

People

## Nancy Mason Wallace

Partner, Consumer Financial Services, Data and Technology (CFS+)

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Nancy Wallace is a partner with the Consumer Financial Services, Data and Technology (CFS+) Practice Group, which is among the largest national legal teams supporting consumer financial service providers.

Nancy has successfully represented the practice group's clients in over 1000 appeals, ranging from state court foreclosure appeals to federal court appeals addressing the Truth in Lending Act, Real Estate Settlement Procedures Act, Telephone Consumer Protection Act, and Fair Debt Collection Practices Act. The appellate team also represents clients in federal bankruptcy appeals brought by borrowers/debtors. Through her appellate representation, Nancy also has extensive experience in assisting clients in reaching amicable resolutions through settlement and loss mitigation.

### Notable Work

**Servicer Litigation:** Represented servicer in appeal of final judgment, raising statute of limitations, res judicata, and collateral estoppel. *Depicciotto v. Nationstar Mortgage LLC*, No. 4D16-3254, 2017 WL 3500337 (Fla. 4th DCA 2017).

**Servicer Litigation:** Represented servicer in appeal and cross appeal of final judgment raising claims of improper admission of evidence and amounts secured by the lien. *Fogarty v. Nationstar Mortgage LLC*, No. 5D16-3193, 2017 WL 3318711 (Fla. 5th DCA 2017).

**Investor Litigation:** Represented investor in appeal of final foreclosure judgment, raising a statute of limitations defense related to a previously dismissed foreclosure action and timing of the non-payment defaults asserted in the complaint. *Bollettieri Resort Villas Condo. Ass'n, Inc. v. The Bank of New York Mellon, et al.*, 198 So. 3d 1140 (Fla. 2d DCA 2016), pending review by the Florida Supreme Court, Case No. SC16-1680.

### Areas of Experience

Consumer Financial Services, Data and Technology (CFS+)

### Education

J.D., Florida State University College of Law, 1995, summa cum laude, Order of the Coif  
B.A., Dartmouth College, 1986, cum laude

### Admissions

#### Bars

Florida

#### Courts

U.S. Court of Appeals, Eleventh Circuit  
U.S. Court of Appeals, Federal Circuit  
U.S. District Court, Middle District of Florida  
U.S. District Court, Northern District of Florida  
U.S. Supreme Court

### Related Content

Akerman Sponsors A Supreme Evening 2025  
January 16, 2025

Akerman Secures Writ of Mandamus in Fight Between Florida County Commissioners and School Board  
August 15, 2024

Akerman Sponsors the Donald J. Weidner Summer for Undergraduates Program  
June 01, 2022

**Foreclosing Plaintiff:** Represented foreclosing plaintiff in appeal regarding application of the statute of limitations when a prior foreclosure action had been dismissed without prejudice. *Nationstar Mortgage LLC v. Brown*, 175 So. 3d 833 (Fla. 1st DCA 2015)

**Servicer Litigation:** Represented servicer in appeal regarding verification of residential mortgage foreclosure complaint. *BAC Home Loan Servicing, L.P. v. Stentz*, --- So. 3d ---, 2012 WL 2362389 (Fla. 2d DCA June 22, 2012)

**Investor Litigation:** Represented investor in clarification of appellate decision and subsequent appeal regarding right of voluntary dismissal. *Pino v. Bank of New York Mellon*, 57 So. 3d 950 (Fla. 4th DCA 2011), argued, No. SC11-697 (Fla. May 10, 2012)

**Investor Litigation:** Represented investor in clarification of appellate decision regarding admissibility of business records. *Glarum v. LaSalle Bank Nat'l Ass'n*, 83 So. 3d 780 (Fla. 4th DCA 2011)

**Servicer Litigation:** Represented lender and servicer in appeal regarding private right of action under the Home Affordable Mortgage Program. *Nelson v. Bank of America, N.A.*, No. 11-11091, 2011 WL 5138591 (11th Cir. Oct. 31, 2011)

**Investor Litigation:** Represented investor in appeal regarding standing to enforce a promissory note. *Harvey v. Deutsche Bank Nat'l Trust Co.*, 69 So. 3d 300 (Fla. 4th DCA 2011)

## Affiliations

- The Florida Bar, Member
- Tallahassee Bar Association, Member
- First District Appellate American Inn of Court

## Honors and Distinctions

- Benchmark Appellate 2013, Listed as a Florida Eleventh Circuit litigation star