



Eric J. Simonson

Partner
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Eric Simonson is an experienced trial attorney who defends business clients in commercial litigation. He represents leading companies in the financial, technology, construction, and other industries in a wide range of commercial contract disputes. Eric strives to be a trusted counselor to his clients by learning about their business. He closely tracks industry developments in order to help his clients work toward and achieve their short-term and long-term business goals.

Eric has significant experience representing mortgage lenders and mortgage loan servicers in single-plaintiff and class action lawsuits. He also handles claims brought under a wide range of federal and state statutes, including the following:

- Real Estate Settlement Procedures Act (RESPA);
- Truth in Lending Act (TILA);
- Home Ownership and Equity Protection Act (HOEPA);
- Fair Debt Collection Practices Act (FDCPA);
- Fair Credit Reporting Act (FCRA); and the
- Credit Repair Organizations Act (CROA).

Additionally, Eric advises mortgage lenders and servicers on a variety of bankruptcy matters, including the defense of Bankruptcy Rule 2004 examinations sought by the United States Trustee.

Eric's experience further includes defending clients in insurance defense and admiralty law. He has worked on a broad range of personal injury, wrongful death cases, and general casualty litigation.

In the area of admiralty law, Eric defends clients in personal injury and death claims under the Jones Act and Longshore Act, cargo damage, dock damage, and collision claims, as well as Limitation of Liability matters, charter party, and related commercial disputes, including ship arrests and Rule B attachments, oilfield indemnity actions, and pollution matters.

Professional Affiliations

- American Bar Association
- The Federal Bar Association

Practices

Bankruptcy, Restructuring & Workouts
Commercial Litigation
Consumer and Class Action Defense
Consumer Financial Services
Mortgage Servicing and Lender Litigation

Industries

Banking & Finance
Construction
Insurance & Reinsurance

Education

J.D., Loyola University New Orleans College of Law, 1992
M.B.A., University of New Orleans, 1988
B.S., Louisiana State University, 1986

Admissions

Louisiana
Texas
U.S. Supreme Court
U.S. Court of Appeals for the Fifth Circuit
U.S. Court of Appeals for the Sixth Circuit
U.S. Bankruptcy Court for the District of Louisiana
U.S. Bankruptcy Court for the District of Michigan
U.S. District Court for the Eastern, Middle, and Western Districts of Louisiana
U.S. District Court for the Eastern District of Michigan
U.S. District Court for the Eastern, Northern, and Southern Districts of Texas



- Louisiana State Bar Association
- Mortgage Bankers Association
- The New Orleans Bar Association
- State Bar of Texas

Honors & Awards

- Recognized on the Super Lawyers list by *Louisiana Super Lawyers* magazine, 2017 – 2024
- Named to the "Ones to Watch" list by *New Orleans CityBusiness*, 2017
- "Leadership in Law," *New Orleans CityBusiness*, 2014
- Holds the AV® Peer Review Rating from Martindale-Hubbell, its highest rating for ethics and legal ability

Representative Matters

- Successfully represented Airbnb, Inc. in a Florida Supreme Court ruling. The ruling incorporated the AAA rules in a client's terms of service and "clearly and unmistakably" established that the parties agreed that the arbitrator, and not the Judge, would decide threshold questions of arbitrability.
- Defended mortgage lenders and servicer clients in all single-plaintiff and class action lawsuits involving alleged violations of TILA, RESPA, TCPA, FDCPA, FCRA, and other federal and state statutes.
- Represented internet company in a variety of cases to obtain judicial enforcement of its arbitration clause contained in its Terms of Service that its customers accepted through a click-wrap presentation.
- Represented employees of a national heavy equipment sales and rental company in suits brought by their former employers alleging violation of a non-compete agreement and theft of confidential and proprietary information and trade secrets.
- Represented Solar Power Company in various lawsuits, including a \$60M contract dispute with its business partner, a consumer class action brought by its customers, sales and use tax lawsuits brought by two municipalities, and a \$30M lawsuit seeking refundable tax credits from the state.

Presentations

- Moderator, "Resuming Judicial and Non-Judicial Foreclosures," Hinshaw's Peer-to-Peer Financial Services Forum: The Frontlines of Mortgage Servicing, Virtual Event, March 30, 2021

Personal

In his free time, Eric enjoys cooking and spending time with his wife and three children.

Community/Civic Activities

- Jesuit High School of New Orleans, Board of Directors