
SHANON J. MCGINNIS

WARGO, FRENCH & SINGER LLP
999 PEACHTREE STREET, N.E.
SUITE 1120
ATLANTA, GEORGIA 30309
404.853.1575 *DIRECT DIAL NUMBER*

Practice Areas:

Ms. McGinnis practices in the following areas:

Complex Commercial Litigation
Financial Services Litigation
Alternative Dispute Resolution
Appellate Litigation

Representative Matters:

- Defended lenders and national financial services organizations in numerous state and federal court individual and class actions by customers asserting violations of the Truth-In-Lending Act (“TILA”), Real Estate Settlement Procedures Act (“RESPA”) and Regulation Z, the Fair Credit Reporting Act (“FCRA”), the Telephone Consumer Protection Act (“TCPA”), the Fair Debt Collection Practices Act (“FDCPA”), the Fair Credit Billing Act (“FCBA”), and various other federal and state consumer protection statutes. In each matter, obtained early dismissal, summary judgment, and/or favorable settlement for the client.
- Defended lenders and national financial services organizations in actions with borrowers asserting virtually any type of mortgage-related claims, including allegations of wrongful foreclosure, loan modification disputes, misapplication of payments, improper application of lender-placed insurance and other escrow account issues, lack of standing, slander to title, breach of contract, and state mortgage statute violations.
- Represented mortgage bank in a breach of contract and breach of fiduciary duty class action brought by borrowers who claimed that the bank unlawfully required its borrowers to maintain excessive escrow deposits for the payment of taxes and insurance. Obtained judgment on the pleadings and a full dismissal of all claims prior to any discovery or class certification.
- Represented national financial services organizations and lenders in litigation involving identity theft, breach of contract, breach of fiduciary duty, deceptive trade practices, intentional infliction of emotional distress, defamation, successor liability, negligence, fraud, Uniform Commercial Code, and licensing claims.

- Defended lenders and national financial services organizations in numerous state and federal court individual and class actions, including without limitation disputes with borrowers related to residential mortgages, with homeowner and condominium associations, with customers concerning credit card accounts and auto loans, with borrowers and third parties related to title and lien priority issues, and with account holders relating to checking accounts and other retail banking issues.
- Represented property owner in dispute with general contractor and architect relating to the design and construction of new building headquarters project in Southern California.
- Represented a Fortune 50 retail-pharmacy company across the country in high-stakes disputes with landlords and third parties related to protection of our client's tenant rights.
- Defended and prosecuted actions on behalf of property owners and lenders involving issues of title to property and title priority, including actions against title insurers.
- Represented a U.S. affiliate of a Swedish engineering firm in an eleven-week arbitration hearing concerning claims relating to the design and construction of a low-level radioactive waste processing facility in Tennessee.
- Represented a public District/owner in a \$40 million dispute concerning delay claims arising from the design and construction of a seventeen-mile bridge across the Chesapeake Bay.
- Represented public company against former employees in multiple actions nationwide involving claims of restrictive covenant violations, tortious interference with customers and employees, and breaches of fiduciary duties and duties of loyalty.
- Obtained preliminary injunction enforcing non-competition and non-solicitation agreements after conducting a live evidentiary hearing against a client's former employee in case pending in the District Court for the Northern District of Georgia.
- Obtained orders of replevin for electronic devices in possession of former employees containing data belonging to former employers in connection with theft of confidential information and/or trade secrets and business interference cases.
- Represented first-party liability insurers in claims-handling process, from the initial investigation throughout trial, drafting coverage opinions, reservation of rights letters, complaints for declaratory judgment and dispositive motions.
- Acted as insurance defense counsel in actions against insureds for damages relating to property damage, bodily injury, and landlord/tenant disputes.
- Defended publicly-traded and private companies in individual and class actions brought by current and former employees and by independent contractors, including wage-and-hour and discrimination claims.

- Represented publicly-traded company in multi-million dollar bad faith denial of coverage litigation and obtained summary judgment finding coverage available, which ultimately led to favorable settlement.
- Defeated TRO attempt for business client involved in partnership dispute and dissolution.
- Represented clients in patent infringement actions in federal courts and before the International Trade Commission.
- Represented clients in both defense and prosecution of copyright, trade secret, unfair competition, Lanham Act and state trademark claims in state and federal courts.
- Represented former President and Board of Director member in federal alter ego litigation.
- Represented securities broker-dealers and affiliated persons in arbitration and litigation with customers involving claims of unsuitability, unauthorized trading, failure to supervise, churning, fraud, negligence, and breach of duty.
- Represented billboard companies in First Amendment actions challenging appropriateness of city and county sign ordinances.

Education:

Southern Methodist University School of Law, Dallas, Texas

J.D, *cum laude*, 1998

Honors:

Southern Methodist University Law Review, Articles Editor 1996-

1998 Order of the Coif

Best Brief Winner, Jackson-Walker Moot Court

Competition Phi Delta Phi

University of Southern California School of Journalism, Los

Angeles, California B.A., 1994

Honors:

Dean's Scholar and Dean's Scholarship Recipient, 1990-

1994 Dean's List – all four years

Professional Activities:

- Recognized as one of Georgia's "Rising Stars" by Atlanta Magazine in 2010
- Member of the Business Law and Litigation Sections of the American Bar Association and the Committee on Consumer Financial Services
- Member of the Georgia Association of Women Lawyers
- Member and past officer of the Atlanta Chapter of the Women's Finance Exchange

Bar and Court Admissions:

- State Bars of Georgia and California

- Admitted to practice in the in the United States District Courts for the Northern, Middle and Southern Districts of Georgia and the Central, Eastern, Northern, and Southern Districts of California, as well as the United States Court of Appeals for the Fourth, Ninth, and Eleventh Circuits