

# Kristin A. Gore

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## Overview

Kristin Gore is an experienced litigator who focuses her practice on antitrust litigation and other complex commercial litigation. Kristin is an integral part of the firm's antitrust cartel recovery practice, and in this capacity, she represents a range of corporate clients in multidistrict litigation in federal courts across the country.

Kristin also represents international business clients in a range of litigation and dispute resolution matters in the United States. As a Jamaican national with dual citizenship since birth, Kristin's cross-cultural knowledge and experience are particularly beneficial for the increasingly global reach and multijurisdictional aspects of doing business today.

Additionally, Kristin has particular experience representing financial institutions and national banks in federal and state court litigation nationwide, defending claims for violations of various state and federal consumer statutes, including deceptive and unfair trade practice claims and class actions.

Kristin also has experience in the telecommunications industry representing carriers in trademark litigation in federal courts throughout the country.

## Experience

- Representing several direct action plaintiffs in antitrust litigation concerning the poultry, pork, and beef industries.

- Represented various entities including distributors, retailers, and telecommunications companies as direct action opt-out plaintiffs in multidistrict commercial litigation to recover damages for interchange fee price-fixing by payment card networks. *In re Payment Card Interchange Fee & Merchant Discount Antitrust Litigation*, MDL No. 1720 (E.D.N.Y.).
- Represented electronic manufacturing service companies as opt-out claimants in multidistrict commercial litigation to recover damages from international price-fixing cartel in the electrolytic capacitor market. *In re Capacitors Antitrust Litig.*, No. 3:13-cv-03264 (N.D. Cal.).
- Represented telecommunications carriers in the prosecution of federal trademark infringement, unfair competition, and fraud cases before federal courts including New York and Texas; obtained multimillion-dollar judgments and permanent injunctions for carriers.
  - *MetroPCS v. PC-Wiz Corp.*, No. 3:16-cv-00442 (N.D. Tex. June 6, 2017). Granting permanent injunction and final judgment against defendants in amount of \$1,388,728.94 in favor of telecommunications carrier.
  - *MetroPCS v. SNS Commc'ns, Inc.*, No. 1:15-cv-06967, 2017 WL 1102895 (E.D.N.Y. Mar. 20, 2017). Granting permanent injunction and final judgment in amount of \$2,077,740 in favor of telecommunications carrier.

- Represented financial institutions in a number of pivotal actions pertaining to various aspects of lender liability, enforcement of mortgage loans, federal preemption, and statutory interpretation.
  - *Milce v. Wells Fargo Bank, N.A.*, 183 So. 3d 1256 (Fla. 4th DCA 2016). Handled both trial and appeal resulting in judgment for lender, affirmed by appellate court. Holding, as a matter of first impression, that Florida Rule of Civil Procedure 1.420(d) requires the entry of a cost judgment before its stay provisions become effective.
  - *Streicher v. U.S. Bank, N.A.*, 666 F. App'x 844 (11th Cir. 2016). Represented lender in action claiming that promissory note and mortgage were not enforceable after dismissal of foreclosure action. Trial court granted summary judgment in favor of lender, affirmed by Eleventh Circuit, holding that dismissal for lack of standing under Florida Rules of Civil Procedure was not res judicata.
  - *Giourgas v. Wells Fargo Bank, N.A.*, No. 1:14-cv-23569, 2015 WL 5439164 (S.D. Fla. Sept. 11, 2015). Dismissal with prejudice of borrowers' claims against lender under various consumer statutes including FDUTPA and RESPA.
  - *Whittaker v. Wells Fargo Bank, N.A.*, No. 6:12-cv-00098, 2014 WL 5426497 (M.D. Fla. Oct. 23, 2014). Entering summary judgment in favor of Wells Fargo on RESPA and TILA claims.
  - *Bloch v. Wells Fargo Bank, N.A.*, 755 F. 3d 886 (11th Cir. 2014). Represented lender and servicer of mortgage in federal trial court action and appeal. Eleventh Circuit affirmed summary judgment in pivotal action holding no private right of action for purported violations of HAMP and trial period loan modification.
  - *Citron v. Wachovia Mortg. Corp.*, 922 F. Supp. 2d 1309 (M.D. Fla. 2013). Represented lender in federal court action including trial. Judgment entered in favor of lender after trial. District court rejected testimony of borrowers as not credible, held that borrowers waived right of rescission under TILA, and entered judgment in favor of lender providing for foreclosure on property.
- Represented financial institution in class actions involving claims of unfair business practices and related matters, including lender-placed insurance, fraud, and other claims arising under state and federal laws. *Mahan v. Regions Fin. Corp.*, No. 4:14-cv-00321 (E.D. Ark.); *Ziwczyn v. Regions Bank*, No. 1:15-cv-24558 (S.D. Fla.).

