

# Sanford Shatz



**of counsel**

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## education

Cornell University (J.D., 1985)

- *Moot Court Board (Treasurer), Phi Alpha Delta Law Fraternity (Treasurer)*

Cornell University (Candidate for Ph.D., 1986)

- *Economics, Industrial Organization and Labor, Academic Fellowship Recipient*

University of Michigan (B.A., 1981)

- *Economics, High Distinction/Honors, Class Honors (University Honor Roll)*

## admissions

California

U.S. District Court for the Central District of California

U.S. District Court for the Eastern District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Southern District of California

U.S. Court of Appeals for the Ninth Circuit

U.S. Supreme Court

## honors

**I have always loved thinking and problem-solving within a set of rules, the essence of litigation and regulatory compliance. As a boy, I wanted to be responsible for, of all things, airline operations. Practicing law is similar – I take extremely complex issues, distill them into actionable, concise questions, and suggest and implement effective solutions.**

Sandy has been a licensed attorney in California for more than 35 years, and has litigated cases involving commercial law, real estate, and consumer financial services, focusing on mortgage-related issues, and offered regulatory and compliance advice to clients throughout the country.

Having handled more than 100 non-jury trials and numerous substantial jury trials in both state and federal courts, Sandy is an effective advocate no matter the course of litigation. With experience supervising litigation teams in the in-house and law firm context, Sandy evaluates and synthesizes complex issues, analyzes conflicting statutes and regulations to distill them to their essence, and implements practical solutions. In short, he knows what the case is about, how it should resolve, and develops effective trial themes to enhance jury and bench understanding.

- *Martindale-Hubbell*™ AV Preeminent® Peer Review Rated Lawyer

## affiliations

### Professional

- American Bar Association – Business Law Section, Consumer Financial Services Committee, Program Subcommittee (Chair 2014-2021) Housing Finance Subcommittee (Chair, 2011-2014), Housing Finance and RESPA Subcommittee (Vice Chair, 2007-2011), Webinars and Roundtables Subcommittee (Chair 2009-2021); Programs Committee; Moderator and panelist for seminars and CLE programs; Litigation Section
- Mortgage Bankers Association
- California Mortgage Bankers Association
- Orange County Bar Association (1987-1998, 2010-present) – Panelist

Sandy also manages appellate cases, both for cases on which the firm has done underlying trial work and for matters other firms handled during the trial phase. He has worked on appeals in Florida and California at the state and federal levels.

In 1998, Sandy joined Countrywide Home Loans where he organized and established that company's California In-House Litigation Group. Sandy focused on mortgage-related litigation and has tried numerous cases to verdict. In 2008, after Bank of America acquired Countrywide, he managed outside counsel on a pool of hundreds of litigation cases, and helped develop case resolution strategies.

In 2010, he returned to private practice, and now works on litigation and regulatory issues. The majority of Sandy's work focuses on mortgage-related and privacy issues, including mortgage originations and servicing, default strategies, customer service, reverse mortgages, and regulatory compliance issues under various federal and state consumer protection laws, including the Truth In Lending Act (TILA), The Homeowner and Equity Protection Act (HOEPA), the Equal Credit Opportunity Act (ECOA), The Real Estate Settlement Procedures Act (RESPA), the Fair Debt Collection Practices Act (FDCPA), and the Fair Credit Reporting Act (FCRA), the California Homeowner Bill of Rights, and the California Consumer Privacy Act.

Sandy is active in leadership roles in several industry organizations. He organizes conferences, panels, and webinars, trains other attorneys, publishes papers and articles, and helps foster knowledge and understanding of financial services issues.

