lawyers Association

Houston Bar Association