

Bailey Glasser Wins Class Certification for Tens of Thousands California Mortgage Borrowers

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Bailey Glasser partners James L. Kauffman and Elizabeth Ryan have obtained certification of a class of tens of thousands of California homeowners in a lawsuit challenging so-called “Pay-to-Pay” fees, which are fees a mortgage servicer charges simply for processing a monthly payment by phone or internet. The lawsuit, *Torliatt v. Ocwen Loan Servicing, et al.*, alleges the fees violate California debt collection law.

The defendants, Ocwen Loan Servicing, LLC and PHH Mortgage Corporation vigorously opposed class certification, arguing that a host of individual issues, defenses, and differing mortgages made class treatment impossible. On November 8, Judge William Orrick III of the U.S. District Court of the Northern District of California rejected each of Ocwen’s arguments, certifying the class as to all claims, appointing Mr. Lawrence Torliatt as the class representative, and attorneys from Bailey Glasser and Carney Bates & Pulliam as class counsel. The Court has ordered the parties to prepare a notice, to be sent to all class members, within 20 days.

The plaintiff and the class are represented by Bailey & Glasser, LLP partners James L. Kauffman and Elizabeth Ryan. A copy of the decision may be found [here](#).

About Bailey Glasser LLP

Bailey Glasser was founded in 1999 by Ben Bailey and Brian Glasser in Charleston, West Virginia. Since then, the firm has grown to nearly 80 lawyers in 17 locations, including offices in California, District of Columbia, Delaware, Florida, Massachusetts, Missouri, Illinois, New Jersey, New York, and West Virginia.

Plaintiffs and defendants rely on Bailey Glasser to handle the most challenging and consequential legal issues – regionally and nationwide – using a trial-focused approach to vigorously protect the interests of its clients. The firm’s corporate lawyers handle business matters ranging from the

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negotiation and execution of billions of dollars in commercial transactions, to IPOs, to assisting foreign businesses with investments in US assets.

For more information, visit baileyglasser.com.

Attorneys

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Practice Areas

Consumer Litigation