

The Florida Bar and The Florida Bar Consumer Protection Law Committee present

# 2023 President's Showcase Corruption of the Best Things Gives Rise to the Worst Helping Consumers Guard Against and Recover from Scams

Friday, June 23, 2023, 9:00 a.m. - 5:00 p.m.

**COURSE CLASSIFICATION: INTERMEDIATE** 

**Course 7419** 

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### **OVERVIEW**

Are you ready to dive into the world of consumer protection law and learn how to protect your clients from scams and fraud, and help them recover if they have already been victimized? In this program, you will learn about various scams that can harm consumers, and how to protect yourself and your clients from falling victim to these scams. You will also learn about tools and strategies available to help consumers recover from harm caused by scams.

The program is not only for lawyers looking to learn more about consumer law, but also for lawyers who are eager to help a wide range of consumers, including the vulnerable and elderly. By attending this program, lawyers will gain insightful knowledge and skills to assist them in representing clients in need and make a positive impact in their community.

Each session is moderated by an expert in the field and features a panel of speakers with expertise on the topic at hand. But it's not just about learning – this program is also an opportunity to network with fellow attorneys and legal professionals, and to build your skills as a consumer law advocate. Whether you are an experienced attorney looking to brush up on your knowledge or a newcomer to the field looking to make a difference in your community, this program has something to offer.



### **What You Will Learn About:**

- Consumer scams relating to property insurance, assignment of benefits, and public adjusters;
- How to protect clients from fraud in the construction industry, including fake contractors and shoddy workmanship, and how to help consumers recover from such conduct;
- Solar panel and door-to-door sales scams, as well as e-signature fraud;
- How to identify and protect clients from telephone, internet, and money transfer scams;
- Tools for helping consumers recover from identity theft, including the Fair Credit Reporting Act and the Fair Credit Billing Act, and Electronic Funds Transfer Act; and
- The benefits and risks of reverse mortgages for seniors, including events of default, defending homeowners in foreclosure, and loss mitigation options.

### **Who Should Attend**

This program is geared towards attorneys seeking to educate themselves and their clients about scams, and to protect themselves and their clients from harm caused by scams. It is also relevant to anyone interested in learning about scams and how to protect themselves from falling victim to them. Attorneys who want to learn the basics of the practice of consumer law and those who want to volunteer to help low-income clients with consumer-related issues and legal services advocates who want to enhance their skills in consumer litigation matters would also benefit from attending this program.

### **LECTURE PROGRAM**

9:00 a.m. Introduction and Overview

Speaker: Chair, Kaelyn Diamond

### 9:15 a.m. A Game of Claims and Consequences: Property Insurance

This panel discussion focuses on consumer scams relating to property insurance, assignment of benefits, and public adjusters. The panel discussion will provide valuable information and insights for educating clients to avoid such scams and for attorneys seeking to recover for harm that may have been inflicted on their clients. By understanding the tactics used by scammers, attorneys can better protect themselves and their clients from becoming victims of these types of fraudulent activities.

Moderator: Ruth Jackson Lee

Speakers: Beth Norrow, Mohammad Sherif and Ricardo Fernandez



### 10:15 a.m. Build It and They Will Scam: Protecting Your Clients from Shoddy Contractors

The panel, which consists of experts in the field of construction and contracting, will delve into the various ways in which consumers can be harmed by fraudulent activities in the construction industry. From fake contractors to shoddy workmanship, construction scams can leave homeowners out of pocket and with subpar or incomplete projects. This panel will discuss both how to educate clients on avoiding these situations, as well as the tools available to attorneys and consumers to help a consumer recover from harm.

**Moderator:** David Abrams

Speakers: Jennifer Pinder and Nolan Wilson, Jr.

11:15 a.m. **Break** 

### 11:30 a.m. Here Comes the Sun: Solar Panels, Door to Door Sales, and E-signature Scams

This panel will discuss the representation of consumers who may have been harmed by solar and door-to-door sales scams and will also cover the issue of e-signature fraud. This is valuable guidance for attorneys looking to protect their clients from these types of scams and assist in recovering from any harm that may have been inflicted.

**Moderator:** Adam Thoresen

Speakers: Bryant Dunivan, David Abrams

### 12:30 p.m. **Lunch and Networking Break**

### 1:30 p.m. Fool Me Once, Shame on You: How to Avoid Falling for Scams

Telephone, internet, and money transfer scams using services such as Zelle, CashApp, and Venmo are becoming more common, and more sophisticated, each year. Elderly clients can be particularly vulnerable to such scams especially because newer technology allows scammers to "spoof" legitimate businesses. Learn how to identify these scams as well as best practices for your clients in the immediate aftermath of being a victim.