## presentations

"California Legislative Review: A Discussion of the New Laws (and Regulations) that Impact California's Banking and Lending Industries," Orange County Bar Association Banking & Lending Section, February 20, 2024, Newport Beach, California

"Recognizing, Protecting, and Preserving the Attorney-Client Privilege," Conference on Consumer Finance Law, November 3, 2023, Dallas, Texas

"A Review of the United States & California Supreme Court's Cases Impacting the Banking & Lending Industries," Orange County Bar Association Banking & Lending Section, August 15, 2023, Newport Beach, California

"Responsible Data Usage: The Evolving Landscape of Data Privacy," Mortgage Bankers Association (MBA) Legal Issues and Regulatory Compliance Conference, May 9, 2023

"*In re Grand Jury*," ABA Consumer Financial Services Committee Winter Meeting 2023, January 21, 2023, New Orleans, Louisiana

"A Review of California's 2022 Banking and Lending, and Litigation Legislation," Orange County Bar Association Banking & Lending Section and Litigation Section, January 17, 2023

"Compliance – Roundtable Discussion," California Mortgage Bankers Association, December 13, 2022

"Preserving and Protecting Attorney-Client Privilege in Data Breach Investigations," 2022 Consumer Finance Legal Conference, October 21, 2022

"Fair Lending. Fair Servicing. Fair Access to Credit." 2022 Consumer Finance Legal Conference, October 21, 2022

"Current Developments in CA, FL, NY, and TX Mortgage Litigation," 2022 Consumer Finance Legal Conference, October 20, 2022

"The Shifting Data Privacy and Data Protection Landscape," MBA Regulatory Compliance Conference, September 19, 2022

"Recent United States and California Supreme Court Banking and Lending Case Updates and More," Orange County Bar Association Banking & Lending Section Webinar, August 16, 2022

"Preserving and Protecting the Attorney-Client Privilege in Data Breach Investigations," Conference on Consumer Finance Law, May 2022

"Sheen v. Wells Fargo Bank – A Change in Mortgage Foreclosure Litigation," OCBA Banking and Lending Section Webinar, May 17, 2022

"Regulatory Hot Topics," Independent Mortgage Bankers (IMB22) 2022 Conference, Nashville, TN, January 26, 2022

"Emerging from COVID and Special Rules," 2021 Virtual Consumer Finance Legal Conference, October 14, 2021

"The Potential Pitfalls of Servicing Transfers," 2021 Virtual Consumer Finance Legal Conference, October 14, 2021

"Update on Federal and State Data Privacy Initiatives and Related Litigation," 2021 Virtual Consumer Finance Legal Conference, October 13, 2021

"BankTalk Encore Webinar: New Mortgage Servicing Rules," Saltmarsh Webinar, September 23, 2021

"Legal Issues Committee Q3 2021 Webinar," California Mortgage Bankers Association, August 20, 2021

"The Supremes: A Discussion of the Most Important Banking and Lending Cases from the Last Term of the United States Supreme Court and the California Supreme Court," Orange County Bar Association Banking and Lending Section Webinar, August 17, 2021

"Regulatory Compliance in the Residential Lending Cycle," MBA Legal Issues and Regulatory Compliance Conference, May 25, 2021

"Lender Liability for Commercial Lenders in the Era of COVID-19," Association of Commercial Finance Attorneys, April 29, 2021

"Impact of COVID-19 on Your Customer Relationships," California Mortgage Bankers Association (CMBA) Legal Issues & Regulatory Compliance Conference, January 12, 2021

"Mortgage Forbearance – The Road Ahead," CCFL and GMU Law FinTech and Consumer Finance Webinar, December 10, 2020

"Collection of Debts. Not Debt Collection." 2020 Virtual Consumer Finance Legal Conference, October 8, 2020

"Everything You Wanted to Know about Mortgage Forbearance," ABA Business Law Section Virtual Annual Meeting, September 22, 2020

"Lender Beware – Potential Compliance Traps in Lending and Servicing in a Covid World," Saltmarsh BANKTALK 2020's Compliance Funnel, September 3, 2020

"What Is, What Might Be, What Will Not Be," Orange County Bar Association Banking and Lending Section, August 18, 2020

"A Discussion of New Laws Enacted in the 2019 California Legislative Session," Orange County Bar Association, May 19, 2020

"CCPA – It's Live... So What Now?" California Mortgage Bankers Association Mortgage Quality and Compliance Committee Webinar, January 23, 2020

"Hot Topics in Mortgage Servicing and Litigation," 2019 Consumer Finance Legal Conference, New Orleans, LA, October 16, 2019

"Data Privacy: The CCPA and Beyond," 2019 Consumer Finance Legal Conference, New Orleans, LA, October 14, 2019

