

Federal Court Magistrate Recommends Dismissing Borrower's Breach Of Fiduciary Duty Claim Against A Mortgage Servicer As There Was No Fiduciary Relationship

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In Gooden v. Mackie, a borrower sued a mortgage servicer after the servicer foreclosed on the property. No. 4:19-CV-02948, 2020 U.S. Dist. LEXIS 25142 (S.D. Tex. January 22, 2020). Among other claims, the borrower filed a breach of fiduciary duty claim. The federal magistrate recommended dismissing that claim. The magistrate held: The mortgagor-mortgagee relationship is... [Continue Reading](#)