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***Hughes Watters Askanase Partners Larry Young and Lindsay Lambert  
Share Perspectives on Current Trends and Practices in Texas Mortgage-related Litigation***

**HOUSTON, Texas (Dec. 1, 2009)** – Hughes Watters Askanase L.L.P. (HWA) partners Lawrence “Larry” Young and Lindsay Lambert have identified several trends in mortgage-related litigation and consumer credit issues that are relevant in Texas, especially in light of the current economic recession.

Young and Lambert recently presented a paper, “Update on Mortgage-Related Litigation in Texas,” that encapsulates their insights into current trends and practices in Texas-specific consumer credit and mortgage-related litigation and regulation. They presented their paper at the Credit Law Institute’s Debt Collection, Loan Servicing, Foreclosure and Consumer Bankruptcy Seminar, which was held Nov. 5-6 in conjunction with the Conference on Consumer Finance Law in Dallas, Texas.

Young and Lambert’s paper highlights a trend toward lender success in mortgage litigation cases at the trial, appellate and Supreme Court levels in Texas. These attorneys agree that lenders’ success in mortgage-related litigation is partly due to subsiding fears with regard to favorable interpretations of several key home equity provisions and consistently broad interpretations of the ability to cure. Lender concerns over the harshness of forfeiture provisions have also eased due to the availability of equitable subrogation. While there is continued litigation in variable-rate home equity loans, Young and Lambert have been successful in defending similar actions in favor of mortgage holders and mortgage servicers in other forums.

Copies of the paper by Young and Lambert are available at [www.hwa.com](http://www.hwa.com) under the “Publications” tab.

Both Young and Lambert are available to news, business and law media for insight and commentary on mortgage and consumer finance-related litigation issues. For full biographical profiles for these attorneys, please visit [www.hwa.com](http://www.hwa.com).

### **About Larry Young**

Young is a partner in the law firm of HWA. This year, he has been interviewed and quoted with regard to his insights into the automaker financial crisis by media outlets such as CNN Radio, the *Michigan Business Review*, WardsAuto.com and others.

Young is Chairman–Ex Officio and past Chairman of the Governing Committee of the Conference on Consumer Finance Law. He is a fellow of both the American College of Consumer Financial Services and the American College of Commercial Finance Lawyers. He is the Texas state editor for both *CarLaw* and *HouseLaw*, and is on the advisory board for the *Consumer Financial Services Law Report*. He has also authored and co-authored more than 100 seminar papers, articles, plays and screenplays on a variety of legal subjects within the consumer finance, commercial finance and bankruptcy fields.

Additionally, Young currently serves on the Manufactured Housing Institute Finance Lawyers Committee, the American Bar Association (ABA) Business Law Section Task Force on Insolvency and the Federal Court Structure, and the ABA Business Law Section Planning Committee. Young is a past chairman of the ABA Consumer Bankruptcy Committee, the ABA Consumer Financial Services Debt Collection Practices and Bankruptcy Subcommittee and the ABA Commercial Finance Services Interest and Usury Subcommittee.

Young has defended numerous consumer class actions and has designed Texas home equity lending programs, national debt collection programs, and bankruptcy reaffirmation and post-discharge secured creditor programs. He wrote part of the Bankruptcy Code and its legislative history and was involved in two successful bankruptcy cases in the United States Supreme Court.

### **About Lindsay Lambert**

Lambert, also a partner with HWA, and is an active speaker on litigation topics. He has been involved in most of the significant Texas home equity litigation over the last 10 years and has defended countless actions involving Texas home equity loans and other lending/debt collection lawsuits filed by individuals and class representatives. He has also defended numerous class action lawsuits involving alleged violations of state and federal consumer lending, debt collection and mortgage banking laws.

He has extensive experience in analyzing procedures and advising clients with regard to avoiding credit and debt-related litigation by identifying potential problems and solutions. His

primary focus as an attorney is defense of consumer financial services litigation, with emphasis on mortgage-related issues.

Lambert is a member of the American, Texas and Houston Bar Associations. He is admitted in all state courts in Texas, Nebraska and Oklahoma as well as all federal courts in Texas, the Fifth and Ninth Circuit Courts of Appeal and the United States Supreme Court.

**About Hughes Watters Askanase**

For more than 31 years, Hughes Watters Askanase, LLP has helped business organizations, financial institutions and individuals succeed with their business endeavors. The firm's attorneys play a strategic role and support clients through every stage of existence and operation, from formation to liquidation. The practice focuses on the various interrelated areas which provide the greatest opportunities and most challenging obstacles: banking and credit union representation, business bankruptcy, business planning and strategy, default servicing, real estate and finance, consumer financial services, commercial litigation, and wills and probate. For more information on Hughes Watters Askanase L.L.P., please visit [www.hwa.com](http://www.hwa.com).

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