



JASON W. MCELROY
Member

 202.728.4463

 mcelroy@thewbkfirm.com

Jason is a trial lawyer representing companies located nationwide. Jason has obtained verdicts and judgments in jury trials, bench trials, and arbitration proceedings throughout the country, and regularly represents clients in class actions and complex litigation in federal and state courts. Jason represents clients in a wide range of matters, including consumer protection statutes, unfair trade practices, the False Claims Act, the Program Fraud and Civil Remedies Act, trade secrets disputes, business and contract disputes, and financial and consumer regulatory statutes such as RESPA, TILA, and TCPA.

In addition to his litigation practice, Jason also represents companies in government investigations before federal and state regulatory agencies, including assisting with preparation for regulatory examinations, representation in investigations, targeted reviews, and enforcement actions. Jason has represented clients before the U.S. Department of Justice, Federal Trade Commission (FTC), U.S. Department of Housing and Urban Development (HUD), the Consumer Financial Protection Bureau (CFPB), the U.S. Department of Labor, and multiple analogous state agencies and state Attorneys General.

Jason has served in leadership within the American Bar Association's Consumer Financial Services Committee, and has twice served on the editorial advisory board of Banking Law360.

PRACTICE AREAS

- Investigation and Enforcement
- Litigation
 - Federal Law Claims
 - State Law Claims
 - Business Matters and Disputes
 - Class Action Defense
 - Individual Actions
- Regulatory Compliance
 - Federal Regulatory Compliance
 - State Regulatory Compliance

EDUCATION

- American University, Washington College of Law, J.D., 2005
- DePauw University, B.A., 2002

ADMISSIONS

- District of Columbia
- New York
- Texas
- Virginia
- U.S. Court of Appeals for the District of Columbia Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. District Court for the District of Columbia
- U.S. District Court for the District of Maryland
- U.S. District Courts for the Eastern and Southern Districts of New York
- U.S. District Court for the Northern District of Texas
- U.S. District Courts for the Eastern and Western Districts of Virginia

REPRESENTATIVE MATTERS

- Obtained jury verdict in Texas state court on behalf of financial institution in matter alleging state antitrust violations, breach of contract, quantum meruit, and unjust enrichment
- Obtained judgment in contested arbitration on behalf of financial institution for misappropriation of trade secrets by former employees
- Obtained judgment on behalf of financial institution against former employees and new employer for RICO violations and misappropriation of trade secrets by former employees
- Obtained defense verdict on behalf of financial institution in Virginia state court against borrower alleging fraudulent practices in origination of Home Equity Conversion Mortgages
- Defended financial institutions in administrative hearings conducted by federal and state authorities
- Defended financial institutions against False Claims Act allegations regarding government-insured loan programs
- Defended companies against class allegations of Telephone Consumer Protection Act (TCPA) violations, RESPA violations, federal RICO violations, and state consumer fraud statutes
- Represented appraisal management company in federal antitrust action against state board of licensing

PUBLICATIONS

- Co-author, *Cybersecurity in Financial Services: A Regulatory and Litigation Primer*, Consumer Finance Law Quarterly Report (April 2018)
- Co-author, *Implied False Certification Liability under the False Claims Act after Escobar*, Journal of Taxation and Regulation of Financial Institutions (Fall 2016)
- Co-author, *New Federal Trade Secret Legislation Could Have Major Impact on Mortgage Recruiting Efforts*, Mortgage Compliance Magazine (October 2016)
- Co-author, *MBA Compliance Essentials: Unfair, Deceptive, or Abusive Acts and Practices & FTC Mortgage Acts and Practices (MAP) Rule Resource Guide*, Mortgage Bankers Association (May 2016)
- Co-author, *High Court's FCA Decision Will Reach Far*, Banking Law 360 (March 2016)
- Co-author, *Deceptive Advertising Practices Remain Hot Target for CFPB*, 68 Consumer Finance Law Quarterly, No. 4 (2015)
- CFPB Continues to Push HUD's Sham ABA Policy, Mortgage Compliance Magazine (April 2015) (with Jeffrey Blackwood)
- Lenity and Deference on A Collision Course, Banking Law 360 (February 26, 2015) (with Michael Kieval and Jeffrey Blackwood)
- Recent Advertising Rulings Emphasize Need for Strong Marketing Compliance Review Policies and Procedures, Mortgage Compliance Magazine (August 2014) (with Sebastian Forgues)
- Federal Court Rejects HUD's Sham ABA Policy, Mortgage Compliance Magazine (March 2014) (with Michael Kieval)

- Real Estate and Mortgage Banking: A New Era of Regulatory Reform, Chapter Contributor—Advertising (Thomson Reuters/West 2013)

RECOGNITION

- Rising Star, Washington, DC, *Super Lawyers* Magazine, 2014-19 (*Super Lawyers* recognition is a Thomson Reuters service)

AFFILIATIONS

- American Bar Association, Consumer Financial Services Committee
- Federal Bar Association
- Mortgage Bankers Association