



Kevin Hudspeth

Partner

Chicago, IL

Practice Areas

Creditors' Rights/Bankruptcy

Overview

Kevin M. Hudspeth is a partner in the Creditors' Rights litigation practice group. He has extensive experience representing institutional clients in a wide variety of legal disputes. Kevin's practice includes defending consumer protection claims involving the FDCPA, RESPA, TILA, FCRA, FACTA, the TCPA, the United States Bankruptcy Code, and similar federal and state laws and regulations. He also has background litigating loan repurchase demands, commercial business disputes, Uniform Commercial Code litigation, real estate and property disputes, insurance coverage issues, and contested mortgage foreclosure actions.

Kevin prides himself on finding clients practical, cost-effective solutions to difficult problems with complicated factual backgrounds and complex legal issues, and he regularly provides clients with legal and business counsel regarding federal and state consumer laws and regulations. He has substantial litigation experience at all levels of federal and state court, and he has drafted and filed amicus briefs for loan industry trade associations in appeals before multiple courts, including in the United States Supreme Court.

Kevin is admitted to practice law in Illinois and Ohio, as well as in the United States Circuit Courts of Appeals for the Sixth, Seventh, Eighth, Ninth, and Eleventh Circuits, the United States District Courts for the Northern, Middle, and Southern Districts of Illinois and the Northern and Southern Districts of Ohio, and the United States Bankruptcy Courts for the Northern District of Illinois and the Southern District of Ohio.

Presentations & Publications

Kevin frequently publishes articles and speaks on issues that impact consumer litigation. His publications and presentations include:

Illinois State Court Dismisses Class Action Alleging Hunstein Violations, The Cons. Fin. Services Blog (Mar 27, 2023);

Facing the Future: Challenging Strict Compliance for HUD Face-to-Face Meetings Under Illinois Law, Bus. Law Today, Am. Bar Ass'n (Feb 11, 2022);

Much Obligated: Massachusetts Lenders Shouldn't Have to Lose It Over Lost Notes, Bus. Law Today, Am. Bar Ass'n (Apr 14, 2021);

NY Court of Appeals (State Supreme Court) Clarifies State Law on Mortgage Loan Acceleration and Foreclosure Statute of Limitation, The Cons. Fin. Services Blog (Feb 24, 2021);

In God We Trust, All Others Pay Cash Collateral: Can Chapter 11 Bankruptcy Debtors Use Assigned Rents for Business Reorganizations Under Ohio Law, Bus. Law Today, Am. Bar Ass'n (Sep 16, 2020);

Ninth Circuit Allows Chapter 13 Bankruptcy Plans with Estimated Durations, The Cons. Fin. Services Blog (Jun 29, 2020);

Recklessly Disregarding a Nonexistent Risk of Harm: Does Including the Expiration Date on Electronically Printed Receipts Constitute Willful Noncompliance Under FACTA?, Bus. Law Today, Am. Bar Ass'n (May 4, 2020);

MERS's "Maine" Purpose: Recognizing Key Differences Between MERS Mortgages, Bus. Law Today, Am. Bar Ass'n (Apr 28, 2020);

Bankruptcy Court (EDPA) Holds Servicers May Have FDCPA Liability for Proofs of Claim, The Cons. Fin. Services Blog (Feb 24, 2020);

Foreclosing FHA-Insured Mortgages in Ohio: Answers to Common Questions Posed in Contested Litigation, Bus. Law Today, Am. Bar Ass'n (Dec 6, 2019);

A Tale of Two Fishers: Unsettling Ohio's "Well-Settled Law" on the Proper Statute of Limitations for Mortgage Foreclosure Actions, Bus. Law Today, Am. Bar Ass'n (Nov 15, 2018);

Sixth Circuit Rejects Borrowers' Foreclosure Challenges Under Michigan Statute, Alleged HAMP Violations, The Cons. Fin. Services Blog (Jul 20, 2015)

Presentation: Top 10 Recent Illinois Consumer Credit Cases, Chicago Bar Ass'n, Cons. Credit Committee (Co-Presenter) (Mar 1, 2013);

Clarifying Murky MERS: Does Mortgage Electronic Registration Systems, Inc., Have Authority to Assign the Mortgage Note in a Standard Illinois Foreclosure Action, 31 N. Ill. U. L. Rev. 1 (Nov 1, 2010);

The Impact of ABN AMRO v. McGahan on Already-Issued Foreclosures, 98 Ill. B. J. 520 (Oct 1, 2010).

Bar Admissions

Ohio

U.S. Court of Appeals, 6th Circuit

U.S. Court of Appeals, 7th Circuit

U.S. Court of Appeals, 8th Circuit

U.S. District Court for the Middle District of Illinois

U.S. District Court for the Southern District of Illinois

U.S. District Court for the Northern District of Ohio

U.S. District Court for the Southern District of Ohio