

# Banking and Finance Law Daily



## U.S. Supreme Court Docket, October 2015 Term — Banking and Finance Law Cases

Granted Petitions	Docket No.	Subject	Status, Deadlines	Questions Presented
<a href="#">Hawkins v. Community Bank of Raymore</a>  Granted 3/2/2015	14-520 (11/3/14)	Equal Credit Opportunity	Oral argument set for 10/5/2015  Response due by 12/5/2014 Deadline for response extended to 1/5/2015 Respondent brief filed 12/30/2014 Petitioner reply filed 1/6/2015 Distributed for conference of 2/20/2015 Distributed for conference of 2/27/2015 Solicitor General's motion to participate in argument as <i>amicus curiae</i> and for divided argument granted 8/28/2015  <a href="#">Oral argument transcript</a>	Whether spousal guarantors are unambiguously excluded from being Equal Credit Opportunity Act applicants because they are not integrally part of "any aspect of a credit transaction." <a href="#">Eighth Circuit decision</a> .  Spousal guarantors are not credit applicants under the ECOA, <a href="#">Banking and Finance Law Daily, Aug. 5, 2014</a> .
<a href="#">Spokeo Inc. v. Robins</a>  Granted 4/27/2015.	13-1339 (5/1/14)	Fair Credit Reporting Act	Oral argument set for 11/2/2015  Response due by 7/7/2014 Amicus curiae brief of Pacific Legal Foundation filed 6/2/2014 Amicus curiae brief of Trans Union LLC filed 6/5/2014 Amicus curiae brief of Chamber of Commerce of the United States of America filed 6/6/2014 Deadline for response brief extended to 8/6/2014 Response filed 8/6/2014 Reply filed 8/19/2014 Distributed for conference of 9/29/2014	Whether a consumer who suffered no actual harm from a credit reporting agency's violation of the Fair Credit Reporting Act would have standing to sue based only on the violation of his statutory rights. <a href="#">Ninth Circuit decision</a> .  Consumer had standing to sue under credit reporting act without claiming actual harm, <a href="#">Banking and Finance Law Daily, Feb. 6, 2014</a>

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			<p>Solicitor General invited to file brief 10/6/2014; <a href="#">brief</a> filed 3/13/2015</p> <p>Distributed for conference of 4/17/2015</p> <p>Supplemental brief of petitioner filed 4/1/2015</p> <p>Distributed for conference of 4/24/2015</p> <p>Amicus curiae brief of the United States filed 9/8/2015</p> <p>Solicitor General's motion for leave to participate in argument as <i>amicus curiae</i> and for divided argument granted 10/5/2015</p>	
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Pending Petitions	Docket No.	Subject	Status, Deadlines	Questions Presented
<a href="#">Buekes v. GMAC Mortgage, LLC</a>	15-368 (9/21/15)	Right to rescind mortgage loan transaction	<p>Oral argument – no date set</p> <p>Response due by 10/26/2015</p>	<p>Whether a notice of rescission delivered before foreclosure proceedings begin is effective to invoke the tighter post-foreclosure error tolerance. <a href="#">Eighth Circuit opinion</a>.</p> <p>Tighter finance charge tolerance applies only after foreclosure begins, <a href="#">Banking and Finance Law Daily, May 14, 2015</a>.</p>
<a href="#">Udren Law Offices, P.C. v. Kaymark</a>	15-216 (8/14/15)	Fair Debt Collection Practices Act	<p>Oral argument – no date set</p> <p>Response due by 9/17/2015</p>	<p>Whether the Fair Debt Collection Practices Act applies to a mortgage foreclosure complaint filed by an attorney under state court rules of procedure. <a href="#">Third Circuit opinion</a>.</p> <p>Complaint's estimate of future fees could</p>

				violate debt collection law, <a href="#">Banking and Finance Law Daily, April 8, 2015</a> .
<a href="#">Zwicker &amp; Assoc. v. Wise</a>	15-111 (7/22/15)	Fair Debt Collection Practices Act	Oral argument – no date set  Response due by 8/24/2015	Whether applying the Fair Debt Collection Practices Act to a complaint filed by an attorney violates the First Amendment, and whether the act applies to communications with the court. <a href="#">Sixth Circuit decision</a> .  Court asked to consider debt collection act application to complaints, <a href="#">Banking and Finance Law Daily, July 27, 2015</a> .
<a href="#">Wells Fargo Bank, N.A. v. Gutierrez</a>	14-1230 (4/10/15)	Standing to Sue	Oral argument – no date set  Response due by 5/14/2015 Time to file response extended to June 12, 2015 4/23/2015 Amici brief of Chamber of Commerce of the United States et al. filed 5/14/2015 Amicus brief of DRI—The Voice of the Defense Bar filed 5/14/2015	Whether a class could be certified that includes members who were not injured and could not have sued successfully as individuals. <a href="#">Ninth Circuit decision</a> .  Wells Fargo again loses challenge to \$203 million restitution order, <a href="#">Banking and Finance Law Daily, Oct. 30, 2014</a> .
<a href="#">Lightfoot v. Cendant Mortgage Corp.</a>	14-1055 (2/17/15)	Federal court jurisdiction	Oral argument – no date set  Response due by 4/2/2015 Waiver of right to respond by Fannie Mae 3/30/2015 Distributed for conference of 5/1/2015 Amicus brief of The American Association for Justice filed 5/22/2015 Brief in opposition of Fannie Mae filed 6/22/2015 Distributed for conference of 9/28/2015 Petitioner’s reply filed 7/8/2015 Solicitor General invited to file brief 10/5/2015	Whether federal courts have original jurisdiction over all suits to which Fannie Mae is a party. <a href="#">Ninth Circuit decision</a> .  Fannie Mae’s charter provides access to federal courts, <a href="#">Banking and Finance Law Daily, Oct. 3, 2014</a> .

Denied Petitions	Docket No.	Subject	Status, Deadlines	Questions Presented
<a href="#">Quicken Loans Inc. v. Brown</a>	14-1191 (3/25/15)	Consumer Credit	Denied 10/5/2015	<p>Whether, in applying the punitive-to-compensatory-damages ratio, the West Virginia state court properly included attorney's fees and costs as part of the compensatory damages component.</p> <p>Whether the West Virginia state court evaded its obligation to address federal constitutional claims raised by the mortgage lender and improperly awarded excessive punitive damages to the borrower in violation of substantive due process protections afforded by the Fourteenth Amendment.</p>