## Areas of Focus

### Practices

- Litigation and Trials
- Banking, Commercial, and Consumer Finance
- Real Estate
- Real Property Litigation
- Antitrust and Trade Regulation

### Industries

- Banking, Commercial, and Consumer Finance
- Real Estate

- [Institutional Investment and Finance](#)
- [Class Actions](#)

## Insights

11.10.2021

Jamaica's Data Protection Act: What Your Business Needs to Know for 2022

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10.07.2021

Top Considerations for Businesses Under Jamaica's Data Protection Act, Effective 2022

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09.11.2019

New York AG Leads Antitrust Investigation Into Social Media Platform

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05.18.2019

Supreme Court Upholds Ninth Circuit Decision: Antitrust Action Against Apple May Proceed

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08.27.2018

23 Attorneys General Challenge FCC Ruling on Net Neutrality

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12.18.2017

Robust Transparency Requirements for Broadband Providers After FCC Vote

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11.17.2016

FCC Adopts New Broadband Privacy Rules

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04.26.2016

Borrowers Misuse RESPA Notice of Error Letter

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09.01.2015

Eleventh Circuit Says Merely Acquiring Debt in Default is Not Enough to Qualify As "Debt Collector" Under FDCPA

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08.25.2015

FCC Issues \$2.96 Million Fine for Robocalling Violations

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09.16.2014

Florida: Note and Mortgage Still Enforceable After Dismissal of Foreclosure Action

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07.08.2014

Servicers Face New Requirements for Responding to Consumer Error Claims

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## News

07.06.2021

Attorney Spotlight: Kristin Gore

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06.29.2021

Carlton Fields' Kristin A. Gore Earns NBA Top 40 Under 40 Nation's Best Advocates Award

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## Recognition

- 40 Under 40 Nation's Best Advocates Award, National Bar Association (2021)

## Professional & Community Involvement

- American Bar Association
  - Marketing Board (2018–2020)
  - Vice Chair, Pro Bono Committee, Business Law Section (2019–2020)
  - Chair, Diversity Subcommittee, Young Lawyers Committee, Business Law Section (2019–2020)
  - Chair, Pro Bono and Public Service Project Subcommittee, Business and Corporate Litigation Committee, Business Law Section (2010–2018)
  - Editorial Board, Business Law Today (2015–2017)
- Leadership Council on Legal Diversity
  - Fellow (2018)

- Caribbean Bar Association

## Speaking Engagements

- "Jamaica's Data Protection Act: What Your Business Needs to Know for 2022," Carlton Fields (November 10, 2021)

## Credentials

### Education

- Fordham University School of Law (J.D., 2006)
- Lehigh University (B.A., with honors, 2003)

### Bar Admissions

- Florida
- New York

### Court Admissions

- U.S. Court of Appeals, Eleventh Circuit
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Southern District of Florida
- U.S. District Court, Northern District of Illinois

## Background

- Litigation Associate, Herrick, Feinstein LLP, New York, NY (2006–2008)