STACEY A. LARA

OF COUNSEL - Litigation

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Practice Areas

- Consumer Finance Litigation
- Financial Services Litigation
- Real Estate Litigation
- Securities Litigation
- Regulatory Investigations & Enforcement

Bar Admissions

- New York, 1999
- U.S. Court of Appeals 2nd Circuit
- U.S. District Court Southern District of New York
- U.S. District Court Eastern District of New York
- U.S. District Court Western District of New York
- U.S. District Court Northern District of New York

Education

St. John's University, School of Law

- J.D. - 1998

Honors & Activities:

- Moot Court Honor Society

New York University, New York

- B.A. (*cum laude*) - 1993

Stacey A. Lara joined Rosenberg & Estis, P.C. in 2019 and is Of Counsel with the firm's Litigation Department. Lara is a seasoned attorney with extensive experience handling complex commercial litigation and appeals in state and federal courts, and assisting clients with internal investigations and regulatory investigations.

Lara has represented financial institutions, residential mortgage lenders, loan servicers and trusts in state and federal litigation and appeals arising out of real estate mortgage loans, including claims brought under the New York Deceptive Practices Act, the Truth in Lending Act, the Fair Debt Collection Practices Act, the Home Owners Equity Protection Act, the Fair Credit Reporting Act, Department of Housing and Urban Development regulations, and the Real Estate Settlement Procedures Act, as well as allegations of fraud, negligence, predatory lending, and improper loan origination and servicing practices. She has obtained favorable rulings setting legal precedent for mortgage foreclosure litigation in New York, and is well-versed in state and federal regulations governing the lending and mortgage loan servicing industry.

Lara has also represented financial institutions, corporations, directors, officers and other individuals in complex commercial and securities litigation. She has extensive experience litigating cases involving the federal securities laws, disputes involving the origination and servicing of commercial and residential loans securitized in CMBS and RMBS transactions and other complex financial products, major real estate loan defaults, mergers and acquisitions, and corporate governance.

Prior to joining Rosenberg & Estis, Lara was Counsel at Cadwalader, Wickersham & Taft, and Kaye Scholer LLP, and most recently with Hogan Lovells LLP.

Notable Work

- **Consumer Finance Litigation:**
  - Represented lenders, servicers and trusts in enforcing residential mortgage foreclosure rights and defeating hundreds of lender liability claims.
  - Created favorable law that plaintiff has standing to sue based on the provisions of the related pooling and servicing agree-

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ment showing loans assigned to securitized trust.

- Won action to foreclose on reverse mortgage, and defeated claims for lack of standing and failure to provide proper disclosures.
- Successful representation of lender, servicer and trust in actions seeking entitlement to loan modification.
- Securing dismissal of federal class actions asserting wrongful foreclosure and violations of mortgage-backed securities agreements.
- Secured favorable decision upholding the enforcement of an electronic promissory note ("e-note"), and defeating claim that lender lacked standing to prosecute action.
- Obtained favorable decisions dismissing claims concerning TILA/Regulation Z, FDCPA, and HUDs face-to-face interview requirements.

- **Financial Services Litigation:**
  - Defended a global financial services company in litigation seeking to require the repurchase of a pool of securitized loans.
  - Represented lender and servicer in federal and state court actions alleging breaches of representations and warranties in pooling and servicing agreement and servicing agreement.
  - Represented financial institution in connection with defending against claims of fraudulent conveyance in the bankruptcy proceedings for one of the largest chemical companies.
  - Defended corporation and its senior executives in CFTC enforcement proceeding and in related state and federal class and mass actions concerning the alleged manipulation of the copper futures markets and violations of antitrust laws.
- **Securities Litigation:**
  - Represented financial institutions that served as underwriters in the Enron, WorldCom and Adelphia class-actions (including investigations by the DOJ, SEC, and USAO).
  - Represented financial institution in securities and shareholder litigation concerning subprime debt.
  - Represented financial institution in securities class actions concerning the underwriting and issuance of commercial mortgage-backed securities.
  - Defended former CFO of leading international insurance organization in action brought by the NYAG and related federal class actions alleging participation in a scheme to falsely inflate the company's loss reserves.

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Honors & Awards

- Pro Bono Publico Award from the Legal Aid Society

Professional Associations

- New York City Bar Association
- New York Women's Bar Association

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