

Creditors' Rights

Lathrop GPM attorneys represent commercial and retail lending institutions, manufacturing companies and material and service providers in commercial creditor matters, real property foreclosures, mechanic's and materialman's lien actions and personal property replevins in both state and federal courts.

Our commercial creditor litigation experience is extensive. Our lawyers are experienced in handling:

- Uniform Commercial Code enforcement, including Article 9 sales, voluntary surrender of collateral transactions, and direct collection of accounts receivable
- Actions on Account, Quantum Meruit and for breach of contract or account stated
- Real estate remedies, including direct actions against tenants, receivership actions, trustees' sales and mortgage foreclosure actions
- Commercial and consumer debt activities, including litigation and related defense of lender liability claims including securities fraud, Equal Credit Opportunity Act, Racketeer Influenced and Corrupt Organizations Act, and anti-tying claims
- Actions against guarantors
- Issues arising under the Fair Debt Collection Practices Act and the Fair Credit Reporting Act

Representative Experience

- Represented a financial services company that purchased defaulted notes secured by 60+ properties. Facilitated and obtained transfer of deeds for the properties from the borrowers and foreclosed to obtain title and ownership of various properties. Successfully recovered all properties for the client, who was able to resell and lease them.
- Handled a case involving a combination of a quiet title action for a large bank.

- Litigated and enforced equipment lease agreements to recover deficiency on behalf of a computer and electronic products manufacturer.