

DEBT COLLECTION & the Latino Community

An FTC-CFPB
roundtable

Bios

Jose D. Alarcon is a staff attorney at Bet Tzedek Legal Services. He manages the Debtors' Rights and Bankruptcy Program assisting seniors and disabled clients who are struggling with their consumer debt. Mr. Alarcon is also involved with the Southern California Consumer Justice Coalition, a five-agency collaboration that assists individuals and families impacted by the foreclosure crisis. He has contributed to the self-help content that is available on the Coalition's online portal for consumers. Mr. Alarcon received his BA in philosophy from UCLA and earned his JD from Loyola Law School.

Albert Cadena is the president and chief executive officer of USCB, Inc. doing business as USCB America, an employee-owned company that has been in the collections and healthcare receivables management business since 1915. Mr. Cadena has been with USCB America since 1982 and is responsible for leading the execution of strategic corporate objectives. Mr. Cadena's tenure with USCB America has always been influential in keeping with the company's culture of understanding its customers, business, and regulatory landscape. A Southern California native, Mr. Cadena's experience spans more than three decades and has been instrumental when working with a diverse array of ethnicities. This includes all aspects of the collection cycle,

revenue cycle management, and marketing in the healthcare industry. Mr. Cadena has been a long-time member of the Association of Credit and Collection Professionals (ACA International), California Association of Collectors (CAC), International Collector's Group (ICG), Healthcare Financial Management Association (HFMA), and American Association of Healthcare Administrative Management (AAHAM).

Eric J. Ellman is the senior vice president of public policy and legal affairs for the Consumer Data Industry Association (CDIA) in Washington, DC. At CDIA, Mr. Ellman leads the state government affairs program, runs the legal department, is a leading member of the federal government relations team, and participates in the management of the association. Founded in 1906, CDIA is the international trade association that represents nearly 200 consumer data companies – the nation's leading institutions in credit reporting, mortgage reporting, check verification, fraud prevention, risk management, employment reporting, tenant screening, and collection services. Mr. Ellman has been with CDIA since January 1998. His work for CDIA was highlighted on the front page of the *USA Today* Money section in June 2007. Mr. Ellman has a BS from American University in Washington, DC and a law degree from the University of Baltimore.

Bernard “Barney” Eskandari

is a deputy attorney general in the Consumer Law Section of the California Attorney General’s Office. He prosecutes both corporations and individuals for consumer-protection violations of state and national significance. Most recently, he is part of the prosecution team that sued JPMorgan Chase & Co. and others for rampant credit-card debt-collection abuses against tens of thousands of California consumers. That enforcement action is ongoing. Prior to the Attorney General’s Office, Mr. Eskandari was an associate at Munger, Tolles & Olson LLP, and before that he clerked for the Honorable R. Guy Cole, Jr., on the U.S. Court of Appeals for the Sixth Circuit. Mr. Eskandari received his JD from the University of Michigan and holds degrees from U.C.L.A. and U.C. Berkeley.

Robert L. Föehl is vice president and general counsel for ACA International – the Association of Credit and Collections Professionals. In his role, he leads the association’s legal, compliance, and federal government affairs functions; advises on governance matters; and serves on the executive leadership team. Previously, Mr. Föehl was Target’s first director of corporate compliance and ethics, establishing the vision, strategy, and team charged with ensuring an effective enterprise-wide compliance program and advancing Target’s reputation for being one of the world’s most ethical companies. During his tenure at Target, Mr. Föehl also served as senior legal counsel in Target’s Law Department. Before joining Target, he practiced law in-house for multinational corporations, was a compliance professional for

one of the nation’s largest financial institutions, and served as a federal regulator. He is a frequent presenter, lecturer, and advisor relating to a number of topics, including compliance, business ethics, and financial services law. Mr. Föehl received his JD from The Ohio State University College of Law, and his BBA, *summa cum laude*, from Ohio University.

Sahara Garcia is currently a homeownership counselor/education advisor for NeighborWorks Orange County. Ms. Garcia has eleven years of experience in financial stability, specializing in funding, curricula development, and financial coaching. Throughout this time, she has also coordinated county-wide financial literacy workshops. Currently, Ms. Garcia oversees NeighborWorks Orange County’s California Attorney General Grant, Individual Development Empowerment Account Program and teaches homebuyer education workshops. Prior to NeighborWorks Orange County, she helped low-income families access affordable housing at Orange County Community Housing Corporation (OCCHC) and was at Orange County United Way for four years, helping to expand their financial stability program that provides funding to other non-profit partners.

