

**FCRA Focus: USING EXPERT WITNESSES IN FCRA CASES****HOST: DAVE GETTINGS****GUESTS: TIM ST. GEORGE AND JESSICA LOHR****DATE AIRED: JULY 18, 2023**

Welcome to Troutman Pepper's podcast, *FCRA Focus*. This podcast series is designed to educate, inform, and hopefully, entertain you as well on all things related to the Fair Credit Reporting Act. To stay abreast of these issues and to make sure you don't miss an episode, please subscribe via iTunes, Stitcher, Google Play, or wherever you download your podcasts. Now, your host, Dave Gettings.

**Dave Gettings:**

Hey, everybody. Welcome to another edition of *FCRA Focus*, the podcast that focuses on all things FCRA and credit reporting. Today, we're going to talk about a topic that is close to my heart, the use of experts in FCRA cases, including FCRA class actions, and talk about how experts can really be a force multiplier for lawyers, and often say the things the lawyers want to say, but might not be qualified to say.

Joining us today are two experts in their own right. We've got Jessica Lohr and Tim St. George. I'm going to turn it over to them just briefly to introduce themselves in a cool, hip, podcasting way, not a stuffy webinar type of way. Jessica, over to you first.

**Jessica Lohr:**

Hi, Dave. My name is Jessica Lohr. I'm an attorney in our firm's San Diego office, and I do FCRA work, background screening work for a number of [inaudible] all over the country, and have had a lot of experience where it's both good and bad over the last nine years of my practice.

**Dave Gettings:**

Jessica, I'm going to put you on the spot, and it's also going to give Tim 30 seconds to think about it. What are you an expert in that is unrelated to law or credit reporting?

**Jessica Lohr:**

I'm certainly an expert in fostering animals, as you know. That's probably my only expertise, and sleeping. You woke me up a little bit early.

**Dave Gettings:**

Have you delivered puppies before, Jessica?

**Jessica Lohr:**

I have. Nine of them.

**Dave Gettings:**

All right. You are an expert. Tim, over to you for your introduction and what you are an expert in besides credit reporting.

**Timothy St. George:**

Hey, everybody. This is Tim St. George. I'm a partner in our Richmond office. Jessica, Dave, and I are often involved in the same cases under the FCRA. We're also often using and vetting the same experts. We've worked together on these topics on many, many occasions before, and they're both wonderful colleagues. What am I an expert in? Well, I used to be an expert in sleep. I have three children, five and under, so that's kind of cut that out.

I guess, I'm sort of an expert in soccer. If I have any moment of free time, I'm probably reading up on the latest soccer developments nationally, and very excited for the women's World Cup that starts in about a month. If you've got any soccer-related questions that you ever want to run by me, I should be your man on that, and look forward to talking about it with you.

**Dave Gettings:**

We actually have a client that's got tickets to the LA, is it the Galaxy? Is that the LA team?

**Timothy St. George:**

There's actually two LA teams, Dave, but the Galaxy is one of them, yes.

**Dave Gettings:**

He's going to try to sell his tickets when Messi comes out there in September, if they get over \$1,000 a piece. Right now, they're like 700 on StubHub.

**Timothy St. George:**

I bet he'll get there. The resale market is already feeling the Messi effect, and if anyone was lucky enough to have a ticket to an away match where Miami is going to play, you're lucky because you'll get to see a living legend starting in August.

**Dave Gettings:**

Yeah. I am in expert in the psychosis of being a diehard sports fan. Every night, I get disappointed and say, "I'm never going to watch again." Then every morning, I get up and say, "I wonder what time the game is on tonight." I'm unfortunately doing it to my kids as well, who are become sports fans. That's going to be my subject of counseling for the next year or two, I think.

**Timothy St. George:**

Good luck, Dave.

**Dave Gettings:**

Jessica, we're going to kick it over to you first to lay the groundwork for some of the non-initiated and maybe non-lawyers, Just real briefly, what is an expert and what does an expert do that's different than maybe a layperson or a fact witness?

**Jessica Lohr:**

Yeah. A typical witness you would think of is what we would call a fact witness, so you would talk about your personal experience, what you saw, heard, what you understand to be the case.

