



News

Client Success: ACA International Reports on Summary Judgment Win by Hinshaw Client Nationwide Credit and Collection Inc.

September 19, 2019

Hinshaw client Nationwide Credit and Collection Inc. (Nationwide) recently achieved a summary judgment win in a Fair Debt Collection Practices Act (FDCPA) lawsuit filed against it in Illinois federal court. As reported by ACA International, the plaintiffs alleged that Nationwide had failed to update its tradelines to reflect plaintiffs' disputes to the credit information reported to the credit reporting agencies. Hinshaw attorneys David Schultz and Brandon Stein represented Nationwide in the case.

The court held Nationwide couldn't be held liable because there was no evidence the agency had ever received the dispute letters faxed by plaintiffs' attorneys. In fact, plaintiffs' attorneys had faxed the dispute letters to a number other than the one indicated in the collection notices, even though they had previously used the correct number and received a prompt and proper response. Noting that FDCPA cases have become a "profitable vein" for class action attorneys, the court suggested the plaintiffs' attorneys' actions were "designed to avoid defendant's procedures reasonably adapted to avoid errors, for the purpose of manufacturing a lawsuit," adding it would not be the first time "these lawyers have attempted this sort of stunt."

In the *ACA Daily* story, Schultz said the judge had "rightly concluded" there was no evidence that Nationwide knew the debts were disputed. He added that "we especially appreciate" the judge specifically saying he did not condone the actions of the plaintiffs' attorneys and warning them to be more careful in the manner in which they conduct their practice.

Paul Falvey, VP of Operations at Nationwide, expressed appreciation for the "excellent legal work" performed by the Hinshaw team, and said he hoped the court's decision will help deter consumer attorneys from manufacturing frivolous lawsuits in a similar manner.

[Read the full *ACA Daily* report](#)

The case is *Irvin v. Nationwide Credit, No. 18C-2945 (N.D. Ill. 2019)*

"Illinois District Court Calls out 'Manufactured' FDCPA Lawsuit" was published in the *ACA Daily*, September 19, 2019.

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