**Moderator:** Jennifer Pinder

Speakers: Miles Vaughn, Robert Murphy and Aaron Weiss

### 2:30 p.m. Catch Me If You Can: Identity Theft

Identity theft is a never-ending problem that involves the unauthorized use of someone's personal information to commit fraud. This includes fraudulent account openings, such as credit cards, bank accounts, or utility accounts, as well as the fraudulent use of existing accounts. These actions can damage a victim's credit score and result in significant financial losses. This panel will help attorneys learn the tools



available to help consumers recover, including discussion of the Fair Credit Reporting Act, Fair Credit Billing Act, and Electronic Funds Transfer Act.

**Moderator:** Jared Lee

Speakers: Jordan Isringhaus, Robert Neary and Kaelyn Diamond

3:30 p.m. Break

3:45 p.m. Golden Girls' Guide to Reverse Mortgages: Benefits and Risks

Home Equity Conversion Mortgages (HECM) are the most common type of reverse mortgages and present unique risks (and benefits) to older clients seeking to remain in their homes. This panel will discuss why a consumer might choose a reverse mortgage, events of default of a reverse mortgage, defending homeowners in foreclosure of a reverse mortgage, as well as loss mitigation options available to seniors with reverse mortgages in default.

**Moderator:** Margery Golant

Speakers: Martin Andelman, Adam Skolnik and Ricardo Corona

4:45 p.m. **Q&A / Closing Comments** 

### **SPEAKERS**

David Abrams, Esq. is an experienced attorney recently selected as The Florida Bar Consumer Protection Lawyer of the Year Award in 2020. Abrams received his law degree from City University of New York School of Law. He also holds a Bachelor of Arts degree in psychology from Florida State University and an Associate of Science degree in Nursing from Tallahassee Community College. Abrams is a member of the Orange County Bar Association, the National Association of Consumer Advocates, the National Association of Consumer Bankruptcy Attorneys, and the American Bar Association. He is a graduate of the Florida Defender College and has undertaken regular advanced training regarding consumer rights litigation.

Martin Andelman is a well-known expert, lecturer and blogger, committed to educating the public on the benefits and risks of reverse mortgages. His 25 year career has been spent as a writer, and communications strategist focused on the communication of complex subject matter to various audiences. Until 2006, Martin was the CEO of a communications consulting firm he founded in 1989, and over those years his firm was engaged at the senior management level by hundreds of companies including 76 of the Fortune 500. In 2008, Martin began writing a blog to help people better understand the various impacts of what had begun during the summer of 2007 in the financial and credit markets and became heavily focused on the foreclosure crisis in 2009. Martin became well known as the guy who could save a home from foreclosure when all other avenues had been explored. Today, Martin believes "reverse mortgages" could be the best thing a senior homeowner could do, under the right



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circumstances, and he spends a good deal of time educating professionals who help senior homeowners, like CPAs, attorneys, and financial planners, the best practices of the reverse mortgage (also known as "home equity conversion mortgage" or HECM).

Ricardo ("Ricky") Corona, Esq. is a managing member of the Corona Law Firm, P.A. practicing primarily in the areas of Commercial Civil Litigation, Personal Injury, Foreclosure Defense and Condominium Association law. He is licensed to practice law in the State of Florida, in the United States District Court for the Southern District of Florida, the Middle District of Florida, and the Northern District of Florida, and the United States Court of Appeals for the Eleventh Circuit. Ricky Corona has dedicated a significant portion of his career to defending the rights of elderly borrowers, particularly in cases involving reverse mortgages. Ricky Corona's experience in handling reverse mortgage cases has resulted in several judgments and dismissals in favor of his clients. Ricky Corona's commitment to borrower's rights, particularly in defending elderly borrowers in reverse mortgage cases, sets him apart as an attorney driven by compassion and a desire for justice. Ricky Corona has tried several jury trials to verdict in state and federal courts, tried hundreds of bench trials, obtained more than one hundred dismissals in favor of defendants at dispositive hearings or trials, handled hundreds of evidentiary hearings and dispositive motions, and successfully briefed and argued cases in the appellate courts throughout the state of Florida, including the Florida Supreme Court as well as successfully briefing and arguing cases to the United States Court of Appeals for the Eleventh Circuit.

