

# Snell & Wilmer

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## Gregory J. Marshall

Partner | Phoenix | Albuquerque

Tel. 602.382.6514

[gmarshall@swlaw.com](mailto:gmarshall@swlaw.com)

### Main Bio

Greg Marshall co-chairs the firm's Commercial Litigation and Financial Services Groups and has more than 20 years of experience defending companies in Arizona, Colorado, New Mexico, and around the country.

### Financial Services Litigation

Greg's practice focuses on the defense of banks and lenders. His clients include national and regional banks, credit unions, mortgage lenders and servicers, FinTech companies, credit card issuers, automobile finance servicers, and money transmitters. His practice includes class actions and managing defense programs for pattern litigation. Greg has substantial experience litigating and trying claims involving deposit accounts, check fraud, mortgage fraud, Ponzi schemes, and lien priority disputes. He also has substantial experience defending claims arising under the Truth in Lending Act (TILA), the Real Estate Settlement Procedures Act (RESPA), the Fair Credit Reporting Act (FCRA), the Unfair Debt Collection Practices Act (UDCPA), state unfair and deceptive acts or practices (UDAP) statutes, and has advised clients regarding CFPB complaints, and rules and interpretations, including guidance issued during COVID.

### Commercial and Product Liability Litigation

Greg has tried commercial and product liability cases to verdict in state and federal courts and in arbitration. Greg's commercial litigation practice includes prosecuting and defending claims on behalf of businesses in a wide variety of civil and regulatory matters, including qui tam, class action, and multi-district litigation (MDL). Greg's class action experience includes defending claims under the Telephone Consumer Protection Act (TCPA) and data privacy, including claims arising under the California Consumer Privacy Act (CCPA). Greg's product liability litigation practice includes defending consumer and industrial product manufacturers in a wide variety of industries, including developing defense programs for pattern litigation.

### Representative Experience

- Defended mortgage servicer in putative class action suit challenging property preservation and inspection fees.
- Defended national banks and insurers in class action suits under the Telephone Consumer Protection Act.
- Defended national bank in putative class action under the Fair Credit Reporting Act challenging certain fee practices.
- Defended national bank in aiding and abetting Ponzi scheme case.

- Defended mobility manufacturer in antitrust claims against competitor.
- Defended and tried bellwether case involving Fair Credit Reporting Act claims against secondary mortgage market participant.
- Defended national mortgage servicer against putative class action claims challenging servicing fees.
- Defended national banks in pattern qui tam litigation regarding unpaid transfer taxes.
- Defended several national mortgage lenders and servicers in MDL litigation involving mortgage origination claims.
- Defended mortgage originators and servicers in actions filed by government officials and entities involving mortgage origination practices.
- Defended national bank in appeal of precedent setting putative damages award.
- Defended and tried case for mortgage lender involving construction loan and allegations of deceptive practices.
- Defended and tried bad faith claims on behalf of mortgage servicer and credit life insurer.
- Managed regional defense program for mortgage servicer in consumer mortgage cases.
- Defended national mortgage lender in putative nationwide class action involving payoff fees.
- Defended mortgage lenders and servicers in various federal and state court litigation involving claims arising under the FCRA, FDCPA, RESPA, TILA, and state deceptive and unfair practices claims.
- Represented a variety of businesses in general business tort litigation in federal and state courts.

## Education

- Emory University School of Law (J.D.)
  - Dean's Fellow
  - Order of the Barristers
  - Order of the Advocates
- University of Arizona (B.A., cum laude)

## Professional Memberships & Activities

- The Herberger Theater
  - Board Member (2021)
  - Executive Committee (2022)
- Snell & Wilmer Commercial Litigation Group, Co-Chairperson, Phoenix Office (2020)
- Federal Bar Association, Phoenix Chapter
  - President (2019-2020)
  - Executive Board Member (2018-2020)
- Snell & Wilmer Financial Services Litigation Group, Co-Chairperson
- Snell & Wilmer Hiring Committee (2005-2018)
- Snell & Wilmer Pro Bono Committee, Chairperson (2009-2014)
- Phoenix Art Museum, Men's Art Council Director (2005-2007)
- Arizona Bar Foundation, Legal Services Committee, Director (2005-2006)

