

Appellate Spotlight: David Hanus and Brett Larsen Secure Win at the Tenth Circuit

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The Tenth Circuit Court of Appeals recently affirmed a district court's grant of summary judgment in favor of Hinshaw client Forsythe Finance, LLC, in a case filed under the Utah Consumer Sales Practices Act (UCSPA) and the Fair Debt Collection Practices Act (FDCPA). Forsythe was represented by Hinshaw partners David Hanus and Brett Larsen.

Forsythe had sued plaintiff for failing to pay his debt on a vehicle, which resulted in a default judgment in Forsythe's favor. Plaintiff then filed an action in Utah state court alleging that Forsythe was not licensed as a collection agency when it had attempted to collect the debt. The action was removed to the district court, which granted Forsythe's motion for summary judgment, holding that McMurray's claims were barred by claim preclusion. On appeal, the Tenth Circuit affirmed the district court's grant of summary judgment in favor of Forsythe.

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