Kaelyn Diamond, Esq. Attorney Kaelyn Diamond focuses her practice on representing everyday people when their consumer rights have been violated by creditors. Many people believe that when they owe a debt, they have no rights. That couldn't be farther from the truth! People facing oppressive debt can be the most vulnerable to creditor abuses, so both Federal and Florida State laws provide consumers with legal protections against overzealous creditors. These legal protections include protection against harassing collection activity such as unauthorized or excessive calls, contacting third parties without permission, making aggressive or threatening statements, misrepresenting information about a debt, unlawful credit reporting, and other unlawful activities. Our Firm's mission is to empower consumers to liberate themselves from oppressive debt. In 2014, she started as a law clerk with the Law Office of Michael A. Ziegler, P.L., after various legal internships throughout her undergraduate and law school career. She was excited to have found a law firm that cared as much about helping everyday people as she did. In 2016, she accepted a position as an Associate Attorney, and was promoted to Partner in 2019. In 2021, she became a Shareholder, and The Law Office of Michael A. Ziegler, P.L. transitioned to Ziegler Diamond Law. Different name, same commitment to our mission: Empower Consumers to Liberate Themselves from Oppressive Debt. Kaelyn Diamond is the Chair of the Consumer Protection Law Committee of the Florida Bar.

Bryant H Dunivan, Jr., Esq. Bryant is a top-rated attorney practicing in the Tampa, Florida area. Providing legal representation in Florida for a variety of different issues, Bryant Dunivan, Jr. was selected to Rising Stars for 2016 - 2023. He is admitted to practice before the courts in Florida. He attended Thomas M. Cooley Law School where he earned a Juris Doctor degree in 2012, and he was admitted to the practice of law in 2013. Attorneys like Bryant H. Dunivan, Jr. are recognized by their peers for their outstanding work and commitment to the spirit of the legal profession. Their knowledge of the law,



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professional work ethic, and advocacy on behalf of their clients allow them to stand out among other attorneys in the field. Bryant Dunivan, Jr. represents clients with Consumer Law issues.

**Ricardo "Ricky" Fernandez, Esq.** is a Partner with Berk, Merchant & Sims. He joined the firm in 2016. Ricky dedicates most of his practice to handling first-party homeowners and commercial property disputes and third-party liability matters, including wrongful death, negligent security, slip and fall, and other premises liability cases. Ricky received a Bachelor of Science in Education degree from the University of Miami in 2010. He majored in Exercise Physiology with minors in Spanish, Chemistry, Sports Medicine, and Business. He received his Juris Doctor from the University of Miami School of Law in 2013, graduating cum laude. In his free time, Ricky is an avid soccer fan, enjoys running, and spending time with his son and wife.

Margery Golant, Esq. is the founder of Golant Law. She is Vice-Chair of the Consumer Protection Law Committee of The Florida Bar, and a nationally recognized consumer law expert, based in Broward County, Florida, who has dedicated her practice to successfully helping people with mortgage problems. Ms. Golant has testified before Congress on behalf of consumers and has won many awards for her work with mortgage and foreclosure issues. She has also frequently been called upon to train other attorneys and law professors and has been a presenter at numerous foreclosure defense and consumer protection seminars by The Florida Bar. Because of her work on behalf of Florida's borrowers and consumers, she was awarded the honor of Consumer Protection Attorney of the Year by the Consumer Protection Law Committee of the Florida Bar.

Jordan Isringhaus, Esq. earned his Bachelor of Arts degree in Political Science and Geography, cum laude from Valparaiso University in Indiana and his Juris Doctor cum laude from Stetson University College of Law in Florida. While at Stetson, Jordan was a member of Stetson Law's Honors Program and served as an intern at the U.S. District Court for the Middle District of Florida and in his final year, as a clerk at the Supreme Court of Georgia in Atlanta. Since 2011, Jordan has represented consumers in the fields of collection defense and creditor harassment and also litigated trials, managed appeals, and argued multiple times before several district court appeals panels. In May 2018, Jordan joined Swift, Isringhaus & Dubbeld, P.A. in an effort to better serve consumers across Florida. Jordan primarily advocates for consumers who have been injured by illegal debt collection methods and inaccurate credit reporting, and discriminated against based upon disability. In the community, Jordan has served as a weekly reading tutor for at-risk third-grade students. Jordan is also a hereditary member of several fraternal historical lineage organizations including the Sons of the American Revolution, St. Petersburg Chapter

