

**ROTHSTEIN V. GMAC MORTGAGE LLC,
NO. 12-CV-03412 (S.D.N.Y.).**

CASE OVERVIEW

Status: Settled
Court: Southern District of New York
Case Number: 12-cv-03412
Related Attorneys: Thomas W. Elrod
Related Practices: Consumer Fraud

Kirby McInerney represents a putative nationwide class of residential mortgage loan borrowers who were allegedly overcharged for the cost of lender-placed insurance in connection with loans serviced by GMAC Mortgage, LLC ("GMACM"), between February 3, 2004 and October 2, 2013 (the "Class Period").

The Plaintiffs filed Bankruptcy Proofs of Claim on behalf of themselves and the Class against the debtor GMACM in GMACM's bankruptcy proceeding, *In re Residential Capital, LLC, et al.*, in the U.S. Bankruptcy Court for the Southern District of New York. The Bankruptcy Proofs of Claim asserted claims for violation of the Racketeer Influenced and Corrupt Organizations Act, 18 U.S.C. Section 1961, et seq. ("RICO"), the Real Estate Settlement Procedures Act, 12 U.S.C. Section 2601, et seq. ("RESPA"), and applicable state law for being over-charged for lender-placed insurance.

The Court-appointed Class Representatives on behalf of themselves and a Court approved Settlement Class have reached an agreement to settle the Bankruptcy Proofs of Claim for an allowed unsecured claim not subject to subordination in the amount of \$13 million (the "Settlement").

The hearing for final approval of the Settlement is scheduled for May 24, 2016 at 10:00 a.m., before the Hon. Martin Glenn at the United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, NY 10004-1408. At this hearing, the Court will consider whether the Settlement is fair, reasonable and adequate and in the best interests of the Class. If you have additional questions about the Settlement or would like to obtain copies of the settlement documents, please visit www.gmacmortgagelenderplacedinsuranceclassactionsettlement.com. You may also contact the Settlement Administrator, GMAC Mortgage Lender Placed Insurance Settlement Administrator, P.O. Box 30206, College Station, TX 77842-3206, 1-844-830-5220.