Gail Hillebrand serves as the associate director for consumer education and engagement at the Consumer Financial Protection Bureau. The Division of Consumer Education and Engagement is comprised of six offices, which address financial education, consumer engagement, servicemember affairs, the financial protection of older Americans, financial empowerment, and students, including the Student Loan

Ombudsman. Ms. Hillebrand previously served as the financial services campaign manager and a senior attorney at the West Coast Office of Consumers Union, nonprofit publisher of *Consumer Reports* magazine. Ms. Hillebrand clerked for the Honorable Robert Boochever of the Ninth Circuit of the U.S. Court of Appeals and practiced law with the San Francisco office of McCutchen, Doyle, Brown, & Enersen. She holds a BA in economics from the University of California at San Diego, and a JD from the Boalt Hall School of Law, University of California at Berkeley.

Joseph Jaramillo is senior attorney at Housing and Economic Rights Advocates (HERA), a California statewide, not-for-profit legal service and advocacy organization. Mr. Jaramillo graduated from U.C. Berkeley School of Law (Boalt Hall) and is an experienced litigator who has dedicated his career to serving the public interest. He focuses on individual and class action litigation on behalf of homeowners and borrowers seeking relief from abusive mortgage servicing, unlawful debt collection, and unfair credit reporting. He also provides legal counseling and representation for homeowners engaged in loss mitigation with their mortgage servicers, surviving spouses of reverse mortgage borrowers, student loan borrowers, and consumers who need credit repair due to unlawful debt collection. Mr. Jaramillo has an extensive background in class action litigation and arbitration on behalf of employees and consumers. He speaks Spanish and Portuguese.

Christopher Koegel is an assistant director in the Bureau of Consumer Protection's Division of Financial Practices at the Federal

Trade Commission. In this capacity, Mr. Koegel manages enforcement and policy work relating to debt collection, mortgage advertising, and other consumer protection issues arising in the financial sector. Mr. Koegel joined the FTC in July 2009, and, as a lead attorney on a number of matters, specialized in debt collection issues. He was the primary architect of the FTC's Statement of Enforcement Policy Regarding Communications in Connection with Collection of a Decedent's Debt, issued in July 2011. He also was lead attorney on several federal court cases against payday lending and debt collection operations. Before joining the FTC, Mr. Koegel worked in private practice at Jones Day, and at Manatt, Phelps, and Phillips. He received his law degree from the University of Pennsylvania, and his undergraduate degree from the University of North Carolina-Chapel Hill.

Sen. Ricardo Lara (D-Bell Gardens) was elected with overwhelming support in November 2012 to represent the Southeast Los Angeles County cities of the 33rd Senate District. Raised in a blue-collar immigrant family in East Los Angeles, Sen. Lara knows first-hand the challenges facing the cities and communities of Southeast Los Angeles County. He is fervently committed to improving the quality of life for working families in California. In his first term in office, Sen. Lara was elected chair of the 23-member Latino Legislative Caucus with a supermajority vote. He serves on the College Board's Hispanic Advisory Committee for Latino College Completion as well as the Western Interstate Commission for Higher Education's Legislative Advisory Board where he and other

educational policy experts and legislators help shape educational strategies aimed at improving access to, and retention in, higher education on a regional and national level. Sen. Lara earned his BA in journalism and Spanish with a minor in Chicano studies from San Diego State University. He is currently working on his master's degree in leadership from the University of Southern California.

Suzanne Martindale is a staff attorney for Consumers Union and licensed to practice law in the State of California. Ms. Martindale is part of the Financial Services Campaign Team, where she engages in policy and legislative advocacy on a range of consumer finance issues. Before joining Consumers Union full-time, she worked for over two years as a law student intern for Consumers Union's West Coast Office. Ms. Martindale received her law degree from the University of California, Berkeley School of Law (Boalt Hall). While in law school, she was also a clinical student at the East Bay Community Law Center in Berkeley, CA, where she ran tenants' rights clinics, defended low-income clients in eviction and debt collection lawsuits, and trained other law students to do direct services work. She was a senior editor for the *Berkeley Journal of Employment and Labor Law* and served on the journal's executive committee. Prior to law school, she was an adjunct instructor at two community colleges in the Chicago metropolitan area, and taught a variety of philosophy and humanities courses. She has an MA in the humanities from the University of Chicago, concentrating in legal and political philosophy, and received her BA in philosophy, *magna cum laude*, from the University of California, Berkeley.

