

Member

# Erik W. Kemp

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Erik Kemp represents clients in class actions, appeals, and other complex litigation. He serves as a committed and persuasive advocate for clients' interests while also providing a candid and comprehensive assessment of each case's merits.

Erik Kemp is a Member of Severson & Werson, specializing in financial services litigation, with an emphasis on class action defense and the appellate courts. He has particular expertise in matters involving automobile finance and mortgage lending and servicing.

Mr. Kemp defends clients against class actions in state and federal courts based on alleged violations of consumer protection and unfair and deceptive practices statutes. Mr. Kemp has substantial experience defending class actions challenging post-repossession notices of intent ("NOIs"), late fee assessment, property inspections, loss mitigation review procedures, and lender-placed insurance. He has defended dozens of cases asserting violations of California's Unfair Competition Law and Automobile Sales Finance Act.

Mr. Kemp represents clients in appeals and extraordinary writ proceedings in state and federal courts. He has briefed and argued appeals covering such topics as nonjudicial foreclosure, lender liability, bank operations, credit reporting, arbitration, class action settlement approval, and civil procedure. Mr. Kemp has represented clients in appeals before the California Courts of Appeal and the federal Courts of Appeals for the Fifth, Ninth, and Eleventh Circuits.

Mr. Kemp earned his J.D. from the University of California, Hastings College of the Law, graduating *magna cum laude* and Order of the Coif. He earned his B.A. in political science from the University of California, Berkeley, graduating with high distinction in general scholarship and Phi Beta Kappa honors.

## Education

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- University of California, Hastings College of the Law, J.D., *magna cum laude*, 2006
- University of California, Berkeley, B.A., 2003

## Admissions

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- California

## Areas of Practice

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### Writs and Appeals

### Banking

- [Bank Operations](#)

### Business Litigation

- [Class Actions Defense](#)
- [Unfair Business Practices \(UDAP\) Litigation](#)

### Financial Services

- [Automobile Finance](#)
- [Class Actions Defense](#)
- [Mortgage Banking](#)
- [Regulatory Compliance and Enforcement Actions](#)
- [Telephone Consumer Protection Act \(TCPA\)](#)
- [Unfair Business Practices \(UDAP\) Litigation](#)

## Publications

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- [SW Winter 2019 Newsletter](#)
- [SW Summer 2018 Newsletter](#)
- [Severson Attorneys Publish Article on “Convenience Fees” in ABA Consumer Financial Services Committee Newsletter](#)
- [Hyman, S.J. & Kemp, E.W. \(March 2018\) The Consumer Financial Protection Bureau Regulates Pay-by-Phone “Convenience” Fees, CFSC Newsletter: ABA Business Law Section](#)
- [SW Winter 2018 Newsletter](#)
- [The California Supreme Court Continues Its Resistance To Arbitration](#)
- [Hyman, S.J. & Kemp, E., \(July 2017\). The Consumer Financial Protection Bureau Issues a Compliance Bulletin on Pay-by-Phone “Convenience” Fees](#)

- [Kemp, E. & Holt Andrews, E. \(Spring 2017\). "Bristol-Myers Squibb Co. v. Superior Court: Will California Be the New Forum of Choice For Nationwide Class Actions?". SideBar](#)
- [Kemp, E. & Franich, K.W., \(April 11, 2017\). McGill v. Citibank, N.A. Undermines Proposition 64 and the FAA Alert](#)
- [Kemp, E.\(August 4, 2015\). California Supreme Court Upholds Auto Contract's Arbitration Clause Alert](#)

## **Consumer Finance Posts**

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- [CFPB Issues Advisory Opinion on "Pay-to-Pay" or "Convenience Fees"](#)
- [Severson Attorneys Publish Article on "Convenience Fees" in American Bar Association Consumer Financial Services Committee's March 2018 Newsletter](#)
- [A New Arrow In The UCL Quiver In Tax-Related Claims](#)