UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MARYLAND

Irvin J. Betch et al. v. Nationstar Mortgage, LLC et al.

Betch v. Nationstar Mortgage, LLC, Civil No. 25-27-BAH (D. Md. Feb. 24, 2026) · No. Civil No. 25-27-BAH; 1:25-cv-00027 · Decided February 24, 2026

SUMMARY

The United States District Court for the District of Maryland dismissed pro se plaintiffs' claims arising from a mortgage loan, foreclosure, and alleged inaccurate credit reporting. The court granted motions to dismiss and motions for joinder, denied the plaintiffs' motion for summary judgment as moot, denied a motion to strike and for leave to file a surreply, and denied the consumer reporting agencies' request for attorney's fees. The opinion addresses personal jurisdiction, service of process, failure to state a claim, and claims under the Fair Credit Reporting Act.

CASE DETAILS

COURT	United States District Court for the District of Maryland
WRITING FOR THE COURT	Brendan A. Hurson
JURISDICTION	United States District Court for the District of Maryland
DECIDED	February 24, 2026
DOCKET	Civil No. 25-27-BAH; 1:25-cv-00027
DISPOSITION	dismissed
PROCEDURAL POSTURE	Plaintiffs filed a nine-count federal complaint arising from a mortgage loan, foreclosure, and alleged credit-reporting inaccuracies. Defendants moved to dismiss under Federal Rules of Civil Procedure 12(b)(2), 12(b)(5), and 12(b)(6), and certain defendants moved for joinder in another defendant's motion. Plaintiffs also moved for summary judgment, to strike, for leave to file a surreply, and for other relief.
STANDARD OF REVIEW	For Rule 12(b)(2), the plaintiff bears the burden of establishing a prima facie case of personal jurisdiction when no evidentiary hearing is held. For Rule 12(b)(5), the plaintiff bears the burden of establishing valid service once service is contested. For Rule 12(b)(6), the court accepts well-pleaded factual allegations as true, disregards legal conclusions, draws reasonable inferences for the plaintiff, and determines whether the complaint plausibly states a claim.

PRECEDENTIAL VALUE	nonprecedential
PARTIES	Irvin J. Betch, Patricia A. Betch, Arthur of the family Wittenberg, Trustee v. Nationstar Mortgage, LLC, Christopher Marshall, Equifax Information Services LLC, Mark Begor, Sunil Bindal, Experian Information Solutions Inc., Brian Cassin, Allison Brittain, Trans Union LLC, Christopher Cartwright, Todd Cello

TOPICS

motions to dismiss · personal jurisdiction · service of process · res judicata · civil procedure

PRACTICE AREAS

civil procedure · consumer protection · fair debt collection · credit reporting · truth in lending · mortgages · foreclosure · real estate

QUESTIONS PRESENTED

1. Whether Plaintiffs stated viable claims under Fair Credit Reporting Act §§ 1681e, 1681i, and, as liberally construed, § 1681s-2(b).
2. Whether individual corporate officers and directors could be held liable under the pleaded Fair Credit Reporting Act provisions based solely on their corporate positions and alleged management authority.
3. Whether claims against foreign defendants should be dismissed for insufficient service of process and lack of personal jurisdiction.
4. Whether Plaintiffs' Truth in Lending Act and Fair Debt Collection Practices Act claims arising from the mortgage and foreclosure were barred by res judicata.
5. Whether the complaint stated cognizable claims under the pleaded breach-of-fiduciary-duty, securities-fraud, Federal Trade Commission Act, and 12 U.S.C. § 1431 theories.
6. Whether Plaintiffs were entitled to strike portions of defendants' motions or file a surreply.
7. Whether Plaintiffs' motion for summary judgment remained viable after dismissal of the complaint.

HOLDINGS

1. Plaintiffs failed to state claims under FCRA §§ 1681e and 1681i against individual officers and directors because they did not allege that those individuals were themselves consumer reporting agencies, acted in their personal capacities, or were the guiding spirit or central figures behind the alleged misconduct.
2. Plaintiffs failed to state a claim under § 1681e because they did not allege facts showing that Trans Union, Equifax, or Experian failed to follow reasonable procedures to assure maximum possible accuracy.
3. Plaintiffs failed to state a claim under § 1681i because they did not allege facts showing that any consumer reporting agency failed to conduct a reasonable reinvestigation.

