

Lender Liability

Professionals

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We help a wide variety of lending institutions. National banks, state banks, credit unions, savings and loans as well as specialty lenders and insurance lenders turn to us when they face claims from borrowers.

Our team has represented lenders in a wide variety of cases, including some in which plaintiffs have advanced unusual and creative theories of liability. These include:

- A lender sued for more than \$30 million when a time share developer sought damages after the development failed
- Two insurance companies sued in federal court by a developer who claimed the administration of the loan ruined a business opportunity involving what, at the time, would have been South Carolina's largest mall
- A state chartered bank accused of enabling a trustee to make poor investments by making loans, therefore enabling fraud and other improper conduct by the trustee
- A lender, foreclosing on a borrower in a bankruptcy case, who faced claims that it illegally induced the borrower to invest in a hotel property
- Automobile financing lenders who faced lawsuits from hundreds of car buyers claiming an auto dealership defrauded them into buying cars

From nuisance cases to major business threats

Maynard Nexsen lawyers defend large and small lenders throughout the Carolinas from claims that lender misconduct led to borrower losses. These cases range from single loans to purchase property to major projects and businesses. The claims also include creative theories being developed by borrower plaintiffs as business ventures fail.

We can form the right team for the size and complexity of your case and use our experience and contract partners to make lengthy and difficult discovery, including electronic discovery, cost effective and manageable.

Whether the claim involves a single car loan, hundreds of consumer loans, or a complex leveraged participant loan to a real estate syndicate, Maynard Nexsen will bring together the legal team with the right experience to help your lending institution.

Insights

03.12.2019

Insurer Must Assume Defense to be Liable for Failure to Settle Under Tyger River Doctrine

09.18.2018

National Flood Insurance Program - Not Your Average Claims

08.28.2018

South Carolina Supreme Court Clarifies Successor Liability

08.23.2018

Check Those "Choice of Law" Provisions!

08.21.2018

Declaratory Judgement by Insurer: The court provides a limitation on attorney's fees and a definition of "prevailing party" under Federal Rule 54

08.14.2018

Typed or Written; Ambiguity or Conflict - It's All About the Insurance Contract

08.07.2018

A Look at Coverage Under a Personal Liability Umbrella Policy

07.31.2018

Bad Faith Actions in South Carolina: Will Attorney-Client Privilege Survive?

07.24.2018

Assault and/or Battery Exclusions - Is the Chain of Events "Immediate and Direct?"

07.17.2018

Piercing the Corporate Veil: South Carolina Formally Recognizes Single Enterprise Theory

07.10.2018

Insurers Take Heed: South Carolina Law Does Not Require Apportionment of Punitive Damages

07.03.2018

In Case You Were Wondering About Amount in Controversy...



06.26.2018

Fourth Circuit Offers a Quick Look at Defamation in South Carolina

06.19.2018

Continued Support for Forum Selection Clauses

06.12.2018

A Pleading Primer

06.05.2018

South Carolina Supreme Court: Insurer May Sue Defense Counsel in Malpractice

05.21.2018

Interesting and Useful Cases in Torts and Insurance

05.09.2018

Interesting and Useful Cases in Torts and Insurance