"CCPA / GDPR Compliance for 2020," BankersWeb Webinar, September 25, 2019

"What Is, What Might Be, What Will Not Be," Orange County Bar Association Banking and Lending Section, Orange County, CA, August 20, 2019

"Ethical Issues in Financial Services Law," The Conference on Consumer Finance Law Annual Consumer Financial Services Conference, Chicago, IL, May 31, 2019

"Certified Mortgage Compliance Professionals Track: Introduction to Regulatory Compliance," MBA's Legal Issues and Regulatory Compliance Conference, New Orleans, LA, May 5, 2019

"Prepare Yourself for California's Consumer Privacy Act," National Reverse Mortgage Lenders Association (NRMLA) Western Regional Meeting, March 25, 2019

"California Consumer Privacy Act (CCPA)," Mortgage Bankers Association (MBA) State Legislative and Regulatory Committee Exchange Call, March 21, 2019

"California Consumer Protection Act (CCPA) Update," Student Loan Servicing Alliance Webinar, February 26, 2019

"State Compliance Issues," MBA Regulatory Compliance Conference, Washington, DC, September 18, 2018

"What Is, What Might Be, What Will Not Be," Orange County Bar Association's Banking and Lending Section, August 21, 2018

"Introduction to Regulatory Compliance," Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference, Los Angeles, CA, April 29, 2018

"Reverse Mortgages: Introduction, Overview, and Hot Topics," 16th Annual Consumer Finance Legal Conference New Orleans, LA, October 12, 2017

"TRID 2.0: Analysis of the New Rules and How to Answer New and Unanswered Questions," 16th Annual Consumer Finance Legal Conference, New Orleans, LA, October 12, 2017

"What Is, What Might Be, What is Not," Orange County Bar Association's Banking and Lending Section, September 17, 2017

"HMDA Workshop Part I: Overview of the Rule and CFPB Update," Mortgage Bankers Association Regulatory Compliance Conference, Washington, DC, September 17, 2017

"Reverse Mortgages – Hot Topics in Servicing and Litigation," Finance of America Lunch & Learn Presentation, June 22, 2017

"Fair Lending under the Amended HMDA: Implementation and Beyond," ABA Business Law Section 2017 Consumer Financial Services Committee Winter Meeting, Carlsbad, CA, January 14, 2017

"What's New with HMDA/RESPA Section 8," 15th Annual Consumer Finance Legal Conference, New Orleans, LA, September 29, 2016

"TRID Unanswered Questions & Construction Loan Issues," 15th Annual Consumer Finance Legal Conference, New Orleans, LA, September 29, 2016

"Mortgage Servicing Litigation/Rules," Annual Consumer Financial Services Conference The Conference on Consumer Finance Law, Chicago, IL, September 16, 2016

"Dodd-Frank Rules Update: A look at the Bureau's ATR-QM Rule," California Mortgage Association, May 9, 2013

"The CFPB's Proposed Nine Mortgage Servicing Rules: What Has Been Proposed and What to Expect," American Bar Association, Consumer Financial Services Committee, January 7, 2013

"Qualified Written Requests," Orange County Bar Association, April 17, 2012

"Fisher Memorial Program - Home Ownership: American Dream or American Nightmare," American Bar Association, Consumer Financial Services Committee, March 23, 2012

"The October 2011 Supreme Court's RESPA Cases," American Bar Association, Consumer Financial Services Committee, March 22, 2012

"An International Approach to Making and Enforcing Consumer Loans," American Bar Association, Consumer Financial Services Committee, August 7, 2011

"Mortgage Lending After Dodd-Frank," American Bar Association, Consumer Financial Services Committee, January 10, 2011

"The Care and Feeding Of Your In-House Counsel," American Bar Association, Consumer Financial Services Committee, August 8, 2010

"Update on the Response to the Foreclosure Crisis," American Bar Association, Consumer Financial Services Committee, August 7, 2010

"Modification and Foreclosure Avoidance Issues," American Bar Association, Consumer Financial Services Committee, April 13, 2010

"Developments in Servicing, Loss Mitigation and Loan Modifications," American Bar Association, Consumer Financial Services Committee, January 12, 2010

"Legislative Developments and the Future of Housing Finance Regulation," American Bar Association, Consumer Financial Services Committee, August 2, 2009

