

Henson v. Santander

The Supreme Court on June 12 in *Henson v. Santander Consumer USA Inc.*, __ U.S. __, 2017 WL 2507342 (June 12, 2017) held that debt buyers are not covered under the FDCPA's second definition of debt collector because they do not collect debts owed to another. This webpage provides resources to consumer attorneys litigating cases against debt buyers whose principal business is buying defaulted debt.

This webpage will be updated as more materials become available. Please email henson@nclc.org with any submissions of relevant materials.

Articles Discussing Case Development

- Key Post-Henson Decision Holds Debt Buyer Is a "Principal Purpose" Debt Collector by NCLC attorney April Kuehnhoff, March 7, 2019
- FDCPA Coverage of Debt Buyers: Implications of Supreme Court's June 12 Ruling in *Henson* by NCLC attorney April Kuehnhoff, June 15, 2017.

Model Language for Henson Briefs

- Model brief by Edelman, Combs, Lattuner & Goodwin, LLC attorney Daniel Edelman (doc) (pdf), June 21, 2017 (updated March 16, 2018)

Sample Complaints Against Debt Buyers

- *McAdory v. M.N.S. & Associates, L.L.C.*, Case No. 17-cv-777 (D. Or.)

Sample Henson Briefing

- *McAdory v. M.N.S. & Associates, L.L.C.*, Case No. 18-35923 (9th Cir.) (Opening Brief and Reply)
- *Barbato v. Greystone Alliance, L.L.C.*, Case No. 18-1042 (3d Cir.)
- *Bueno v. Mel S. Harris and Associates, LLC, et al.*, Case No. 1:16-cv-04737-WFK-VMS (E.D.N.Y.)
- *Chenault v. Credit Corp Solutions, Inc.*, Case No. 16-cv-5864 (E.D. Pa.)
- *McMahon v. LVNV Funding, LLC*, Case No. 12-cv-1410 (N.D. Ill.)
- *Mitchell v. LVNV Funding, LLC*, Case No. 12-cv-523 (N.D. Ind.) (Motion to Reconsider and Reply)
- *Reygadas v. DNF Assoc., L.L.C.*, Case No. 18-cv-2184 (W.D. Ark.) (Amended Complaint and Opposition to Motion to Dismiss)
- *Schweer v. HOVG, L.L.C.*, Case No. 16-cv-1528 (M.D. Pa.)
- *Tepper v. Amos Fin., L.L.C.*, Case No. 15-cv-5834 (E.D. Pa.)
- *Tepper v. Amos Fin., L.L.C.*, Case No. 17-2851 (3d Cir.) (Barbato amicus)

Additional Resources

- *Henson v. Santander Consumer USA Inc.* Supreme Court Decision, June 12, 2017.
- National Association of Consumer Advocates (NACA) webinar: *Henson v. Santander Consumer USA Inc.*, June 28, 2017. Cost: \$40 (NACA member); \$75 (Non-member). Note: Non-members of NACA must be vetted prior to purchasing. Please e-mail rebecca@consumeradvocates.org



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