

Justin M. Penn

Chicago, IL

Peoria, IL

Los Angeles, CA

He/Him

☎ 312-704-3000

✉ jpenn@hinshawlaw.com



About Justin

Justin defends companies and individuals in the financial services industry across the country. He handles state and federal consumer statute litigation, including individual claims and class actions under the Fair Debt Collection Practices Act (FDCPA), Fair Credit Reporting Act (FCRA), Fair and Accurate Credit Transactions Act (FACTA), False Claims Act (FCA), Telephone Consumer Protection Act (TCPA), and the Truth in Lending Act (TILA).

In addition, Justin advises corporations and professionals on professional liability and employment-related litigation, such as legal malpractice cases involving an attorney's liability to non-clients. He represents hospitals, corporations, and religious organizations in complex litigation.

Justin's Affiliations

- Consumer Relations Consortium (CRC), Legal Advisory, Board Member, 2023 – 2024
- Receivables Management Association International, 2006 – present; Federal Regulatory and Legislative Committee, March 2020 – present
- ACA International, 2004 – present; Judicial Committee, July 2022 – present
- Great Lakes Credit & Collection Association, Board Member, May 2023 – present; Treasurer, 2024 – present; Chair of the Membership Committee, July 2023 – present
- National Creditors Bar Association, 2005 – present

Areas of Focus

- Industries:** Banking & Financial Institutions; Consumer Financial Services; Financial Services; Mortgage Lending & Servicing ; Professional Services; Receivables Management & Collections
- Services:** Biometric Information Privacy Act (BIPA); Consumer & Class Action Defense; Data Breach; Fair Credit Reporting Act (FCRA); Fair Debt Collection Practices Act (FDCPA); Financial Services Litigation ; Financial Services Regulatory & Compliance; Labor & Employment; Litigation & Trial; Mortgage Lending & Servicing Litigation ; Subpoena Response Management ; Supervisory Examinations, Investigations & Enforcement; Telephone Consumer Protection Act (TCPA)
- Initiatives:** Nationwide Litigation Portfolio Management

Experience

- Secured a motion for judgment on the pleadings victory on behalf of a client in a Fair Debt Collection Practices Act (FDCPA) lawsuit. Plaintiff had alleged that a dunning letter he received from the Hinshaw client, which identified three entities (a servicer, the “original creditor,” and the “creditor”), did not meet the FDCPA’s requirement of identifying the “current creditor” entity to whom the debt was owed. The court looked at the plain language of the letter and concluded that the “only reasonable interpretation of the collection letter” is that the only other listed creditor is the current creditor.
- Prevailed on summary judgment in the US District Court for the Northern District of Illinois against a plaintiff who brought a class action against a debt collector alleging various violations of the Fair Debt Collection Practices Act (FDCPA) and state law for assessing a service fee to pay a portion of her debt with a credit card. Plaintiff claimed that the convenience fee was “incidental to the principal obligation” and thus, prohibited by Section 1692f (1) of the FDCPA. The court’s decision focused on the fact that the debt collector did not profit from the convenience fee. The court reasoned that “[r]easonable collection costs may include pass-through costs” as anticipated by the agreement between the consumer and the creditor.
- Obtained a case dismissal defending debt collection agency against allegations of violating the debt validation provisions of FDCPA §809 (15 USC. - 1692g). The Illinois district court decided in favor of the client’s motion to dismiss, ruling that the agency did not create a false sense of urgency that overshadowed plaintiff’s rights by sending a demand letter and a settlement letter during the 30-day validation period.
- Successfully defended call center for cable and internet service provider against a putative class action alleging violations of the TCPA, FDCPA, and the Florida Consumer Collection Practices Act. Plaintiff sought to certify the classes of more than 9,400 people who allegedly received more than 47,000 offending phone calls to wrong

parties. In denying class certification, the court found that determining the size of the class based on plaintiff's criteria would be impossible. The potential liability on the class claims would have been between \$23.5 million and \$70 million.

- Prevailed on the merits in a rare Fair Debt Collection Practices Act (FDCPA) Hunstein class action case. Illinois state court judge granted the motion for judgment on the pleadings in a FDCPA Hunstein class action case. The suit claimed that the use by our client of a third-party vendor to print and mail communications violated Section 1692a(3) of the FDCPA. In *Quaglia v. SN Servicing, McCalla Raymer Leibert Pierce*, the Circuit Court of Cook County ruled that the communication between the defendants and their letter vendor was not an attempt to collect a debt and therefore not within the purpose of the FDCPA.