There's limits on that because you have to have firsthand knowledge about what you're testifying on if you're a fact witness.

An expert witness, on the other hand, is somebody who could actually offer opinion that goes beyond their personal experience or facts. An expert is often brought in when there's a really complicated case, or if you need information about an industry, or a specific area of law that's very technical or scientific. They can bring in testimony to actually speak to the higher issues in the case and help a jury or a judge to understand that more technical side that a fact witness can't usually go into just based on personal knowledge.

**Dave Gettings:**

Got it. Generally, experts are needed for scientific, technical, or other specialized knowledge if they'll assist a trier of fact to understand an issue in the case. Do you think, in your experience, experts are underutilized in FCRA cases, overutilized, or utilized pretty much the right amount?

**Timothy St. George:**

That's an interesting question. I think by the defense bar, they may be underutilized. I think that when you're dealing with the FCRA, you need to realize that you're dealing with a statute with uncapped liability, punitive damages, and oftentimes, an expert can be very helpful to pick away at the contentions that are being made by the plaintiff. And so although it's very common to use experts in class cases, it's probably less common to use experts in substantial individual cases. I think they're probably underutilized, maybe due to a fear that they're going to cost too much. Again, all of that has to be weighed against unlimited exposure.

I would say on the plaintiffs' side, they're probably a little bit overutilized. I would say that it's fairly routine for the plaintiffs' bar to use the same two or three witnesses over, and over, and over again. Those witnesses have gotten a cottage and cabin industry going where they can churn out reports fairly cheaply. Those reports often lack credibility. They lack a tie to the case, and it's just a volume practice for them.

I would say that I maybe see a little bit of overuse on the plaintiffs' side, but you never really want to have an expert go unrebutted either. If there's an expert that's been served by the plaintiff who has the burden of proof, you probably want an expert on the defense side. Again, that would swing back to the underutilization that I see.

**Dave Gettings:**

Yeah, I've actually experienced, in recent years, experts really being a force multiplier for defendants because I know there's concern about cost, and they can definitely be costly. Sometimes, it doesn't make sense for a relatively small individual case, but if you get a really good expert that can explain things, and frankly, put the plaintiffs' counsel on their back foot a bit in terms of having to respond, having to think about certain issues critically, you can definitely make up for the amount you spend on the expert in reduced settlement demand or even reduced exposure later at trial.

It's tough to directly correlate the expert to the amount of money you may save, but in my experience, at least recently, there have been instances where experts have made a world of difference, including the possibility of obtaining multiple experts on a case. Because that's not something I've experienced plaintiffs' counsel often do, and it's not something they really like to do, frankly, in terms of shelling out money to respond to multiple experts.

Let's make the podcast worth the price of admission, which is free as far as I can tell, or at least I haven't gotten any royalties on it yet, and talk about some ways that we are able to utilize experts in FCRA cases to maybe give some people ideas. The first thing that really sticks out to me is industry standards and the possibility of reasonableness, the possibility of standards as to matching. Jessica or Tim, I'll turn it over to either of you. Can you guys talk a little bit of instances where you've used experts to talk about industry standards and what types of items they've talked about?

**Timothy St. George:**

Why don't you go ahead, Jessica?

**Jessica Lohr:**

One of the things that's been really important for us is hiring industry experts in the context of tenant background screening. We have a lot of cases involving background reports that are prepared for large property management companies in the context of tenants applying for housing. And we've had some cases where there's been questions about, what does a typical property manager do in this case? What are they looking at in a background screening report? What's important to them? What would the reason be for a denial or an approval?

And when you're trying to establish those questions on a class-wide basis, one of the really important things to do is look at, what is the industry doing, apart from just what happened in any specific case. So, we've looked for experts that are in a very specialized area in the tenant screening industry to talk about what are the industry standards used. We've also had these kinds of experts talking about industry practices on the credit reporting side, who can dig in a little bit deeper on credit reporting issues, and reasons for denials or approvals, and things like that. So, that's definitely one area that we have utilized experts in FCRA, and particularly screening cases.

