



Robert D. Bailey

Partner

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Robert Bailey has broad-based appellate and trial court experience representing banking institutions, mortgage lenders and servicers, and trusts in contested foreclosures, bankruptcy proceedings, title claims, and contract litigation. He also defends clients facing claims brought under RESPA, TILA, FCRA, FDCPA, TCPA, and state statutes concerning wrongful foreclosure, mortgage servicing claims, and debt collection. Robert brings a business-minded approach to litigation and partners with clients to resolve matters with an eye always on the bottom line. Robert also advises his clients in banking and finance on regulatory compliance matters and handles appeals, mediation, and arbitration.

In addition to his litigation experience in consumer financial services, Robert also has extensive litigation experience in insurance defense matters, including experience defending attorneys and insurance agents, and brokers in professional liability matters.

Robert joined Hinshaw to establish its New Jersey office in 2021. Previously, Robert represented financial institutions with firms throughout New Jersey in the state and federal courts in New Jersey and New York.

Professional Affiliations

- New Jersey State Bar Association
- Somerset County Bar Association

Honors & Awards

- Academic
 - Boston College Law School
 - Best Brief Award, The Wendell F. Grimes Moot Court Competition
 - *Uniform Commercial Code Reporter-Digest*, Executive Editor

Representative Matters

Mortgage Servicing

- Represented national mortgage servicer on appeal before the New Jersey Appellate Division. A condominium association argued that a lender's

Practices

Appellate
Commercial Litigation
Consumer and Class Action Defense
Consumer Financial Services
Mortgage Servicing and Lender Litigation
Professional Liability
Real Estate & Lending
Regulatory and Compliance Counseling
Regulatory Investigations and Compliance Counseling

Industries

Banking & Finance

Education

J.D., Boston College Law School, 2004

M.B.A., Boston College, 2004

B.F.A., Massachusetts College of Art and Design, 1994

Admissions

New Jersey

New York

U.S. Court of Appeals for the Third Circuit

U.S. District Court for the District of New Jersey

U.S. District Court for the Eastern, Northern, and Southern Districts of New York



assignee that took possession of a condominium unit and thereafter winterized the unit and changed the locks was a "mortgagee in possession" of that unit, responsible for the payment of condominium fees and assessments. The Appellate Division rejected this theory, determining that these discrete actions were not sufficient to render the lender's assignee a mortgagee in possession.

Publications

- "New Jersey's Appellate Division Rejects Foreclosure Defendant's Argument that a Reinstatement Quote is an Enforceable and Binding Settlement Agreement," *The PIB Legal Blog*, April 4, 2019

Community/Civic Activities

- New Jersey Office of Attorney Ethics
 - District XIII Ethics Committee, Attorney Member
- Gill St. Bernard's School, Mock Trial Attorney Coach
- Kids in Need of Defense (K.I.N.D.), Volunteer