

Anthony Ling Obtains Summary Judgment in Alleged Mortgage Fraud Scheme Case

Obtained summary judgment on behalf of his client, a settlement agent/title company, in an alleged mortgage fraud scheme in connection with the plaintiff's efforts to save her home from foreclosure. The plaintiff alleged that the defendants led her to believe that she was refinancing her home when in fact, she was selling her home to a third party. The Court dismissed all counts because the plaintiff did not enjoy third party beneficiary status stemming from the mortgage documents between the lender and the third party purchaser and because the settlement agent did not make an actionable misrepresentation to her concerning the nature of the transaction sufficient to satisfy the Consumer Fraud Statute or common law fraud elements.