

## GERARD J. GAENG



**Title:** Partner

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### **Bar Admissions**

- Maryland Supreme Court
- U.S. District Court, District of Maryland
- U.S. Court of Appeals, Fourth Circuit
- U.S. Supreme Court

### **Practice Groups**

- Litigation
- Financial Services Group
- Commercial Lending

### **Education**

- Emory University School of Law, J.D. (with honors) ("Most Outstanding Student" award)
- Towson University, B.S. (summa cum laude)

### **Bio**

As a partner in the firm's Litigation Department and Financial Services Group, Gerry Gaeng has successfully handled some of the region's largest and most complex litigation matters, in state and federal trial and appellate courts, as well as in arbitrations and mediations. He concentrates in complex business and government litigation, including class-action defense, financial services litigation, intellectual property litigation, administrative law, commercial tort and contract litigation, higher education law, and real estate and construction litigation. Gerry graduated summa cum laude from Towson University and received the "Most Outstanding Student" award at the Emory University School of Law. He served as a federal judicial law clerk, Maryland Assistant Attorney General, and counsel to a congressionally created commission that investigated the nation's savings and loan crisis of the 1980s.

During his decades of private practice, Gerry has been recognized in a short list of Maryland's "local litigation stars" in every annual edition of Benchmark: America's Leading Litigation Firms and Attorneys, where clients have praised him for "astounding results" and described him as "simply the best." Similarly, he has been listed in every edition of Maryland Super Lawyers and in the 2011-present editions of Best Lawyers in America, which named him Baltimore's 2016 "Lawyer of the Year" for Litigation – Banking and Finance, and its 2021 Baltimore "Lawyer of the Year" for Real Estate Litigation. Gerry is also ranked for commercial litigation in Maryland in the prestigious Chambers USA publication.

## Experience

Successfully defended bank in lender-liability action brought by loan customer resulting in de minimis settlement.

Co-counsel in defense of a pending patent infringement suit against a provider of military armor for the United States military brought in federal court by a competitor.

Successfully defended federal-court consumer class action against large automotive dealership group alleging violation of state law governing automobile financing.

Represented and advised the Special Litigation Committee of the board of directors of a REIT sued in a shareholder derivative action.

Tried arbitration case for Fortune 500 company seeking damages against coal producer under a commodity supply contract; resulted in mid-trial favorable settlement.

Obtained an order compelling individual arbitration of a claim of a named plaintiff in a putative class action against a financial services company.

Recovered substantial funds for a vendor of commercial real estate when a developer defaulted on the purchase agreement.

Was lead counsel on amici curiae brief filed on behalf of financial services companies before Maryland's highest court; resulted in affirmance of judgment that defendant mortgage assignee was not liable for statutory lending violation committed by loan originator.

Successfully defended before a jury claims brought against a developer and home builder by residents of a community alleging underground water problems.

Successfully defended as lead liaison counsel in federal trial and appellate courts consolidated class-action cases brought under state and federal mortgage lending statutes against multiple financial institutions.

Drafted complex legislation for professional association and for a governmental entity; both bills were enacted into law.

Recovered substantial liquidated damages for a totalizator company in federal trial court for breach of contract by the operator of a racetrack.

As counsel to the congressionally created National Commission on Financial Institution Reform, Recovery and Enforcement, conducted witness examinations in public and private Commission hearings and assisted in the preparation of the Commission's published report to the President of the United States, the President of the U.S. Senate and the Speaker of the U.S. House of Representatives.

Successfully defended claims asserted under a host of state and federal statutes, including:

- The Real Estate Settlement Procedures Act (RESPA)
- The Truth in Lending Act (TILA)
- The Home Ownership and Equity Protection Act (HOEPA)
- The Fair and Accurate Credit Transactions Act (FACTA)
- The Maryland Uniform Commercial Code (UCC)
- The Maryland Consumer Protection Act (MCPA)
- The Maryland Secondary Mortgage Loan Law (SMMLL)
- The Maryland Retail Installment Sales Act (RISA)
- The Maryland Credit Grantor Closed End Credit Provisions (CLEC)
- The Fair Debt Collection Practices Act (FDCPA)
- The Telephone Consumer Protection Act (TCPA)
- The Maryland Telephone Consumer Protection Act (MTCPA)
- The Maryland Consumer Debt Collection Act (MCDCA)