

Todd P. Stelter

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About Todd

Todd is a litigation attorney focused on defending clients in consumer law, legal malpractice, and commercial litigation. He has extensive experience handling professional liability and malpractice cases involving attorneys. In addition, Todd represents businesses, corporate entities, mortgage lenders, mortgage servicers, creditors, debt assignees and collection agencies alleging violations of federal and state consumer protection statutes, including the Fair Credit Reporting Act (FCRA), Fair and Accurate Credit Transactions Act (FACTA), Fair Debt Collection Practices Act (FDCPA), Truth-in-Lending Act (TILA), Telephone Consumer Protection Act (TCPA), Home Ownership Equity Protection Act (HOEPA), Illinois Interest Act, Illinois Collection Agency Act, and the Illinois Consumer Fraud and Deceptive Business Practices Act.

Todd's Professional Affiliations

- Chicago Bar Association

Areas of Focus

Industries: Banking & Financial Institutions; Consumer Financial Services; Financial Services; Mortgage Lending & Servicing ; Professional Services

Services: Appellate; Complex Commercial Litigation ; Consumer & Class Action Defense;
Fair Credit Reporting Act (FCRA); Fair Debt Collection Practices Act (FDCPA);
Financial Services Litigation ; Financial Services Regulatory & Compliance;
Litigation & Trial; Mortgage Lending & Servicing Litigation ; Regulatory & Compliance ;
Telephone Consumer Protection Act (TCPA)

Experience

- Class certification motion denied and Rule 12(b)(1) motion to dismiss granted and judgment in favor of defendants in FDCPA putative class action affirmed by Fifth Circuit. *Brookter v. GC Services LP et al.*, 2011 WL 1584651 (S.D. Tex. 2011), *aff'd*, *Brookter v. GC Services LP et al.*, 2012 WL 1579325 (5th Cir. 2012)
- Rule 12(b)(6) motion to dismiss granted and judgment in favor of defendant in FDCPA putative class action affirmed by Second Circuit. *Gutierrez v. GC Services LP*, 2010 WL 3417842 (E.D.N.Y. 2010), *aff'd*, *Gutierrez v. GC Services LP*, 430 Fed. Appx. 8 (2d Cir. 2011)
- Legal malpractice trial verdict and judgment in favor of defendant on Rule 52(c) motion. *Goodman v. Levy*, 2011 WL 824621 (N.D. Ill. 2011)
- Rule 12(b)(6) motion to dismiss granted and judgment in favor of defendant in FDCPA putative class action. *Golubeva v. GC Services LP*, 767 F. Supp. 2d 369 (E.D.N.Y. 2010)
- Legal malpractice jury trial verdict and judgment in favor of defendant. *Dessau v. Karton*, JVR-AAA 49/6 (Cook County, Ill. 2009)
- Class certification motion ruled moot and summary judgment granted in favor of defendants in FDCPA putative class action affirmed by Seventh Circuit. *Sims v. GC Services LP*, 2005 WL 3988380 (C.D. Ill. 2005), *aff'd*, *Sims v. GC Services LP*, 445 F.3d 959 (7th Cir. 2006)
- Summary judgment granted in favor of defendant in FDCPA putative class action. *Ruth v. MRS Associates Inc.*, 2006 WL 1207926 (N.D. Ill. 2006)
- Summary judgment granted in favor of defendants in FDCPA, Illinois Interest Act, and Illinois Consumer Fraud and Deceptive Business Practices Act putative class action affirmed by Seventh Circuit. *Dawson v. The Bureaus Inc.*, 2004 WL 2921871 (N.D. Ill. 2004), *aff'd sub nom. Olvera v. Blitt & Gaines PC et al.*, 431 F.3d 285 (7th Cir. 2005)
- Class certification denied and summary judgment granted in favor of defendant in FDCPA putative class action. *Hernandez v. Attention LLC*, 429 F. Supp. 2d 912 (N.D. Ill. 2005)
- Summary judgment granted in favor of defendant on FCRA claim. *Raymond v. Professional Claims Bureau Inc.*, 2005 WL 2491442 (N.D. Ill. 2005)
- Successful appeal of an FDCPA class action at the Seventh Circuit. We argued the consumer did not experience any harm or concrete injury, and lacked Article III standing under the ruling of the US Supreme Court in *TransUnion LLC v. Ramirez*. The appellate court agreed and overturned the district court's statutory damages award of \$350,000.

Recognition

- Loyola University Chicago School of Law, *Loyola Law Journal*, Member

Credentials

Education

Loyola University Chicago School of Law, JD, 2002

University of Illinois at Urbana-Champaign, BA, 1999

Bar Admissions

Illinois

Court Admissions

US Court of Appeals for the Second Circuit

US Court of Appeals for the Fifth Circuit

US Court of Appeals for the Seventh Circuit

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 Wisconsin

US District Court for the Western District of Wisconsin

Thought Leadership

Publications

Mr. Stelter co-authored “Fair Debt Collection Practices Act,” Chapter 7 in the Illinois Institute for Continuing Legal Education (IICLE) 2014 edition book, “Creditors’ Rights in Illinois.”

Hinshaw Newsletters

- Consumer Financial Services Newsletter - May 2017 Edition, May 12, 2017
- Consumer Financial Services Newsletter - December 2016 Edition, Dec 21, 2016
- Consumer & Class Action Litigation Newsletter - June 2015 Edition, Jun 9, 2015
- Consumer & Class Action Litigation Newsletter - November 2014 Edition, Nov 25, 2014
- Consumer & Class Action Litigation Newsletter - October 2013 Edition, Oct 14, 2013

In The News

- David Schultz and Todd Stelter Co-Author Chapter in IICLE Handbook on Creditors' Rights, Oct 24, 2022
- David Schultz and Todd Stelter Co-Author IICLE Chapter on "The Fair Debt Collection Practices Act", Jan 23, 2014

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