



# Kristin A. Gore

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## Overview

Kristin Gore is an experienced litigator who focuses her practice on antitrust litigation and other complex commercial litigation. Kristin is an integral part of the firm's antitrust cartel recovery practice, and in this capacity, she represents a range of corporate clients in multidistrict litigation in federal courts across the country.

Kristin also represents international business clients in a range of litigation and dispute resolution matters in the United States. As a Jamaican national with dual citizenship since birth, Kristin's cross-cultural knowledge and experience are particularly beneficial for the increasingly global reach and multijurisdictional aspects of doing business today.

Additionally, Kristin has particular experience representing financial institutions and national banks in federal and state court litigation nationwide, defending claims for violations of various state and federal consumer statutes, including deceptive and unfair trade practice claims and class actions.

Kristin also has experience in the telecommunications industry representing carriers in trademark litigation in federal courts throughout the country.

## Experience

- Represented electronic manufacturing service companies as opt-out claimants in multidistrict commercial litigation to recover damages from international price-fixing cartel in the electrolytic capacitor market. *In re Capacitors Antitrust Litig.*, No. 3:13-cv-03264 (N.D. Cal.).
- Represented telecommunications carriers in the prosecution of federal trademark infringement, unfair competition, and fraud cases before federal courts including New York and Texas; obtained multimillion-dollar judgments and permanent injunctions for carriers.
  - *MetroPCS v. PC-Wiz Corp.*, No. 3:16-cv-00442 (N.D. Tex. June 6, 2017). Granting permanent injunction and final judgment against defendants in amount of \$1,388,728.94 in favor of telecommunications carrier.
  - *MetroPCS v. SNS Commc'ns, Inc.*, No. 1:15-cv-06967, 2017 WL 1102895 (E.D.N.Y. Mar. 20, 2017). Granting permanent injunction and final judgment in amount of \$2,077,740 in favor of

telecommunications carrier.

- Represented financial institutions in a number of pivotal actions pertaining to various aspects of lender liability, enforcement of mortgage loans, federal preemption, and statutory interpretation.
  - *Milce v. Wells Fargo Bank, N.A.*, 183 So. 3d 1256 (Fla. 4th DCA 2016). Handled both trial and appeal resulting in judgment for lender, affirmed by appellate court. Holding, as a matter of first impression, that Florida Rule of Civil Procedure 1.420(d) requires the entry of a cost judgment before its stay provisions become effective.
  - *Streicher v. U.S. Bank, N.A.*, 666 F. App'x 844 (11th Cir. 2016). Represented lender in action claiming that promissory note and mortgage were not enforceable after dismissal of foreclosure action. Trial court granted summary judgment in favor of lender, affirmed by Eleventh Circuit, holding that dismissal for lack of standing under Florida Rules of Civil Procedure was not res judicata.
  - *Giourgas v. Wells Fargo Bank, N.A.*, No. 1:14-cv-23569, 2015 WL 5439164 (S.D. Fla. Sept. 11, 2015). Dismissal with prejudice of borrowers' claims against lender under various consumer statutes including FDUTPA and RESPA.
  - *Whittaker v. Wells Fargo Bank, N.A.*, No. 6:12-cv-00098, 2014 WL 5426497 (M.D. Fla. Oct. 23, 2014). Entering summary judgment in favor of Wells Fargo on RESPA and TILA claims.
  - *Bloch v. Wells Fargo Bank, N.A.*, 755 F. 3d 886 (11th Cir. 2014). Represented lender and servicer of mortgage in federal trial court action and appeal. Eleventh Circuit affirmed summary judgment in pivotal action holding no private right of action for purported violations of HAMP and trial period loan modification.
  - *Citron v. Wachovia Mortg. Corp.*, 922 F. Supp. 2d 1309 (M.D. Fla. 2013). Represented lender in federal court action including trial. Judgment entered in favor of lender after trial. District court rejected testimony of borrowers as not credible, held that borrowers waived right of rescission under TILA, and entered judgment in favor of lender providing for foreclosure on property.
- Represented financial institution in class actions involving claims of unfair business practices and related matters, including lender-placed insurance, fraud, and other claims arising under state and federal laws. *Mahan v. Regions Fin. Corp.*, No. 4:14-cv-00321 (E.D. Ark.); *Ziwczyn v. Regions Bank*, No. 1:15-cv-24558 (S.D. Fla.).

## All Insights

09.11.2019 New York AG Leads Antitrust Investigation Into Social Media Platform

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05.17.2019 Supreme Court Upholds Ninth Circuit Decision: Antitrust Action Against Apple May Proceed

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08.26.2018 23 Attorneys General Challenge FCC Ruling on Net Neutrality

12.17.2017	Robust Transparency Requirements for Broadband Providers After FCC Vote
11.16.2016	FCC Adopts New Broadband Privacy Rules
04.26.2016	Borrowers Misuse RESPA Notice of Error Letter
09.01.2015	Eleventh Circuit Says Merely Acquiring Debt in Default is Not Enough to Qualify As "Debt Collector" Under FDCPA
08.24.2015	FCC Issues \$2.96 Million Fine for Robocalling Violations
09.16.2014	Florida: Note and Mortgage Still Enforceable After Dismissal of Foreclosure Action
07.08.2014	Servicers Face New Requirements for Responding to Consumer Error Claims

## Professional & Community Involvement

- American Bar Association
  - Marketing Board
  - Vice Chair, Pro Bono Committee, Business Law Section
  - Chair, Diversity Subcommittee, Young Lawyers Committee, Business Law Section
  - Chair, Pro Bono and Public Service Project Subcommittee, Business and Corporate Litigation Committee, Business Law Section (2010–2018)
  - Editorial Board, Business Law Today (2015–2017)
- Leadership Council on Legal Diversity
  - Fellow (2018)
- Caribbean Bar Association

## Credentials

### EDUCATION

- Fordham University School of Law (J.D., 2006)
- Lehigh University (B.A., with honors, 2003)

### COURT ADMISSIONS

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District

#### BAR ADMISSIONS

- Florida
- New York

of Florida

- U.S. District Court, Southern District of Florida
- U.S. District Court, Northern District of Illinois
- Florida State Courts

### Background

- Litigation Associate, Herrick, Feinstein LLP, New York, NY (2006–2008)

### Areas of Focus

#### PRACTICES

- Antitrust and Trade Regulation
- Cannabis Law
- Class Actions
- Institutional Investment and Finance
- Litigation and Trials
- Real Property Litigation

#### INDUSTRIES

- Banking, Commercial, and Consumer Finance
- Real Estate