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Rising Star: Berger Montague's Patrick F. Madden

By **Steven Lerner**

Law360 (June 25, 2021, 2:06 PM EDT) -- Patrick F. Madden of Berger Montague PC helped the city of Philadelphia receive millions of dollars of relief in litigation against Wells Fargo and represented mixed martial arts fighters in the Ultimate Fighting Championship in an antitrust lawsuit, earning him a spot among the class action law practitioners under age 40 honored by Law360 as **Rising Stars**.

THE BIGGEST CASE OF HIS CAREER:

In the last 80 years, most major sports in the U.S. have been tangled in litigation regarding the power that leagues, teams and promotions have over athlete compensation. For the last seven years, Madden has worked on a Berger Montague team to fight for fair compensation and treatment for mixed martial arts fighters in the UFC.

"This case has been both challenging, dealing with complex economic models across multiple experts, and interesting, contextualizing these fighters' struggle within the broader history of sports and the more recent emphasis on the effects of labor market power exercised by dominant firms," Madden said.

HIS PROUDEST MOMENT AS AN ATTORNEY:

Madden said that his proudest moment as an attorney was representing the city of Philadelphia against Wells Fargo. The lawsuit alleged that the bank discriminated against minority homeowners in Philadelphia for mortgage lending.

The parties reached a deal that resulted in millions of dollars in programmatic relief so that home purchasers could obtain loans at fair rates and terms. Madden said Wells Fargo also agreed to fund the city's gold-standard foreclosure diversion program and allowed the city to expand programs to remediate some of the blight that occurred in Philadelphia during the foreclosure crisis.

For Madden, the litigation was especially meaningful because he has lived in Philadelphia his entire life.

"While such a result would have made me proud in any case, to do it for my hometown was even more significant for me," Madden said.

The blend of figuring out the puzzles of complex cases and always feeling like he's representing the right side of the case is what Madden enjoys about being a class action attorney.

"Class work provides me the opportunity to work on high-stakes, complex matters on behalf of the little guy against large, well-financed defendants," he said.

ANOTHER NOTABLE CASE:

In the first few years of his career, Madden worked on several cases against mortgage servicers concerning force-placed insurance, which typically results in a very high premium for the borrower. This type of policy, enacted by the loan servicer, kicks in when a borrower fails to maintain the insurance on a mortgaged property.

"The cases alleged that loan servicers industrywide were receiving kickbacks from the insurance companies in the form of unearned commissions and/or improper reinsurance premiums," Madden said.

Madden worked with teams across the country to bring suits against all the largest servicers. This resulted in the servicers agreeing to stop receiving these payments from the insurers. Madden added that the servicers also settled for sums totaling hundreds of millions of dollars for borrowers.

HOW HE THINKS THE LEGAL INDUSTRY WILL CHANGE IN THE NEXT 10 YEARS:

For Madden, the pandemic has forced a change in the way lawyers and judges view the necessity of certain types of face-to-face meetings. He expects activities such as trials, depositions and in-depth court hearings to resume in person but said there could be a reduction in other meetings.



Patrick F. Madden
Berger Montague

Age: 39
Home base: Philadelphia
Position: Shareholder
Law school: Temple University Beasley School of Law
First job out of law school: Associate at

"We might see fewer 20-minute in-person status conferences where 20 lawyers representing eight parties have to fly into a single court from all corners of the country," Madden said. "But only time will tell at this point."

— *As told to Steven Lerner*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2021 Rising Stars winners after reviewing more than 1,400 submissions. Attorneys had to be under 40 as of April 30, 2021, to be eligible for this year's award. This interview has been edited and condensed.

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