Peter N. Cubita

(Admitted only in New York)

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About Peter

Peter has practiced in consumer financial services law at major law firms and leading financial institutions for more than 40 years. His experience in the consumer financial services area spans regulatory compliance, transactional, class action litigation, government investigations and enforcement matters.

Peter advises clients on a wide range of consumer finance and leasing products, including credit cards, installment loans, point-of-sale financing, vehicle finance, and consumer leasing, and the federal and state regulatory frameworks governing them across their product life cycles.

A strategic leader in auto finance and leasing, Peter helped develop the first generation of proprietary retail installment sale contracts and vehicle leasing agreements for a major captive auto finance company. His zealous advocacy in litigation yielded seminal appellate decisions in *Perrone v. General Motors Acceptance Corporation*, 232 F.3d 433 (5th Cir. 2000), which held that an individualized demonstration of detrimental reliance is required to recover actual damages for a TILA disclosure violation, and *Coleman v. General Motors Acceptance Corporation*, 296 F.3d 443 (6th Cir. 2002), which held that compensatory damages under the Equal Credit Opportunity Act are not recoverable by a Rule 23(b)(2) class.

Peter's Affiliations

- American Bar Association, Consumer Financial Services Committee, Personal Property Financing Subcommittee, Former Chair and Vice Chair
- Conference on Consumer Finance Law, Governing Committee
- American College of Consumer Financial Services Lawyers, Fellow; Former Regent
- New York State Bar Association, Consumer Financial Services Committee, Former Chair

- American Financial Services Association, Law Committee, Vehicle Financing Subcommittee, Former Subcommittee Counsel
- Association of Consumer Vehicle Lessors, Legal Committee, Former Co-Chair

Areas of Focus

Industries: Automotive Financial Services; Banking & Financial Institutions; Consumer Financial Services; Financial Services

Services: Complex Commercial Litigation ; Consumer & Class Action Defense; Financial Services Litigation ; Financial Services Regulatory & Compliance; Litigation & Trial; Regulatory & Compliance ; Supervisory Examinations, Investigations & Enforcement

Recognition

- 2016 Distinguished Legal Writing Award from The Burton Awards for article titled, "Auto Finance and Disparate Impact: Substantive Lessons Learned from Class Certification Decisions," *Consumer Financial Services Law Report*, Volume 18, Issue 21 (May 1, 2015)
- 2007 Burton Award for Legal Achievement from The Burton Awards for article titled "The ECOA Discrimination Proscription and Disparate Impact – Interpreting the Meaning of the Words That Actually Are There," 61 *The Business Lawyer,* 829 (2006)
- St. John's University School of Law, *St. John's Law Review*, Articles Editor; St. Thomas More Scholarship

Credentials

Education

St. John's University School of Law, JD, 1982
Iona College, BA, *summa cum laude*, 1979

Bar Admissions

New York*

**Admitted only in New York*

Thought Leadership

Presentations

- “Disparate Impact Discrimination – Executive Order 14281: Restoring Equality of Opportunity and Meritocracy,” ACVL Legal Committee, Association of Consumer Vehicle Lessors Annual Conference, New Orleans, Louisiana, September 30, 2025

Publications

- “Federal District Court Denies State AGs’ Request to Redirect Unused CFPB Settlement Funds to NAAG,” 71 *Consumer Finance Law Quarterly Report* 3 (2017)
- “Divided U.S. Supreme Court Holds Disparate Impact Claims Cognizable Under FHA, but Subject to Safeguards Against Abusive Disparate Impact Claims,” *Consumer Finance Law Quarterly Report*, Vol. 68, No. 4 (December 2015)
- “Auto Finance and Disparate Impact: Substantive Lessons Learned from Class Certification Decisions,” *Consumer Financial Services Law Report*, Volume 18, Issue 21 (May 1, 2015)
- “The ECOA Discrimination Proscription and Disparate Impact – Interpreting the Meaning of the Words That Actually Are There,” 61 *The Business Lawyer* 829 (2006)
- “The Evolution of the TILA Actual Damages Standard,” 57 *Consumer Finance Law Quarterly Report* 197 (2003)
- “RESPA: The Changing Landscape,” 58 *The Business Lawyer* 1259 (2003)
- “The New York State Predatory Lending Law,” 57 *Consumer Finance Law Quarterly Report* 135 (2003)
- “Toward Consumer Bankruptcy Reform Legislation?,” 54 *The Business Lawyer* 1453 (1999)
- “Toward a Uniform Consumer Leases Act?,” 52 *The Business Lawyer* 1041 (1998)
- “An Overview of State Automobile Leasing Legislation,” 52 *The Business Lawyer* 1087 (1997)
- “A Practical Guide To The Truth-in-Lending Act,” *Executive Enterprises* (1990)
- “Implementation of the Fair Credit and Charge Card Disclosure Act of 1988: The Regulatory Response,” 44 *The Business Lawyer* 1427 (1989)

Press Release

- Hinshaw Adds Experienced Consumer Financial Services Attorney Peter Cubita in New York, Jun 24, 2025