#### **published articles**

"Gross v. CitiMortgage: An Expansion of the Duty to Investigate Under the FCRA," Conference on Consumer Finance Law (CCFL) Quarterly Report, Volume 74, Number 4, December 2022

"OCC Reports Quarterly Improvement in Mortgage Performance," *ABA Business Law Today*, June Month-In-Brief: Business Regulation & Regulated Industries, July 1, 2022

"Congress Introduces the American Data Privacy and Protection Act," *ABA Business Law Today*, June Month-In-Brief: Business Regulation & Regulated Industries, July 1, 2022

"MBA Report Reveals Drop in Residential Mortgage Loan Delinquency Rate," *ABA Business Law Today*, May Month-In-Brief: Business Regulation & Regulated Industries, June 2, 2022

"California Extends Renter Protections During the Pandemic," *ABA Business Law Today*, April Month-In-Brief: Business Regulation & Regulated Industries, April 2022

"CFPB Issues Report on Characteristics of Homeowners Who Remain in Forbearance as Pandemic Protections Expire," *ABA Business Law Today*, April Month-In-Brief: Business Regulation & Regulated Industries, April 2022

"California Supreme Court Holds No Common Law Duty to Process, Review, and Respond to Loan Modification Applications," *ABA Business Law Today*, March Month-In-Brief: Business Regulation & Regulated Industries, March 2022

"LIBOR Act Provides Answers, Safe Harbor for Lenders," *ABA Business Law Today*, March Month-In-Brief: Business Regulation & Regulated Industries, March 2022

"Update on the California Consumer Privacy Act and Other States' Actions," *The Business Lawyer*, Volume 77, Issue 2, Spring 2022

"Federal Agencies, Enterprises Extend Foreclosure Moratoriums Again, Encourage Borrowers to Seek Forbearance," *ABA Business Law Today*, June Month-In-Brief: Business Regulation & Regulated Industries, June 30, 2021

"CFPB's Interim Final Rule: Pandemic Debt Collection Practices Effective," *ABA Business Law Today*, April Month-In-Brief: Business Regulation & Regulated Industries, May 4, 2021

"The California Consumer Privacy Act of 2018 Updated: More Protection in the Quest to Access and Protect Personal Information," *The Business Lawyer*, Volume 76, Issue 2, Spring 2021

"Biden Administration Extends Protections for COVID-19 Impacted Homeowners," *ABA Business Law Today*, February Month-In-Brief: Business Regulation & Regulated Industries, February 2021

"CCPA for lenders outside California," *Auto Finance Excellence*, July 23, 2020

"Federal Agencies and Enterprises Extend Foreclosure Moratoriums Again," *ABA Business Law Today*, June Month-In-Brief: Business Regulation & Regulated Industries, June 2020

"CFPB's Interim Final Rule Converts Borrowers from Forbearance to Performance," *ABA Business Law Today*, June Month-In-Brief: Business Regulation & Regulated Industries, June 2020

"The California Consumer Privacy Act of 2018: A Sea Change in the Protection of California Consumers' Personal Information," *The Business Lawyer*, Volume 75, Issue 2, Spring 2020

"Transactions Involving Real Estate and Dwellings," *The Law of Truth in Lending*, 2018

"The Consumer Financial Protection Bureau's New Mortgage Rules," *Orange County Lawyer*, March 2014

"New Mortgage Servicing Rules Turn Practice on Its Head," *Los Angeles Daily Journal*, January 10, 2014

"An Overview of the Consumer Financial Protection Bureau's Ability-to-Repay and Qualified Mortgage Rule," *Business Law Today*, April 2013

"2012 Survey of RESPA and TILA Regulatory Developments," *The Business Lawyer*, February 2013

"There's a New Sheriff in Town - 2011 Survey of RESPA Developments," *The Business Lawyer*, February 2012

"2010 Survey of RESPA Developments," *The Business Lawyer*, February 2011

"Civil Case Management: Past, Present & Future," *Orange County Lawyer*, September 1992

"A Candid Conversation with Presiding Judge Leonard Goldstein," *Orange County Lawyer*, September 1991

"Civil Discovery in OC," *Orange County Lawyer*, May 1990

"Practice Under the New Civil Discovery Act in O.C.," *Orange County Lawyer*, May 1988