Zixta Martinez serves as the Consumer Financial Protection Bureau's associate director of external affairs. Previously, she served as the Bureau's assistant director for community affairs. She joined the Bureau from Freddie Mac where she was senior director for industry and state relations. Before that, Ms. Martinez was director at the National Fair Housing Alliance, legislative staff attorney at the Mexican American Legal Defense and Education Fund, Inc., housing policy analyst for the National Council of La Raza, and associate staffer at the Housing and Community Development Subcommittee of the Banking Finance and Urban Affairs Committee in the U.S. House of Representatives. She is a graduate of Yale College, the Lyndon B. Johnson School of Public Affairs at the University of Texas at Austin, and the University of Miami School of Law.

Ted Mermin is executive director of the Public Good Law Center, a public interest law firm specializing in appellate consumer protection and public health cases. He teaches consumer protection law at the UC Berkeley law school and is senior adviser to the consumer law practice at the East Bay Community Law Center, where he helped lead the effort to draft and pass California's new Fair Debt Buying Practice Act, and helped launch EBCLC's first-in-the-nation immigrant consumer justice clinic. Previously, he worked as a deputy attorney general at the California Department of Justice, in private practice at the Coblentz firm, as a clerk for the Hon. Louis H. Pollak, and as an elementary school teacher.

Cristina Miranda is a consumer education specialist at the Federal Trade Commission's Division of Consumer and Business Education. She creates, writes, implements, and evaluates public marketing and communications campaigns to help consumers detect and avoid fraud and scams in the marketplace. Ms. Miranda is also part of the FTC's Latino outreach team emphasizing consumer education for the Spanish-speaking population in the U.S., and conducts interviews with Spanish-language media. Prior to the FTC, Ms. Miranda worked as a director of multicultural communications at a financial services company. She also has extensive public relations, advertising agency, and publishing experience. Ms. Miranda holds an MA from Syracuse University's S.I. Newhouse School of Public Communications, and a BA in marketing from Universidad Interamericana de Puerto Rico. She is a graduate of UCLA's Anderson School of Management Latino Leadership Institute Executive Program.

Makyla Moody is an attorney with nearly a decade of litigation experience related to the collection industry. Ms. Moody is licensed to practice law in both Colorado and New Mexico. Prior to representing creditors both as a privately retained attorney and in-house counsel, Ms. Moody completed a Judicial Fellowship in Colorado's 18th Judicial District, one of Colorado's largest and most diverse judicial districts. Currently, Ms. Moody is professionally based out of Aurora, Colorado and is serving as general counsel for Wakefield & Associates, Inc. She is a member of ACA International and is also an active member of Associated Collection Agencies, Inc.,

a regional trade organization for Colorado, New Mexico, and Wyoming. Ms. Moody received her undergraduate degree from Pacific Lutheran University and her law degree from the University of Denver, Sturm College of Law.

Harvey M. Moore is the president of the Moore Law Group, APC, a debt collection law firm with offices in California, Colorado, and New Mexico. Under his leadership, the Moore Law Group has committed itself to the maxim that although compassion and understanding cannot be legislated, they are vital components of the practice of law. The Moore Law Group practices legal collections law in such a manner that those with whom they interact are treated with dignity, respect, compassion, and professionalism. Mr. Moore is currently seeking the office of president-elect of the National Association of Retail Collection Attorneys (NARCA), having served five two-year terms as a board member. He is currently the NARCA Education Pillar Chair, was previously the NARCA Professional Standards Pillar Chair, and has chaired the NARCA Amicus Briefs Committee and Laws and Legislation Committee, Task Force on Debtor/Consolidator Scams and Fraud, and has served on a number of other committees and subcommittees. Mr. Moore is also a past president of the California Creditors Bar Association.