4. Claims against Cassin and Brittain were dismissed because Plaintiffs failed to effect valid service and failed to plead facts establishing personal jurisdiction over either defendant.
5. Plaintiffs' TILA and FDCPA claims arising from the mortgage and foreclosure were barred by res judicata.
6. Plaintiffs failed to state a claim against Nationstar under FCRA § 1681s-2(b), construed liberally, because they did not identify the disputed information, provide facts showing an objectively verifiable inaccuracy, or allege that a consumer reporting agency notified Nationstar of the dispute.
7. Plaintiffs failed to state cognizable claims for breach of fiduciary duty, securities fraud under 18 U.S.C. § 1348, violation of the FTC Act under 15 U.S.C. § 45(a), or violation of 12 U.S.C. § 1431.

KEY QUOTATIONS

> *"nothing in [the complaint] suggests that Cartwright[, Cello, Begor, and Bindal] took any action in [their] personal capacity or that [they are] a CRA."* (III.A.2)

> *"Actual notice does not equate to sufficient service of process, even under the liberal construction of the rules applicable to a pro se plaintiff."* (III.B.1)

> *"Claims are part of the same cause of action when they arise out of the same transaction or series of transactions, or the same core of operative facts."* (III.C.1)

> *"notice by a consumer directly to the furnisher of the information does not trigger the furnisher's duties under section 1681s-2(b)."* (III.C.2.i)

FACTUAL BACKGROUND

Plaintiffs alleged that they refinanced a residence in Monkton, Maryland, later placed the property in a trust, and attempted to extinguish the mortgage debt with a check and silver coins. The property was subjected to a foreclosure sale that was ratified by the Circuit Court for Harford County on November 18, 2021, and judgment for possession was entered on February 10, 2022. Plaintiffs alleged that Nationstar continued furnishing allegedly false debt information to Trans Union, Experian, and Equifax, damaging their credit ratings.

PROCEDURAL HISTORY

Plaintiffs filed suit on January 3, 2025. The complaint alleged claims for breach of fiduciary duty, securities fraud, violations of the Fair Credit Reporting Act, the Fair Debt Collection Practices Act, the Federal Trade Commission Act, 12 U.S.C. § 1431, and the Truth in Lending Act. After considering the motions and related filings without a hearing, the court granted the motions to dismiss and motions for joinder, dismissed the complaint in its entirety, denied Plaintiffs' motion for summary judgment as moot, denied the motion to strike and for leave to file a surreply, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- Grayson v. Anderson, 816 F.3d 262, 267-68 (4th Cir. 2016)
- Combs v. Bakker, 886 F.2d 673, 676 (4th Cir. 1989)
- Jones v. Mutual of Omaha Insurance Co., 639 F. Supp. 3d 537, 544, 549 (D. Md. 2022)
- Hawkins v. i-TV Digitalis Tavkozlesi zrt, 935 F.3d 211, 226, 228 (4th Cir. 2019)
- Aerotek Inc. v. Babcock & Wilcox Solar Energy, Inc., Civ. No. JRR-24-177, 2024 WL 4792116, at *2 (D. Md. Nov. 14, 2014)
- UMG Recordings, Inc. v. Kurbanov, 963 F.3d 344, 350 (4th Cir. 2020)
- O'Meara v. Waters, 464 F. Supp. 2d 474, 476 (D. Md. 2006)
- Karlsson v. Rabinowitz, 318 F.2d 666, 668 (4th Cir. 1963)
- Armco, Inc. v. Penrod-Stauffer Building Systems, Inc., 733 F.2d 1087, 1089 (4th Cir. 1984)
- Erickson v. Pardus, 551 U.S. 89, 94 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc., 591 F.3d 250, 253 (4th Cir. 2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 555 (2007)
- Haines v. Kerner, 404 U.S. 519, 520 (1972)
- Runge v. Barton, No. CIVA 6:08-0231-GRA, 2009 WL 3245471, at *1 (D.S.C. Oct. 2, 2009), aff'd, 368 F. App'x 361 (4th Cir. 2010)
- Beaudett v. City of Hampton, 775 F.2d 1274, 1277 (4th Cir. 1985)
- Safeco Insurance Co. of America v. Burr, 551 U.S. 47, 52 (2007)
- TRW Inc. v. Andrews, 534 U.S. 19, 23 (2001)
- Dalton v. Capital Associated Industries, Inc., 257 F.3d 409, 415 (4th Cir. 2001)
- Simmons v. TransUnion, LLC, 712 F. Supp. 3d 629, 635 (D. Md. 2024)
- Parker v. Cartwright, Civ. No. JRR-23-1628, 2024 WL 622077 (D. Md. Feb. 13, 2024)
- Estrada v. Equifax Information Services LLC, No. CV-21-01704-PHX-SMB, 2022 WL 2705835, at *4-5 (D. Ariz. July 12, 2022)
- White v. Trans Union LLC, No. 1:24-CV-324 (RDA/LRV), 2025 WL 409660, at *6 (E.D. Va. Feb. 5, 2025)
- Waller v. Experian Information Solutions, Inc., Civ. No. JKB-22-0668, 2022 WL 4279868, at *3 (D. Md. Sept. 15, 2022)
- Sec'y of State for Defence v. Trimble Navigation Ltd., 484 F.3d 700, 705 (4th Cir. 2007)
- Pueschel v. United States, 369 F.3d 345, 354 (4th Cir. 2004)
- Covert v. LVNV Funding, LLC, 779 F.3d 242, 246-47 (4th Cir. 2015)
- Rawlings v. Bank of America, N.A., Civ. No. BAH-24-1033, 2024 WL 5170860, at *4 (D. Md. Dec. 18, 2024)
- Proctor v. Wells Fargo Bank, N.A., 289 F. Supp. 3d 676, 683 (D. Md. 2018)
- Jones v. Ward, Civ. No. GJH-20-3225, 2021 WL 2861518, at *5-6 (D. Md. July 8, 2021)
- Womack v. Ward, Civ. No. DKC-17-3634, 2018 WL 3729038, at *3 (D. Md. Aug. 6, 2018), aff'd, 755 F. App'x 262 (4th Cir. 2019)

