

*Hurley v Deutsche Bank, et al.*, No. 08-cv-361, 2009 WL 701006 (W.D. Mich.)

The landmark Servicemembers Civil Relief Act case. The first time in the history of our country that a jury was seated to hear a case brought by a soldier against a financial institution for violating the Servicemembers Civil Relief Act (SCRA).

Not since President Abraham Lincoln instituted Federal Protections for United States Soldiers has there been such a dramatic impact upon the rights of our soldiers as the protections contained within the Hurley Amendments to the SCRA.

President Lincoln took state protections going back to President George Washington and created a national shield of protection. *Hurley* and the Hurley Amendments make clear the existence of a sword for our soldiers to utilize in asserting a private cause of action in our court system. Soldiers can only seek justice in our civilized society through the courts and can only do so in an effective manner with the SCRA; formerly known as the Soldiers and Sailors Civil Relief Act. Our soldiers do not ask for anything other than what all citizens in our country have the right to do.

While Sgt. James Hurley was serving our country, stationed in an area in Iraq that came to be known as the “Bloody Triangle” during the Bush Surge, his home that he loved and enjoyed for the previous ten years, was illegally taken. Dreams of home, his wife and two children and his mother kept him going in the war-torn country. While in Iraq, his home was illegally taken and his family was evicted; left to live in a garage.

Over 150 years ago, President Lincoln said “no” to this type of predatory lender activity. While on the CBS Evening News with Katie Couric, General Petraeus and Holly Petraeus, a Founder and Chair of the SCRA Foundation, Inc., and Hurley Attorney Matt Cooper said “when the United States of America sends our men and women overseas to serve our country, shouldn't we at least look out for their homes?”

When President Obama selected the Director of the Department of Justice, Tom Perez to serve as Secretary of Labor, during his confirmation through Congress, Director Perez, in an effort to obtain bipartisan support, specifically referred to the Hurley case and what the Department of Justice did following the ground work laid out by Hurley. As a result of Hurley, the Department of Justice was able to obtain and continues to add to a National Settlement on behalf of our soldiers against financial institutions that are violating the SCRA. As of February, 2015 the national settlement has grown to 123 million dollars.

The Hurley case kicked in the doors that were welded shut by the financial institutions that were trying to violate the rights of our soldiers. The Servicemembers Civil Relief Act Foundation, Inc., is dedicated to the rights and protections afforded to all of the men and women serving in the United States Military. It is our mission to Serve Our Soldiers.