

Rainmaker Q&A: Bradley Arant's Robert Maddox

Law360, New York (September 11, 2013, 4:50 PM ET) -- Robert Maddox is a partner in Bradley Arant Boult Cummings LLP's Birmingham, Ala., and Washington, D.C., offices and chairman of the firm's financial services litigation and regulatory compliance practice team. He practices in financial services litigation with an emphasis on mortgage litigation and compliance and commercial/real estate litigation. He is a certified mortgage banker and is one of only a handful of attorneys in the nation who have achieved this status. His national practice focuses primarily on representing two specific industries: financial institutions and mortgage companies.

Maddox's representation of clients in the financial institutions and mortgage industry is both trial practice and compliance. The trial practice has led him to trial and appellate courts in more than 40 different states. These cases involve numerous causes of action including TILA, HOEPA, FDCPA, FCRA, RESPA, RICO, predatory lending, mortgage related fees and services, insurance packing and state deceptive trade practice laws. In addition, he has litigated all facets of the mortgage industry: origination, warehouse lending, pooling and servicing agreements, loan repurchase disputes, investor disputes, secondary market representations and warranties, servicing matters, commercial mortgages, settlement services issues and mortgage fraud. These matters are in various contexts including pre-litigation complaints by borrowers, state agencies and consumer advocacy groups, class action, consumer litigation, bankruptcy and representing the investor/servicer as plaintiff in seeking recovery for fraud, title insurance coverage, repurchase and contract/commercial disputes.

Q: How did you become a rainmaker?

A: Literally, one of the first cases I worked on out of law school was a large and complex mortgage fraud case. The matter involved dozens of banks; commercial and residential properties; multiple insurance companies with different types of policies; state and local authorities; a state bar association; state and federal officials; countless borrowers; and both civil and criminal issues. Not only did I have to research and read thousands of pages of documents, but I also read everything I could get my hands -- treatises, statutes, cases, policies and procedures — just to keep up. It was like drinking water from a fire hose. I worked closely with both the client's manager and the in-house counsel for well over a year. Fortunately, we were able to both limit the client's liability and also recover some of the losses.

I was accessible to the client and provided updates on a frequent basis. The client never had to ask for a status update. That, indirectly, made me the informational point person for most of the people and institutions we were working both with and against during the life of the case. Thereafter, the client began to send me both more litigation and regulatory matters to handle.

Q: How do you stay a rainmaker?

A: From a corporate standpoint, you must build a team. I believe it is critical to leverage people and technology for the benefit of the client. No one person who handles a great deal of legal work for either a client or an industry can do all the work and respond timely to clients' needs. You must build a team.

Q: What advice would you give to an aspiring rainmaker?

A: Select an industry or trade organization in your practice area in which your clients or potential clients are involved. Then take a position on the communication, publication or presentation committee. Now you have a vehicle and a reason to make contact with existing or potential clients.

Q: Tell us a tale of landing a big client.

A: I received a commercial file from a client where the financial risk was limited but the reputational risk was significant. Even though there was a lawsuit filed and we were confident in the client's position, from the client's perspective litigation was not an option because the matter had to be resolved before we filed a single document in court. To further complicate the matter, the other parties involved had radically different views of the case and even some of the parties came from different cultures. With multiple rounds of contentious negotiations that went late into the night and over the weekends — including instances where tempers flared and people even walked out — we were able to settle the matter in two weeks.

After we documented the settlement, the in-house compliance officer for one of the parties contacted me and asked me to lead an unrelated nationwide compliance matter that had a projected timeline of 18 months.

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