ECKERT SEAMANS



Riyaz G. Bhimani

MEMBER

Riyaz Bhimani has a broad range of commercial litigation experience. As a member of the Firm's Financial Services Litigation Practice, he has significant experience representing financial institutions and mortgage servicers in matters involving commercial and residential foreclosures, debt collection, lender liability, mortgage fraud/predatory lending, state and federal consumer protection statutes, and other alleged violations of law that lenders face.

Riyaz also litigates a variety of commercial matters and consumer claims involving issues of fraud, breach of fiduciary duty, contract disputes, business torts, and the Racketeer Influenced and Corrupt Organizations (RICO) Act. He also represents employers in actions involving claims of discrimination, harassment, wrongful termination, and breaches of restrictive covenants.

REPRESENTATIVE MATTERS

- Regularly represent lenders and financial institutions at trial, with favorable judgments, on contested matters involving alleged violations of applicable state and federal laws (TILA, RESPA, FDCPA and FCRA).
- Successfully argued on appeal that mortgage cannot be validly accelerated without compliance with the notice provisions of mortgage, and thus, statute of limitations for foreclosure claim does not begin to run.
- Obtained declaratory judgment and successfully argued on appeal that improperly filed satisfaction of mortgage was void ab initio, because entity that filed satisfaction previously divested its interest in the mortgage; and further that there was no time limitation to obtain such relief.
- Obtained summary judgment dismissing airline passenger's claim for wrongful cancellation of airline tickets for failure to comply with "sequencing" provisions of contract of carriage.
- Obtained court order denying airline passenger's request for disclosure of personal information of other passengers in action alleging profiling based on race and nationality.
- Obtained dismissal of fraud and negligence claims against financial services company and individual insurance broker/financial advisor in connection with sale of life-only annuities.

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PRACTICE AREAS:

Litigation

Financial Services Litigation

Bankruptcy & Restructuring

Asia & Pacific Advisory Group

Aviation

STATE ADMISSIONS:

New York

Massachusetts

COURT ADMISSIONS:

U.S. District Courts for the Southern District of New York

U.S. District Courts for the Eastern District of New York

U.S. District Courts for the Northern District of New York

U.S. District Court for the District of Massachusetts

U.S. Court of Appeals for the Second Circuit

EDUCATION:

J.D., Pace University School of Law, 2000

B.A., University of Michigan, 1997

NEWS AND INSIGHTS

PUBLICATIONS

- "A Case Study: When Hazardous Material Packages are Commingled with Other Packages," Transportation Lawyers Association, January 2013.