

## HOW TO PICK AND ANALYZE A CASE AND FIGURE OUT HOW TO WIN FOR THE CLIENT

Client Contacts You:

First listen to the client and then go to work again, with your ears.

**Who:** Who is contacting the client and in what way. I handle lawsuit Defense.

1692g or Dunning Letters before the lawsuit, yes or no? **See Debt Collection and Dispute Video**

Law Firm: Really is all about the Law Firms.

Debt Buyer or Creditor:

Student Loan Lawsuit? Has to be Private Student Loans.

Marks on the credit report: **See Debt Collection and Dispute Video**

The date the debt was first opened on the credit report vs date of first contact. FCRA and FDCPA considerations. Even with lawsuit defense

Creditor: Discuss securitization with a client and send her a brief tutorial. Why? See below in Defense.

**What:** I need the lawsuit emailed to me. Every part of any future claim or defense rests on the lawsuit, summons and how the client received the lawsuit but most importantly, WHEN-you only have about 20-30 days to Answer the lawsuit.

I charge one fee for any debt lawsuit below \$10,000 and \$1500 for anything above \$10,000 (people fight harder)

In either case, I am not taking the case unless there are facts indicating a counter claim. Or I have to charge more.

**Defense Starts with the Affidavit Discussion.**

While you have the complaint, go over every part of it with the client and ask questions about whether the debt is theirs, last payment made-SOL, ID theft, spouse or relative debt and still being sued, wrong name or wrong Plaintiff name, ASSIGNMENTS PROVE OWNERSHIP OF THEIR SPECIFIC DEBT, Account numbers correct, address served vs where client lives (30% of debt buyer cases are in the wrong venue-FDCPA a \$1,000).

*Lawsuit Analysis of Real case and average stuff I see everyday.*

So, Place the lawsuit in front of you and put an "F" to the right of each paragraph (most if not all) or "T" to the left if true-rarely ever on a debt buyer lawsuit. See attached lawsuits with this analysis: and an assignment/chain of title break.

Go over all the problems with the lawsuit.

Once you have all that, the most important part: The Counter Affidavit creation with the client.

**See Answers and Videos How to Respond Against Debt collection lawsuits for help.**

Account Stated and Breach of Contract cases and Affidavits. See all Answers on Podcast +

Creditor Cases become FDCPA cases: Securitization. **See Answers and Videos on Securitization.**

**Why:** Figure out how the debt collector is lying or not representing themselves properly to jump over due process. 9/10 Rule.

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**When:** Asap as you have limited time to avoid a Default.

**Bonus Round: Ex Wife Tip:**

Spend an extra five minutes getting to know the client and everything about their work, home life, family, kids and interests. Just store away. That connection keeps your client aware that you are genuinely interested in them when you later contact the client, remember a topic they were interested in. Its how clients can become friends as you are looking out for them as clients and also people.