Brenda Muñiz serves as the senior advisor for the Consumer Financial Protection Bureau's Office of Community Affairs. In this capacity, she provides policy and outreach support to further the Bureau's work with consumers, civil rights groups, and community organizations. Previously, she was the legislative

director for Congressman Charles A. Gonzalez (TX-20), where she oversaw the Member's legislative agenda. Ms. Muñiz previously worked in the nonprofit sector, including the National Council of La Raza (NCLR), where she was the financial services policy analyst and led the legislative and advocacy work in banking, financial services, financial education, and tax policy. Prior to joining NCLR, Ms. Muñiz was legislative assistant to both Congressman Lloyd Doggett and Congressman Ciro Rodriguez.

Mark Naiman has been with Absolute Resolutions Corp. (ARC) for 13 years. Beginning his career as operations manager, Mr. Naiman worked his way to vice president, to chief operating officer, and finally to president and chief operating officer in 2014. Responsible for creating and driving the position of ARC within the industry, as well as developing opportunities for growth, diversification and advancement, he works closely with the chief compliance officer to ensure risk management and administration of relationship management with ARC clients. Mr. Naiman oversees all operational functions, including management of personnel, administration of policies, and supervision of the IS technology department. He has extensive experience in numerous computer applications, programming languages, collection software, and skiptracing databases. Mr. Naiman is also recognized nationally as an expert speaker on topics ranging from data security, operational best practices, historical industry analysis, encryption methodology, and relationship building. He was chair of Debt Buyers Association International's (DBA) Task Force Committee on Marketing and Public Relations from 2011 through 2014,

and continues to teach the introductory course for certification. A DBA-certified receivables compliance professional, Mark was elected to the DBA Board of Directors in 2014.

Thomas B. Pahl is a managing counsel in the Office of Regulations at the Consumer Financial Protection Bureau, and he is responsible for debt collection and credit reporting rulemaking and guidance activities. Prior to coming to the CFPB, he worked at the Federal Trade Commission in a variety of positions over more than two decades. He was an assistant director in the FTC's Divisions of Financial Practices and Advertising Practices. Mr. Pahl also was an attorney advisor for FTC Commissioner Orson Swindle and FTC Commissioner Mary Azcuenaga. Mr. Pahl further has been a counsel for the United States Senate Judiciary Committee and worked *pro bono* on law reform for a year in Romania. He is a 1988 *cum laude* graduate of Northwestern University School of Law in Chicago, Illinois, and a 1985 *summa cum laude* graduate of the College of St. Thomas in St. Paul, Minnesota.

Aracely Panameño is the director of Latino Affairs at the Center for Responsible Lending (CRL) since 2004. She works on financial services issues impacting the financial security and well-being of Latinos and other communities of color in the United States, especially mortgage, auto, payday, and student lending. She helps formulate policy recommendations, fosters stakeholder coalitions, educates decision-makers, and serves as a media spokesperson. She is the primary author and editor of *Enfoque*, a Spanish-language newsletter focusing on issues impacting Latinos in financial markets. Prior to joining CRL,

she worked on Latina women's health, migrant workers, education, and immigration. She serves as advisor and is a member of the Insight Center for Community Economic Development's Experts of Color Network/Closing the Racial Wealth Gap Initiative. She holds a bachelor's degree in business management from The Catholic University of America in Washington, DC and is an MBA in finance candidate at Johns Hopkins University in Baltimore, MD.

Karla Priego currently works as the area manager in the Budget and Credit Department for ClearPoint Credit Counseling Solutions, where she oversees the California and Texas regions. She has over 12 years of experience of providing financial education in local communities, including six years of housing counseling experience. Ms. Priego earned a BS in business administration from California State University Long Beach.

Edith Ramirez was sworn in as a commissioner of the Federal Trade Commission in April 2010 and became chairwoman of the FTC in March 2013. At the FTC, Chairwoman Ramirez has focused on promoting competition and innovation in the technology and healthcare sectors, protecting consumers from deceptive and unfair practices, and safeguarding consumer privacy. Before joining the FTC, Chairwoman Ramirez was a partner in the Los Angeles office of Quinn Emanuel Urquhart & Sullivan, LLP, where she litigated complex business disputes, including intellectual property, antitrust, unfair competition, and advertising matters. She is a graduate of Harvard Law School, where she was an editor of the *Harvard Law Review*, and Harvard College.