**Timothy St. George:**

Well, I've also used experts when you have a particular credit reporting practice that's at issue, or you have a particular type of consumer reporting agency. Say you've got a reseller and that is your client. It's important for the court and the jury to understand the sort of typical roles and industry standard accepted practices of resellers who operate much differently than an originating or retail consumer reporting agency.

And so, when you're dealing with a niche space, I found that expert testimony regarding standards can be helpful because the plaintiffs' bar will generally try to treat all types of consumer reporting agencies the same, which is really inappropriate. I've also found experts to be helpful when you're talking about niche products like OFAC products, so the terrorist screening lists, Office of Foreign Nationals, or when you're dealing with identity verification products to really understand how those products are used, how they're expected to be used. Same things with adverse media screenings. And when you've got a niche product offering, I think industry standard expert testimony is helpful too.

Of course, industry standard testimony can also be relevant in your standard matching case as well. The whole goal of industry standards is to basically negate any claim of a willful violation and to show that your client was acting reasonably, because there's generally good economic and practical reasons why the industry is acting in a certain way, whether that be a similar external constraint, like what's available in public records or expectations on the user side.

There's usually a good reason why the herd is traveling as a herd, and so if you can get industry standards out there, they're a powerful antidote to any claim that you acted unreasonably, but they're perhaps a really strong antidote to any claim that somehow you were acting willfully, if you can show you were acting consistent with how the industry understood its compliance obligations to be as a whole.

**Dave Gettings:**

That's a good point, and you actually took what I was going to say on resellers. I think resellers is a really, really fertile ground to be leveraging experts because the FCRA standard is reasonableness, reasonable procedures. And in my view, even though courts talk about both resellers and standard CRAs as CRAs pursuant to the statute, they perform very, very different roles in the industry.

The industry expects very different things from resellers and from traditional CRAs. And it's a nuance I don't think courts often see, and I know it's a nuance that has not been litigated heavily. So, resellers in the context, for example, of tri-merge reports. What does the industry expect from a reseller in a tri-merge report in the mortgage context, versus what does the industry expect from a normal national CRA in the context of a tri-merge report?

These are areas where an expert can really magnify what the lawyer is saying, and explain to the court how the CRA fits within the industry standard, and what's expected in the industry, and honestly, maybe help move the law a little bit here. Because as you guys know, unfortunately, these cases often get settled because there's so much uncertainty, and experts can really help in terms of the reasonableness of those decisions.

Something else I think is interesting. A place we've used experts before on reasonableness is the cost of practice changes. We often like to put plaintiffs to their proof on when they say a CRA's procedures are unreasonable, make them propose an economic and efficient alternate proposal. We can have an expert say why that's not reasonable and what we've done is reasonable. I know, Jessica and Tim, for example, we've had cases where we had economists look at the practice changes that plaintiffs' counsel was proposing, and look at the cost of hiring new employees. Look at the cost of improving technology. Look at the cost of putting new compliance procedures in place, and not only the monetary costs, but the time costs.

We've had experts talk about the time costs adding a month to consumer reports, which is not something expected in the industry, or adding \$150 to each report, which is not something reasonable in the industry. That's sort of an outside the box way of thinking about reasonableness that's not simply, what is the industry standard, but why is what defendant doing reasonable and what plaintiff is suggesting is not.

Another area to talk about experts a little bit is damages. Tim or Jessica, can you talk a little bit about how we've used experts on damages in FCRA cases?

**Timothy St. George:**

Jessica, go ahead again, if you-

**Dave Gettings:**

Jessica, you like how Tim wants time to think about it, so he tells you to answer first?

**Timothy St. George:**

I'm just trying to be courteous.

**Jessica Lohr:**

I thought I was going to pivot to you on this one, Tim, if you have a good example.

**Timothy St. George:**

Okay. I'm happy to go ahead.

**Dave Gettings:**

Successfully bought 20 seconds, so he's happy to answer now.

**Timothy St. George:**

All right. Damages, there's multiple types of damages that are available under the FCRA. You can get actual damages, which can be essentially anything from out-of-pocket costs, hard monetary costs, lost employment, having to pay a higher rent amount somewhere else, et cetera, to unliquidated concepts like emotional distress, which can become very ephemeral and are difficult to litigate against. Then you have punitive and statutory damages, which run together because you have to have a willful violation of the law in order to get either one of those.

