



## Michael J. Agoglia

Partner

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### *Related Services*

Litigation ■ Financial Services Litigation ■ Class Action & Multidistrict Litigation ■ Consumer Financial Services ■ Payments & Fintech Litigation

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For more than 33 years, Michael J. Agoglia has represented a variety of financial services companies and other clients in a wide range of complex litigation, government enforcement, internal investigation, and ADR contexts. He has been engaged repeatedly—often by leading industry trade associations—to act as national coordinating counsel in large, multiparty, and multiforum cases. He has helped national banks, payment processors, mortgage bankers, auto finance companies, insurers, other financial services companies, and retailers with challenges to alleged referral schemes, unfair business practices, privacy breaches, preemption, credit reporting, discrimination claims, and many other consumer regulatory issues.

Michael has handled hundreds of class actions, where he has routinely secured early dismissals and defeated class certification. Where appropriate, he has negotiated and obtained approval for cost-effective class settlements. He has tried matters successfully to juries, courts, and arbitrators, and has argued and won several high-profile cases in the courts of appeals. His practice over the last decade has increasingly focused on responding both to state and federal enforcement actions and related regulatory inquiries.

Michael is a fellow of The American College of Consumer Financial Services Lawyers and is ranked Band 1 in Financial Services Regulation: Consumer Finance Litigation, by *Chambers USA: America's Leading Lawyers for Business*.

### *Representative Experience*

- Negotiated the resolution of a Department of Justice claim exceeding \$1 billion for a small fraction of what other industry members paid in parallel enforcement actions.
- Led a comprehensive internal investigation for a national bank, resulting in a substantial reduction in cost and scope of regulatory action required by the supervising agency.
- Defended a large national lender in several dozen class actions involving mortgage modifications and guided the MDL to resolution.
- Coordinated the defense of more than 100 class actions challenging mortgage broker or auto dealer pricing practices.
- Resolved numerous fair lending challenges to alleged discretionary pricing practices, brought in both state and federal courts, through combinations of early dismissals and low-cost nationwide settlements.

### *Publications & Presentations*

#### **Publications**

- “The CFPB Final Rule on Arbitration: This Game is Far From Over,” *Consumer Financial Services Law Report*, Vol. 21, No. 8, August 29, 2017.

## ***Presentations***

- “Litigation Forum: FDCPA: Lessons from Litigation and CFPB Enforcement,” Mortgage Bankers Association: Legal Issues and Regulatory Compliance Conference 2022, Miami, FL, May 22-25, 2022.

## ***Education***

- Harvard University (J.D., 1989)
- Boston College (A.B., 1986)

## ***Admitted to Practice***

- California