**Ruth Jackson Lee, Esq.** is the founder of a state-wide consumer protection law firm. Prior to launching the firm, she was an insurance law attorney with one of the largest and oldest law firms in the South, where she was involved with the litigation of insurance-related class actions. Today, she uses her familiarity of corporate tactics to represent individuals who've been the target of trade abuse and deception. Ruth is the 2022-23 Vice Chair of the Florida Bar's Consumer Protection Committee. In addition to being awarded an AV Martindale-Hubbell rating and named a Florida "Rising Star" by Super Lawyers, she's been recognized by the Seminole County Bar Association Legal Aid Society for her service



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to economically disadvantaged persons. Additionally, Ruth has been invited to speak on a variety of emergent legal topics - from privacy in the digital age to the use of black boxes and tracking devices.

Jared M. Lee, Esq. is an attorney at Morgan & Morgan. He represents individual consumers in a variety of litigation matters in both state and federal court throughout the U.S. His practice focuses on representing individuals who have been victimized by illegal business practices both in physical and economic injuries. He's litigated a number of cases in trial and arbitration successfully, including obtaining multiple seven-figure resolutions. As an outgrowth of his litigation experience, Jared's been selected to serve in leadership positions related to consumer protection. He served as a two-term Chair of the Florida Bar's Consumer Protection Committee and is currently a State Chair for Florida with the National Association of Consumer Advocates. He's been awarded an AV Martindale-Hubbell rating, recognized by Super Lawyers as a Florida "Rising Star" and received an acknowledgment by the Florida Bar for his dedication and outstanding service on the Consumer Law Protection Committee. Jared has also been called upon to appear on radio and television broadcasts as a specialist in consumer issues.

Robert W. Murphy, Esq. is in private practice in Fort Lauderdale, Florida, focusing on consumer class action litigation. He has served as an adjunct professor of law at the University of Florida College of Law in Gainesville Florida since 2009. He is a past chair of the Consumer Protection Law Committee of The Florida Bar and was a Board Member, Secretary and Florida State Chairperson for the National Association of Consumer Advocates. He has spoken at many seminars and conferences hosted by a variety of state and national organizations, including The Florida Bar, The Academy of Florida Trial Lawyers, the National Consumer Law Center, the National Association of Legal Aid and Public Defenders, and the United States Military Judge Advocate Corps as well as college and law schools. In 2016, the Florida Bar recognized Mr. Murphy as the Consumer Attorney of the Year.

Mr. Murphy attended the U.S. Military Academy at West Point and received his B.A. cum laude from Wake Forest University in 1984 and his J.D. from the University of Florida College of Law in 1987. He is admitted to practice in Florida, Virginia, and Georgia as well as various US District Courts. He has served as lead or co-lead counsel in over 200 certified representative actions providing over a billion dollars in settlement benefits. The range of his class litigation includes actions against auto manufacturers, mortgage companies, banks, telemarketers, and most recently fin-tech lenders.

Robert Neary, Esq. is Of Counsel in Kozyak Tropin & Throckmorton's complex litigation and class action practice groups. Robert's practice includes various areas of complex commercial litigation as well as class actions and multi-district litigation, representing plaintiffs in fraud and deceptive trade practices, tort, and product liability claims. Robert has litigated actions in both Federal and State courts and has also litigated matters before the Financial Industry Regulatory Authority (FINRA). Robert works on the firm's largest and most complex class actions, including a leading role in over twenty nationwide class actions against major mortgage servicers and lenders involving their force-placed insurance practices that have resulted in settlements making available over \$1 billion dollars in relief and compensation for class members.



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**Beth A. Norrow, Esq.** is an associate with Greenberg Traurig and practices in the areas of property insurance, condominium law, false advertisement, defamation, as well as creditor's rights and lender liability. She represents many financial institutions and secured creditors in protecting assets and enforcing property rights and obligations. She currently serves on the Consumer Protection Law Committee for the Florida Bar, which offers assistance to judges, consumers and legislators on changes in the law that impact consumers. She began her career in Michigan defending major automobile manufacturers, dealers and creditors against breach of warranty and Lemon Law complaints, as well as, claims regarding Magnuson-Moss Warranty Act violations, State and Federal Consumer Protection Act violations, and Fair Debt Collection Practices Act violations.