Recognition

- University of Illinois Chicago School of Law, Dean's Scholarship; Dean's List

Credentials

Education

University of Illinois Chicago School of Law (formerly The John Marshall Law School), JD, *cum laude*, 2004

University of Notre Dame, BA, *cum laude*, 1999

Bar Admissions

California

Illinois

Court Admissions

US Court of Appeals for the Seventh Circuit

US Court of Appeals for the Ninth Circuit

US Bankruptcy Court for the Western District of Michigan

US District Court for the Central District of California

US District Court for the Northern District of California

US District Court for the Southern District of California

US District Court for the Central District of Illinois

US District Court for the Northern District of Illinois

US District Court for the Southern District of Illinois

US District Court for the Northern District of Indiana

US District Court for the Southern District of Indiana

US District Court for the Eastern District of Michigan

US District Court for the Western District of Michigan

US District Court for the Southern District of Texas

US District Court for the Eastern District of Wisconsin

Interests

Did you know...

Prior to his legal career, Justin was a travel director for INTRAV, Inc., in St. Louis where he traveled to over fifty countries. In college, he worked in production support for NBC Sports on sporting events televised live around the world, including University of Notre Dame football, the French Open, and Wimbledon.

As an undergraduate at the University of Notre Dame, Justin earned Dean's List honors and was selected for the London undergraduate program.

Community/Civic Activities

- Hospice House in South Bend, Indiana, Former Volunteer
- Notre Dame, Former Peer Tutor

Thought Leadership

Presentations

- Co-Presenter, "Mock Depositions," ComplianceCon 2025, Nashville, Tennessee, September 29, 2025
- Co-Presenter, "Dealing with Sovereign Citizen Situations," AccountsRecovery.net, Webinar, September 12, 2025
- Panelist, "Legal Panel - Collections and Recovery – Where we are and where we are headed," Auriemma Consumer Relations Consortium Roundtable, hosted by Hinshaw & Culbertson LLP, Chicago, Illinois, August 14, 2025
- Co-Presenter, "Settle or Defend: Ripped From the Headlines," AccountsRecovery.net, Webinar, July 18, 2025
- Co-Presenter, "Differentiating Between Cease Requests and Disputes. How to Tell the Difference," AccountsRecovery.net, Webinar, November 27, 2024
- Co-Presenter, "Litigation Update," ARM Law Conference, Nashville, Tennessee, September 18, 2024
- Moderator, "Flying High: ARM Industry Legal Eagles' Insights," 8th Annual Conference, Great Lakes Credit and Collection Association (GLCCA), Bloomington, Minnesota, May 10, 2024
- Panelist, "Reg F Session Part 2: Best Practices, What's Working, What's Not Working, Work Arounds," 6th Annual Conference, Great Lakes Credit and Collection Association (GLCCA), May 12, 2022
- Panelist, "Reg F Session Part 1: Best Practices Around Compliance and Compliance Litigation," 6th Annual Conference, Great Lakes Credit and Collection Association (GLCCA), May 12, 2022
- "Preparing For Managing and Cleaning Up Federal and State Investigations," Receivables Management Association International's (RMAI) 2021 Annual Conference, Virtual Event, April 15, 2021
- Co-Presenter, "Covering the Pre-Lawsuit," ACA International's 2020 Virtual Convention & Expo, Webinar, July 16, 2020

- “When Regulators Come Knocking – Client and Lawyer Perspectives,” National Creditors Bar Association (NCBA) 2019 Fall Conference, Washington D.C., October 19, 2019
- “The Continuing Evolution of the Telephone Consumer Protection Act,” The National Council of Higher Education Resources, 2018 Fall Conference, Chicago, Illinois, October 5, 2018
- “Federal & State Investigations: Preparing, Managing, and Cleaning Up,” ACA International 2018 Convention and Exposition, Las Vegas, Nevada, July 25, 2018
- “Changes in Your Career Path: Looking at the Changing Work Force in the Legal Field,” NCBA 2018 Spring Conference, Austin, Texas, May 18, 2018
- “Conflicts of Law and Collections,” NCBA 2017 Fall Conference, October 13, 2017
- “Defend or Settle: It Shouldn’t Be a Roll of the Dice,” NCBA 2016 Fall Conference, Las Vegas, Nevada, October 28, 2016
- “The Continuing Evolution of the TCPA,” Lorman Education Services, Webinar, July 2016
- “Licensing Requirements and Their Implication on Collection Attorneys,” Defense Bar Education Session, NARCA 2014 Fall Collection Conference, October 2014

