

PUBLIC JUSTICE E-LERT

AMERICA'S PUBLIC INTEREST LAW FIRM

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On its corporate website, JPMorgan Chase makes a noble pledge: "We are committed to doing the right thing."

We're making it keep that commitment, having just filed our opening brief in the Fourth Circuit in *Epps v. JPMorgan Chase Bank*.



When Maryland resident Donna Epps became unable to make payments on her car, Chase repossessed the car and then sold it. (Many consumers don't know that car dealerships often assign financing contracts to national banks like JPMorgan Chase.) Now, Chase is trying to sue Ms. Epps for money it claims she owes. Under Maryland law, Chase is legally allowed to sue for that kind of deficiency. But, before it can do so, the bank is required to make accurate disclosures about the repossession and sale of the vehicle -- i.e. explain to Ms. Epps how much her car is worth, how much they can sell it for, and, if applicable, any outstanding money that she owes the bank. Essentially, state law says that the bank can only sue for the deficiency if it provides the consumer with accurate and complete disclosures.

But Chase did not hold up its end of the bargain. And when that happens, Maryland law takes the next step to protect the consumer: it says that if the bank fails to disclose the repossession and sale information, then the bank cannot sue for any deficiency judgment at all. So, under Maryland law, Chase should get nothing from Ms. Epps.

Nevertheless, Chase argues that, as a *national* bank, it is immune to selected parts of state law (like the part that says it has to disclose information) yet is also entitled to the benefits of other parts of state law (like the part that says a bank can sue for a deficiency judgment).

Our brief argues that the bank cannot take a contract that requires it to follow state law, and then claim that state law is wiped away because it's a national bank. To read our brief, click [here](#).

Thanks to [Brayton-Thornton Attorney Melanie Hirsch](#), the brief's principal author. Melanie received assistance from [Senior Attorney Paul Bland](#) as well as our co-counsel, Scott Borison of [Legg Law Firm, LLC](#), in Frederick, MD; Peter Holland of [The Holland Law Firm, P.C.](#), in Annapolis, MD; and Jane Santoni of [Williams & Santoni, LLP](#) in Towson, MD.

Thanks to you, too. As we come up on our May Phonathon, please consider [renewing or upgrading your membership](#) at Public Justice. Our work would not be possible without help from supporters like you.