

Member

Austin B. Kenney

abk@severson.com

p: (415) 677-5516

f: (415) 956-0439



Austin is a problem solver devoted to close client counseling and service.

Austin grew up with Severson & Werson. He joined the Firm in 2005, straight out of law school, and he has made his career here. He is currently a Member in the Firm's Financial Services Practice Group, where he counsels and defends financial institutions in state and federal litigation involving banking operations and consumer finance, including auto finance and mortgage and unsecured credit lending.

Austin has particular experience defending allegations involving the "alphabet soup" of consumer protection statutes (e.g., FDCPA, TCPA, FCRA, and California equivalents), as well as unfair and deceptive business practices, lemon law and "holder rule" claims, predatory lending and wrongful foreclosure, and loan origination and servicing errors. He also counsels financial institutions regarding compliance with state and federal consumer protection and privacy laws and legal order processing. This sort of close coordination with his clients is the hallmark of Austin's practice and his singular focus.

Austin's multi-faceted practice began in the Firm's Construction Practice Group, where complex litigation was the norm. Austin developed a particular affinity for strategic planning and risk management counseling - with an emphasis on preventing litigation, rather than resolving it - which underpins his Financial Services practice. He has also built niche practices involving transactional counseling and negotiation and e-discovery management that he still enjoys.

Austin received his J.D. from the University of Colorado School of Law after receiving a B.A. from the University of California at San Diego (Earl Warren College). During law school, he attended the prestigious Strauss Institute for Dispute Resolution at the Pepperdine University School of Law.

Austin is admitted to the State Bar of California and to all federal courts in the state. He is an active member of the Consumer Financial Services Committee of the American Bar Association's Business Law Section. He has co-authored several publications on matters of interest to financial institutions, including Severson & Werson's Consumer Finance Report, and he is regularly asked to speak to clients and trade groups about legal issues affecting their business.

Education

- University of Colorado, School of Law, J.D., 2005
- Pepperdine University School of Law, Attended, 2003
- University of California at San Diego, B.A., 2001

Admissions

- California

Areas of Practice

Transactions

Trials

Banking

- [Alternative Dispute Resolution](#)
- [Bank Operations](#)
- [Cybersecurity/Data Privacy](#)
- [FinTech](#)
- [Third-Party Subpoenas](#)

Business Litigation

- [Alternative Dispute Resolution](#)
- [Class Actions Defense](#)
- [Cybersecurity/Data Privacy](#)
- [General Liability Defense](#)
- [Lender Liability Defense](#)
- [Unfair Business Practices \(UDAP\) Litigation](#)

Construction

- [Alternative Dispute Resolution](#)
- [Construction Litigation](#)
- [Risk Management Counseling](#)

Financial Services

- [Alternative Dispute Resolution](#)
- [Automobile Finance](#)

- [Class Actions Defense](#)
- [Cybersecurity/Data Privacy](#)
- [Lender Liability Defense](#)
- [Mortgage Banking](#)
- [Regulatory Compliance and Enforcement Actions](#)
- [Telephone Consumer Protection Act \(TCPA\)](#)
- [Unfair Business Practices \(UDAP\) Litigation](#)

Publications

- [Hyman, S.J. & Kenney, A.B. \(February 2018\) Automobile Finance Law in the Emerging Autonomous and Mobility Ecosystem](#)
- [Kenney, A. B. & Murphy, C. T. \(February 23, 2017\). "Different Approaches to CLRA Damages", The Daily Journal.](#)
- [Hyman, S. J. & Kenney, A. B. \(Fall 2016\). "Judicial Isolation of the Third Circuit's 'Glassine Window' FDCPA Decision in Douglass v. Convergent Outsourcing", 69 CONF. CONS. FIN. L. Q. 142, 137-141.](#)
- [Hyman, S. J. & Kenney, A. B. \(Fall 2016\). "The Effect of the FDCPA's Class-Action Penalty Cap on Class Certification", 69 CONF. CONS. FIN. L. Q., 137 -141.](#)

Consumer Finance Posts

- [CCPA Update: The California Senate Judiciary Committee Debates SB 561 - Private Right of Action in CCPA Not a Foregone Conclusion](#)
- [District Court \(Ind.\) Says De Minimus Recovery Resulting from FDCPA's Statutory Cap Does Not Defeat Class Certification](#)
- [Court of Appeal \(Cal.\) Says Benson Tender Was in Bad Faith Because it Imposed Unreasonable Conditions on the Consumer; Says As to Holder Who Tendered Back the RISC, "Once a Holder, Always a Holder"](#)
- [Benson Update: Another California Court of Appeal Distinguishes the "Benson-tender"; i.e. Courts' Treatment of a CLRA Defendant's Response to a Pre-Suit Demand Letter](#)
- [Different Approaches To CLRA Damages](#)
- [Severson Publishes Two Articles on the FDCPA](#)
- [Certifiability Of Class Actions And The FDCPA's Liability Cap](#)