## Representative Presentations & Publications

- "Classing Up Your Class Action Act," Presenter, Litigation Lessons Under the Sonoran Sky, The Trial Network, Mariana, Arizona (April 28, 2022)
- "[Krueger v. Experian, et al. – Sixth Circuit Explores Bounds of Concreteness and Traceability in the Wake of TransUnion LLC v. Ramirez](#)," Co-Author, Snell & Wilmer Legal Alert (October 14, 2021)
- "[How TransUnion Could Change the Path to Class Action](#)," Episode Co-Host, CalCurrent Podcast (July 8, 2021)
- "[The Road To Class Action May Be Harder After TransUnion](#)," Co-Author, Law360 (June 29, 2021)
- "[Hunstein v. Preferred Collection & Mgmt. Servs., Inc. – Debt Collector Looks to Rehearing for Relief in Landmark Eleventh Circuit Decision](#)," Co-Author, Snell & Wilmer Legal Alert (May 26, 2021)
- "[Facebook v. Duguid – Opting for Narrow ATDS Definition, Supreme Court Issues Game-Changing TCPA Decision](#)," Co-Author, Snell & Wilmer Legal Alert (April 13, 2021)
- "Hindsight Is 2020: Looking Ahead to Loan Workouts, Financial Litigation Trends and More," Presenter, Colorado Bankers Association Webinar (December 16, 2020)
- "[CFPB Outlines Responsibilities of Credit Reporting Agencies and Furnishers in Response to the COVID-19 Pandemic](#)," Co-Author, Snell & Wilmer Legal Alert (April 6, 2020)
- "[New Mexico Supreme Court Halts Evictions](#)," Author, Snell & Wilmer Legal Alert (March 25, 2020)
- "Home Sweet Home: Does BMS Harken An End to National Class Actions in Plaintiff-Friendly Venues?" Author and Speaker, Litigation Management in a New York Minute (August 2019)
- "Breaking Bad – Creative Solutions For Litigating In Challenging Jurisdictions," Author and Speaker, The Trial Network Litigation Management Conference: A Helping Hand on the Rio Grande (April 2019)
- "['Show Me The Note' Claims Find New Life in Recent Arizona Decision](#)," Co-Author, Financial Services Litigation Bulletin (February 11, 2014)
- "[Ninth Circuit Opens Door for Protracted HAMP Litigation](#)," Co-Author, Snell & Wilmer Financial Services Litigation Bulletin (August 2013)
- "[Tax Lien Purchasers Must Give MERS Notice, Says Arizona Appeals Court](#)," Author, Snell & Wilmer Financial Services Litigation Bulletin (June 2013)
- "[A Year Post-'Dukes'](#)," Co-Author, The Recorder (July 23, 2012)
- "[U.S. Supreme Court Enforces Credit Card Arbitration Agreement in Class Action](#)," Co-Author, Snell & Wilmer Financial Services Litigation Bulletin (January 2012)
- "[Lenders Not Required to Record Trust Deed Assignments, says the Arizona Supreme Court](#)," Co-Author, Snell & Wilmer Financial Services Litigation Bulletin (December 2011)
- "[Class action on the ropes: The Supreme Court's decision in 'Wal-Mart' could result in more cases being filed in state courts](#)," Co-Author, The Recorder (July 18, 2011)
- "[U.S. Supreme Court Issues Landmark Decision Rejecting Class Certification in Wal-Mart v. Dukes](#)," Co-Author, Snell & Wilmer Legal Alert (June 24, 2011)
- "Going on the Attack When Defending Against Class Actions," Speaker, Automotive Product Liability Conference, American Conference Institute (June 2011)
- "Arizona Cracks Down on 'Foreclosure Consultants,'" Co-Author, Snell & Wilmer Financial Services Litigation Bulletin (October 2010)
- "[Lenders Prevail in Lawsuits by Borrowers Seeking to Enforce Federal Loan Modification Programs](#)," Co-Author, Pratt's Journal of Bankruptcy Law, Vol. 6, No. 6 (September 2010)

## Professional Recognition & Awards

- The Best Lawyers in America<sup>®</sup>, Commercial Litigation, Financial Services Regulation Law (2023-2024)
- Southwest Super Lawyers, Rising Stars Edition, Banking (2012-2013)
- Arizona's Finest Lawyers
- Top 50 Pro Bono Attorneys, Arizona Foundation for Legal Services & Education (2011)

## **Bar Admissions**

- Arizona
- New Mexico

## **Court Admissions**

- Supreme Court of Arizona
- Supreme Court of New Mexico
- United States Court of Appeals, Eighth Circuit
- United States Court of Appeals, Fifth Circuit
- United States Court of Appeals, Ninth Circuit
- United States Court of Appeals, Seventh Circuit
- United States Court of Appeals, Sixth Circuit
- United States District Court, District of Arizona
- United States District Court, District of Arkansas
- United States District Court, District of Colorado
- United States Supreme Court