- Betskoff v. Diane S. Rosenberg & Associates, LLC, Civ. No. PWG-18-2133, 2019 WL 3869284, at *4 (D. Md. Aug. 16, 2019), aff'd, 796 F. App'x 814 (4th Cir. 2020)
- Dickson v. Cohn, Goldberg & Deutsch Law Firm, Civ. No. PJM-09-937, 2010 WL 2559880, at *2 (D. Md. June 18, 2010)
- Knight v. Nationstar Mortgage, LLC, Civ. No. SAG-23-3502, 2024 WL 3046408, at *4 (D. Md. June 18, 2024)
- Bullock v. Ocwen Loan Servicing, LLC, No. CIV. PJM 14-3836, 2015 WL 5008773, at *5 (D. Md. Aug. 20, 2015)
- Tyson v. Capital One, N.A., Civ. No. DLB-25-1794, 2025 WL 3166795, at *2 (D. Md. Nov. 13, 2025)
- Davenport v. Sallie Mae, Inc., 124 F. Supp. 3d 574, 581 (D. Md. 2015)
- Roberts v. Carter-Young, Inc., 131 F.4th 241, 252-53 (4th Cir. 2025)
- Cooke v. Carrington Mortgage Services, Civ. No. TDC-18-0205, 2018 WL 6323116, at *10 (D. Md. Dec. 3, 2018)
- Campbell v. Wells Fargo Bank, N.A., 73 F. Supp. 3d 644, 651 (E.D.N.C. 2014)
- United States ex rel. Angel v. Scott, 697 F. Supp. 3d 483, 490 (E.D. Va. 2023)
- Brown v. Clements, No. 15-cv-104, 2015 WL 5677296, at *9 (E.D. Va. Sept. 23, 2015)
- McKenzie-El v. Internal Revenue Service, Civ. No. ELH-19-1956, 2020 WL 902546, at *14 (D. Md. Feb. 24, 2020)
- Alexander v. Sandoval, 532 U.S. 275, 286 (2001)
- Waheed v. Maryland, Civ. No. GLR-20-1931, 2021 WL 4942674, at *3 n.3 (D. Md. Oct. 22, 2021), aff'd as modified, 2022 WL 910614 (4th Cir. Mar. 29, 2022)
- McGagh v. Cooper, Civ. No. PX-19-1184, 2019 WL 5538055, at *2 (D. Md. Oct. 25, 2019)
- Vaughn v. Ally Financial, Inc., No. 1:24-CV-6, 2024 WL 4349088, at *3 (M.D.N.C. Sept. 30, 2024)
- Waste Management Holdings, Inc. v. Gilmore, 252 F.3d 316, 347 (4th Cir. 2001)
- Tepeyac v. Montgomery County, 779 F. Supp. 2d 456, 460 (D. Md. 2011), rev'd in part, 683 F.3d 591 (4th Cir. 2013), aff'd on reh'g en banc, 772 F.3d 184 (4th Cir. 2013)
- Roach v. Navient Solutions, Inc., 165 F. Supp. 3d 343, 351 (D. Md. 2015)
- Khoury v. Meserve, 268 F. Supp. 2d 600, 605 (D. Md. 2003), aff'd, 85 F. App'x 960 (4th Cir. 2004)
- Knickman v. Prince George's County, 187 F. Supp. 2d 559, 567 (D. Md. 2002)
- Beatty v. BAC Home Loans Servicing, LP, Civ. No. RDB 12-3188, 2013 WL 3868098, at *5 (D. Md. July 24, 2013)