Publications

- Co-Author, Chapter 12, “Statutes Affecting Lawyer Liability,” *Attorneys’ Legal Liability*, Illinois Institute for Continuing Legal Education, 2025 Edition
- Co-Author, Chapter 4, “Attorney Liability to Adversaries and Other Third Parties,” *Attorneys’ Legal Liability*, Illinois Institute for Continuing Legal Education, Editions: 2014, 2018, 2022, and 2025
- “The Caselaw and Compliance Topics That Shaped the ARM Industry in 2024,” *ARM Compliance Digest*, January 6, 2025
- Co-Author, “11th Circ. Ruling Emphasizes Article III Struggles After Spokeo,” *Law360*, September 27, 2022
- Co-Author, “Analyzing Oral Argument Proceedings in the 11th Circuit’s *En Banc* Review of *Hunstein v. Preferred Collection and Management Services*,” ACA International, March 1, 2022
- Co-Author, Chapter 12, “Statutes Affecting Lawyer Liability,” *Attorneys’ Legal Liability*, Editions: 2014 and 2022
- Co-Author, “*TransUnion v. Ramirez*: Supreme Court Considers Significant Class Certification Issue,” *ACA International*, March 30, 2021

Blog Posts

- Eleventh Circuit Orders En Banc Rehearing of Hunstein Case and Vacates Opinion, Nov 17, 2021
- Debt Collection Industry Achieves Important Federal Court Wins, Nov 8, 2018

Events

- Justin Penn to Co-Present “Differentiating Between Cease Requests and Disputes” in AccountsRecovery.net Webinar, Nov 27, 2024

- Justin Penn, David Schultz, and Vaishali Rao to Present at Hinshaw-Sponsored ARM Law Conference, September 17-18, 2024
- Justin Penn and John Ryan to Present at NARCA 2014 Fall Collection Conference, Oct 23, 2014

Hinshaw Alerts

- The Hunstein Saga Ends at the Eleventh Circuit: Court Determines That Use of a Mail Vendor Did Not Inflict a Concrete Injury, Sep 15, 2022
- Reasons for Optimism as Eleventh Circuit Revisits Hunstein and Doubles Down, October 29, 2021 | Consumer Law Hinsights – Special Edition

Hinshaw Newsletters

- Consumer Law Hinsights – May 2021 Edition, May 2021
- Consumer Law Hinsights – April 2021 Edition, April 2021
- Consumer Law Hinsights – March 2021 Edition, Mar 31, 2021
- Consumer Law Hinsights – January 2021 Edition, Jan 27, 2021
- Consumer Law Hinsights – December 2020 Edition, Dec 30, 2020

In The News

- Hinshaw Attorneys Contribute Six Chapters to the “Attorneys’ Legal Liability” IICLE Handbook, Jun 12, 2025
- David Schultz and Justin Penn Analyze Significant Debt Collection and Credit Reporting Rulings, May 21, 2025
- Column by Justin Penn: State Appeals Court Affirms Ruling in High-Profile FCRA Case, Apr 14, 2025
- Justin Penn Analyzes Case Law and Compliance Topics that Shaped the ARM Industry in 2024, Jan 8, 2025
- Justin Penn Analyzes in ARM Compliance Digest: Judge Dismisses FDCPA Claims in Long-Running Student Loan Case, Oct 8, 2024

Press Releases

- Gregg Stevens Joins Hinshaw as a Consumer Financial Services Partner in Dallas, Mar 7, 2024
- David Schultz and Justin Penn Re-Elected as CRC 2024 Legal Advisory Board Members, Jan 23, 2024
- Hinshaw Client Success Named Among “10 Most Popular Daily Decision Articles of 2023” by the Association of Credit and Collection Professionals (ACA), Dec 20, 2023
- Trial Spotlight: Hinshaw Prevails on the Merits in Rare FDCPA Hunstein Class Action Case, Jul 25, 2023
- Client Success: Afni Inc. Wins FDCPA Lawsuit Claiming Consumer Confusion Over Collection Letter Listing “Creditor” and “Original Creditor”, Nov 12, 2019

Webinars

- Justin Penn Presents on “Sovereign Citizens” in AccountsRecovery.net Webinar, Sep 12, 2025
- Justin Penn Presents on “Settle or Defend” Strategies in AccountsRecovery.net Webinar, Jul 18, 2025
- Justin Penn will Present on Managing and Cleaning Up Federal and State Investigations of Debt Buyers at RMAI Annual Conference, April 12 – 15, 2021

[*View all of Justin's Insights*](#)