Rigoberto Reyes is the chief of the Investigations Division of the County of Los Angeles Department of Consumer Affairs. He and his team provide a variety of consumer protection services, including: investigation of consumer complaints, such as debt collections, elder financial abuse, real estate fraud, scams affecting military servicemembers, and ID theft against foster children. Mr. Reyes provides recommendations for the enactment of legislation to better protect consumers and promote fair business competition. He also works with the media, government, and non-profit stakeholders to educate consumers. Mr. Reyes serves as president of the California Consumer Affairs Association, a 38-year-old non-profit organization. In January 2014, the speaker of the California State Assembly appointed Mr. Reyes to the board of the Consumer Motor Vehicle Recovery Corporation (CMVRC). CMVRC provides restitution to consumers who have lost money during the purchase or consignment of a motor vehicle. He and four other board members approve eligible claims for CMVRC reimbursement.

Maritza Reyna has worked for Consumer Credit Counseling Service of Orange County for over seven years. She began working as a certified credit counselor and now manages the Education Department, which is in charge of educating the community in a wide variety of financial literacy topics. Ms. Reyna received her bachelor's degree in business from California State University Fullerton and is currently pursuing her master's degree in public administration. Having been an Orange County resident all her life and growing up in Santa Ana, helping and

educating the community become financially stable is something that is very dear to her heart. In her free time, she enjoys traveling and hosting gatherings with friends and family.

Maricela Segura is a staff attorney in the Federal Trade Commission’s Western Region, Los Angeles office. In this capacity, Ms. Segura has litigated a number of consumer protection matters, including serving as lead counsel on a significant debt collection case in California district court. Prior to joining the FTC, Ms. Segura worked in private practice at Sidley Austin, and before that she clerked for the Honorable David R. Thompson, on the U.S. Court of Appeals for the Ninth Circuit. Ms. Segura received her JD from the University of Southern California, and her undergraduate degree from the University of California Los Angeles.

Alysson Snow is supervising attorney for the Division of Consumer Protection of the Legal Aid Society of San Diego, Inc. Ms. Snow and her team provide free legal assistance and representation to low-income consumers, almost half of whom are monolingual Spanish speakers. She provides direct legal assistance on a wide range of consumer-related issues. In response to a deluge of debt collection litigation in the wake of the financial crisis, Ms. Snow and her team organized and implemented two novel debt defense clinics that provide direct legal services to consumers who are sued by third-party debt collection companies. In coordination with the California Superior Court’s law libraries, the clinics provide legal representation to consumers in a streamlined, very effective manner. Prior to working at the Legal Aid Society,

Ms. Snow worked for DLA Piper (US) LLP for six years. She graduated from the J. Reuben Clark Law School at Brigham Young University.

Mary Spector is professor of law and co-director of the SMU Dedman School of Law Civil Clinic. She also teaches consumer law and directs the Consumer Advocacy Project. Professor Spector served as a law clerk to the Honorable Jerry Buchmeyer, United States District Judge for the Northern District of Texas, before joining the law firm of Akin, Gump, Strauss, Hauer & Feld as an associate. She is a recipient of the University Golden Mustang Teaching Award, the Law School’s Don Smart Directed Research Award and Women in Law’s Faculty Appreciation Award. She writes and speaks in the areas of consumer credit and collection, landlord-tenant law, and clinical legal education. Professor Spector was honored with the Bellow Scholar Award from the AALS Clinical Section for her empirical work on consumer debt collection litigation, *Debts, Details and Defaults: Exploring the Impact of Debt Collection Litigation on Consumers and the Courts*, 6 *Va. L. & Bus. Rev.* 257 (2011).

Marisabel Torres joined the National Council of La Raza (NCLR) in 2008 to work in its Office of Research, Advocacy, and Legislation (ORAL). In her current capacity as policy analyst in the Wealth-Building Policy Project, Ms. Torres’s portfolio includes banking and homeownership policies affecting Latino families. She produces policy documents that demonstrate the effects of social programs on the Latino community and communicates NCLR’s position and recommended policy changes to Congress and NCLR’s affiliate organizations, as well as to other

interested stakeholders. Previously, Ms. Torres worked in ORAL as a policy analyst in the Policy Analysis Center and as part of the Economic and Employment Policy Project. Her work included analyses of federal investments in Latino-serving programs, the Latino electorate, and barriers to federal retirement programs for low-income Latino workers. Before working at NCLR, she worked as a government affairs associate for the Specialty Graphic Imaging Association, an international trade association representing the screen and digital printing industries. She holds a BA in international affairs from the University of Mary Washington in Fredericksburg, Virginia.

