

BIRMINGHAM

Stephen J. Bumgarner

SHAREHOLDER



Stephen's Profile

Stephen is a Shareholder and member of the Insurance and Financial Services Litigation practice group. He represents clients in the financial services sector and his practice encompasses business litigation, class actions and complex commercial disputes. In addition, Stephen's practice encompasses the representation of health care providers and manufacturers in a cross-section of litigation matters.

As a seasoned litigator, Stephen has successfully defended complex allegations for clients including national banks and financial institutions, short and long-term lenders, mortgage lenders (forward and reverse), mortgage servicers, and vehicle finance entities. Stephen has a significant courtroom presence, having tried numerous jury and bench trials.

Through an Act of the Alabama Legislature, Stephen was appointed as a member of a committee tasked to study the feasibility of creating a business litigation and complex litigation court in the State of Alabama. As a member of the committee, he studied the potential benefits, detriments and the scope of a business litigation or complex litigation court while working to identify the resources needed to create such a court. He and the committee reported their findings and recommendations to the Legislature. In addition, Stephen recently authored a portion of an upcoming supplement to the American Bar Association's Consumer Protection Law Developments (Second Edition) treatise, which provides a summary of court decisions, enforcement actions, agency regulations and guidelines in the consumer protection area of the law.

Stephen has been recognized by both The Best Lawyers in America® and Mid-South Super Lawyers. He has been elected a Fellow of the American Bar Foundation. Additionally, Stephen is rated AV-Preeminent by Martindale-Hubbell.

Stephen received his J.D. from the University of Alabama School of Law and his B.A. from the University of Alabama.

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Stephen's Experience

- Defeated action seeking to certify a nationwide class action against a lender relating to post-petition, pre-confirmation claims in Chapter 13 bankruptcy proceedings.
- Defeated action seeking to certify a nationwide class action against a debt collection firm for claimed violations of FDCPA, RICO, and unjust enrichment.
- Defeated action seeking to certify a class action against a reverse mortgage lender relating to claimed unauthorized and/or excessive loan-related fees.
- Favorably resolved class action lawsuit against a nationwide pharmacy retailer relating to charges for copying and release of pharmacy records.
- Secured summary judgment for a nationwide lender in multiple fraud actions.
- Secured summary judgment for Alabama manufacturer in action alleging retaliatory discharge.
- Secured dismissal of multiple TILA actions brought against lender seeking rescission, monetary damages and other relief.
- Secured dismissal of lawsuit brought by the City of Birmingham against various lenders alleging violation of the Fair Housing Act, as a result of allegedly engaging in “reverse redlining.”

Stephen's Awards

- Mid-South Super Lawyers in the areas of Business Litigation, Consumer Law, and Class Action/Mass Torts (2017)
- The Best Lawyers in America® for Insurance Law (2011-present)
- Martindale-Hubbell® AV Preeminent Rated

Stephen's Affiliations and Civic Involvement

Affiliations

- American Bar Association
- Alabama State Bar, Business Torts & Antitrust Law Section (Chair, 2017)
- Birmingham Bar Association, Federal Practice Section (Secretary/Treasurer, 2017, Chair, 2020); Civil Courts Procedure Committee (Chair, 2017)
- Mississippi State Bar
- International Association of Defense Counsel
- Alabama Defense Lawyers Association
- Defense Research Institute, Commercial Litigation Committee

Civic Involvement

- March of Dimes, Board of Directors (2014-2016)

Bar Admissions

State Bar: Alabama, Mississippi, Tennessee

Education

- University of Alabama School of Law
 - (1992, J.D.)
- University of Alabama
 - (1988, B.A.)