

## Joseph M. DeFazio

Partner

New York

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Joseph has extensive experience as a trial and appellate litigator in federal and state courts. He represents and advises clients on business disputes, consumer class actions, real estate litigation, and a wide array of financial services companies related to consumer protection laws and regulations.

### OVERVIEW

Joseph is a partner in the firm's Consumer Financial Services Practice Group, with a primary focus in financial services litigation. He has vast experience representing large-scale public and private sector corporations against individual and class consumer claims arising under federal and state laws.

Joseph has appeared and argued extensively in federal and state courts at the trial and appellate levels in New York, New Jersey, and numerous other jurisdictions. Joseph also has experience in litigating complex commercial matters.

### REPRESENTATIVE MATTERS

- Represented banks, financial institutions, lenders, trusts, loan originators, servicers, creditors, and collectors in financial services, lender liability, consumer, and mortgage-related compliance and litigation involving statutory claims such as FCRA, RESPA, TILA, ECOA, HOEPA, RICO, TCPA, their state counterparts, as well as various state-level predatory lending, fraud, and deceptive practices statutes.
- Represented national mortgage servicing companies in individual and class actions involving complex consumer claims under the FDCPA, FCRA, and TCPA.
- Represented financial institutions and servicing companies in implementing and complying with state and federal regulations.
- Represented national banking institutions and mortgage servicing companies in Chapter 7, 11, and 13 bankruptcy cases and adversary proceedings.
- Represented a large-scale company with portfolio in excess of \$380 billion and more than 2 million customers in negotiations concerning the settlement of claims on defaulting loans.
- Extensive experience representing banks, mortgage companies, and loan servicers in state and federal courts defending against mortgage-related claims, including claims to rescind or reform the mortgage.
- Successfully defend national banks, trusts, and mortgage servicers against quiet title actions and other debt elimination schemes.

- Represented numerous fintech lenders, bank, and bank partners in state and federal courts defending individual and class actions involving sophisticated consumer claims.
- Litigated business and commercial disputes involving breaches of contract and fiduciary duty, business torts, fraud, misrepresentation, real estate, creditor rights and collections, and intellectual property.

## **Pro Bono**

- Mid-Atlantic Innocent Project
- VLANY

## **AWARDS**

- *Best Lawyers in America®: Ones to Watch: Banking and Finance Law (2026), Financial Services Regulation Law (2026)*

## **TOP AREAS OF FOCUS**

- Business Litigation
- Class Action
- Consumer Financial Services
- Financial Services Litigation

## **ALL AREAS OF FOCUS**

- Banking Litigation
- Business Litigation
- Class Action
- Consumer Financial Protection Bureau (CFPB)
- Consumer Financial Services
- Consumer Reporting Agencies + Background Screening
- Financial Services
- Financial Services Litigation
- Litigation + Trial
- Mortgage Lending + Servicing
- Real Estate Litigation

## **PROFESSIONAL/COMMUNITY INVOLVEMENT**

- New York County Lawyers' Association
- New York State Bar Association
- New Jersey State Bar Association

## **EDUCATION AND CERTIFICATIONS**

### **EDUCATION**

- Kellogg School of Management, Northwestern University, J.D.
- The University of Alabama, B.A.

## BAR ADMISSIONS

- New York
- New Jersey

## COURT ADMISSIONS

- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York
- U.S. District Court, District of New Jersey
- U.S. Court of Appeals, Second Circuit
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- U.S. Bankruptcy Court, Southern District of New York
- U.S. Bankruptcy Court, Eastern District of New York

## CLERKSHIPS

- Hon. Peter Bariso, Jr., Superior Court of New Jersey, Hudson County Civil Division

## PUBLICATIONS

- Podcast, "Bankruptcy 101 for Consumer Creditors: Automatic Stays, Discharge Injunctions, and Common Pitfalls," *The Consumer Finance Podcast*, April 23, 2026.
- Podcast, "Empire State of Scrutiny: The New York FAIR Act and Auto Lending," *Moving the Metal: The Auto Finance Podcast*, February 24, 2026.
- Co-author, "OCC Comptroller Gould Signals a Multifaceted Push to Reinforce Federal Preemption," *Financial Services Blog*, November 5, 2025.
- Podcast, "New York's FAIR Act: A Game-Changer for Regulatory Enforcement and Litigation," *The Consumer Finance Podcast* and *Regulatory Oversight Podcast*, September 29-30, 2025.
- Podcast, "The Latest on Junk Fees and New York's Foreclosure Abuse Prevention Act," *The Consumer Finance Podcast*, February 27, 2025.
- Co-author, "Troutman Pepper Publishes 2023 Consumer Financial Services Year in Review and A Look Ahead," *Troutman Pepper*, February 1, 2024.
- Co-author, "2021 Consumer Financial Services Year in Review & A Look Ahead," *Troutman Pepper*, January 28, 2022.
- Co-author, "2019 Consumer Financial Services Year in Review & A Look Ahead," *Troutman Sanders*, February 24, 2020.