Jennifer Hayes Pinder, Esq. is an Assistant Bureau Chief in the Consumer Protection Division of the Office of the Attorney General for the State of Florida, and she has been with the Office for over 8 years. Jennifer has litigated many issues under Florida's Unfair and Deceptive Trade Practices Act involving business practices such as telemarketing, advertising, mortgage servicing, and financial services. She has also participated in joint cases with the Federal Trade Commission and the Consumer Financial Protection Bureau brought under the Telemarketing Sales Rule and the Consumer Financial Protection Act, respectively. Prior to joining the Office of the Attorney General, Jennifer practiced law for almost ten years in the areas of commercial litigation and commercial bankruptcy. She earned her undergraduate degree and law degree from the University of Florida.

Mohammad Sherif, Esq. is a partner at Mubarak, Sherif, & Oladipo, PLLC representing homeowners, commercial property owners and other commercial and private policyholders in a broad range of insurance disputes. A native of Gainesville, FL, Mohammad Sherif attended the University of Florida and graduated from the College of Journalism in 2003. After practicing briefly as a journalist, Mr. Sherif attended the Florida State College of Law where he obtained his law degree in 2007. He has worked for the Florida Office of Insurance Regulation, as an in-house counsel for Nationwide Insurance, and General Counsel and Secretary for insurance companies domiciled in Florida and New York. As General Counsel, Mr. Sherif coordinated the litigation defense for both companies, advised on regulatory matters, developed products and forms, and conducted in-house trainings to company adjusters and underwriters. Mr. Sherif's extensive insurance experience provides salient insight to understanding the operations of an insurance company, which provides Mr. Sherif the ability to better advocate on behalf of his clients.

**Adam I. Skolnik, Esq.** is based in Deerfield Beach, at the Law Office of Adam I. Skolnik, P.A., which was established in 2005 with a focus on providing client-focused, cost-effective legal services in the areas of Commercial Litigation, Real Estate Finance, Banking Law, Residential and Commercial Foreclosure Defense, Corporate Law, Asset Protection and Structure, Estate Planning, consumer and corporate Bankruptcy and Bankruptcy Litigation throughout the State of Florida. Adam routinely handles reverse mortgage matters for his clients, whether it is assisting them in obtaining reverse mortgages or enforcing their rights under the specialized terms found in reverse mortgage. His representation has resulted in a number of positive outcomes for his clients.



Adam Thoresen, Esq. After graduating law school in 2008 Adam began his career with Jacksonville Area Legal Aid. Ever since, he has committed himself to representing low income and otherwise vulnerable clients in consumer protection litigation against banks, credit reporting agencies, corporate landlords, and other businesses. Adam litigates complex cases on both a class and individual basis in state and federal court and prides himself at being a leader not only among legal services attorneys, but also private consumer protection attorneys around the country. Adam is a member of the Consumer Protection Law Committee of the Florida Bar, the National Association of Consumer Advocates, and a recipient of the National Consumer Law Center "Rising Star" award in 2021. Adam has been an invited speaker nationally on such topics as the Fair Credit Reporting Act, litigating tenant screening cases, and effectively using discovery to prove damages in consumer cases, amongst others.

Miles Vaughn, Esq. is an Assistant Attorney General in the Consumer Protection Division of the Florida Attorney General's Office, where his practice areas include a variety of issues under the Florida Deceptive and Unfair Trade Practices Act including deceptive digital marketing, online consumer safety, consumer privacy, robocalls, and digital financial services. He also participates in multistate litigation against technology companies and has worked on cases alongside the Federal Trade Commission, the Federal Communications Commission, and the Consumer Financial Protection Bureau. Miles is licensed to practice in Florida and the District of Columbia. Prior to joining the Florida Attorney General's Office in 2019, Miles was an attorney with the firm Oster McBride PLLC in Washington D.C. He received his J.D. from American University Washington College of Law.

**Nolan Wilson, Jr.** has been a state investigator at the Florida Department of Business & Professional Regulation for ten years. Under the DBPR–Regulation jurisdiction, Nolan investigates complaints and violations which fall under (21) different Licensing Boards. The majority of the investigations performed fall under the construction statutes. Nolan works with Building Officials, Building Department Investigators, Code Enforcement Officers and Inspectors across five counties. The DBPR's mission is to help curb unlicensed contracting and resolve issues with State licensed contractors. Nolan coordinates outreaches, sweeps, and enforcement actions for the local DBPR Office and often coordinates these activities with the local municipal teams.

### **CLE Credit**

General: 6.0 hours

### **Certification Credit**

Civil Trial: 6.0 hours
Business Litigation: 6.0 hours