We talked about punitive damages when we talked about industry standards and reasonableness. I think that that's probably your best rebuttal to a claim for punitives is to use an expert that can really speak well to the standards of the industry, or to use the type of expert that Dave described, like, "Look. We didn't do anything willfully. In fact, your proposed alternative is wildly out of whack economically, would harm consumers, harm the industry as a whole." Those are very powerful responses to any claim of punitive damages.

When talking about economic damages, as Dave and Jessica can attest, you can get any type of damages theory thrown out in an FCRA case. It's not unusual to see a claim for stress that resulted in some type of psychosomatic injury. I'm currently litigating a case, believe it or not, where someone's claiming that our client's reporting caused them brain damage, introducing a hard medical component to the case. Sometimes, people have seen psychologists. Sometimes, they've seen counselors. In that instance, it's really important to dig into their medical history.

We had one guy who claimed psychosomatic manifestations of the distressing situation in the form of hypertension, so we needed to look into his medical history and to find all of the other causes for hypertension, and a consulting expert was really useful to do that. Other times, you'll get projections of lost economic wages and lost opportunities.

The plaintiff's lawyers have a particular expert that they like to trot out that tries to put an economic spin on quality of life, and lost quality of life, and you get these huge numbers. Because you can have any type of damage theory thrown at you, you really need to be nimble and on your toes in the FCRA space. "What type of economic, medical expert am I going to need to rebut?" Some of this has to be on the fly. It's almost always by way of rebuttal, responding to an affirmative expert. If you know that there's a case where medical damages are claimed, you may want to start talking to an expert early, even in the discovery process itself, to help you start digging into those types of claims of medical-related injury.

**Dave Gettings:**

Tim, were you referencing these experts that talk about the error on the tradeline has led to a deterioration of your quality of life for the next 65 years, despite the fact that it's going to fall off after seven years anyway, and has led to \$2.7 million in damages or something like that?

**Timothy St. George:**

I'm 100% referring to that expert. We're probably talking about the same guy. I had a recent case where I was dealing with a very young plaintiff in his early 20s. I think the decreased quality of life sum was somewhere up in the 5 to \$10 million range. It was truly, truly stunning to see that type of damages demand in the case, and so we had to counter it.

We had to get a rebuttal economist to come and help us counter that expert. Of course, we moved to exclude the expert's opinions, independently from any rebuttal. Yeah, we see that a lot. There's a particular professor that has made a cottage industry out of providing this type of deterioration in life report. Horrifyingly, those opinions have actually been accepted in some cases, so you got to be ready.

**Dave Gettings:**

Yeah. In some cases, they have been struck too. If you're listening to the podcast, go to Lexis or Westlaw. They don't sponsor us, but look up motions to strike in this situation.

**Timothy St. George:**

Yeah.

**Dave Gettings:**

Something I like to do for damages experts, and Jessica, I'm buying you even more time here, is looking at the counterfactual situation. For example, in mortgage cases, we often have plaintiffs that say, "Because of this reporting, or because of X, I didn't get the mortgage." Or in tenant screening, "I didn't get the job," or, "I didn't get the property," and so having an expert rebut that by saying, "Look, I'm looking at this plaintiff. He or she's got eight charge-offs, three collection accounts, and a credit score of 525. They weren't getting any mortgage, or they probably weren't getting any house."

That really can be helpful in terms of rebutting damages caused by credit reporting. Often, it's pretty apparent, but it's not something that the lawyer can necessarily argue in a brief. I mean, they can, but it doesn't necessarily come off as strong as it does having someone from the industry say the same thing, and say the same thing in a declaration or in testimony. There's a lot of experts out there that can do that because that's not necessarily an FCRA expert. That's a mortgage expert, or an underwriting expert, or a property expert. Jessica, have we covered the universe of damages experts, or do you have anything you want to share about that?

**Jessica Lohr:**

I don't have much else to add on that point. I think my experience has been in line with what you guys have already described. Certainly, you hit on this on your last point. Dave kind of stole my other point. It was on the causation as tied with the industry side, so that can be really helpful, especially if the plaintiff has a very technical or obscure sort of causation theory like, "The person that's trying to give me credit or give me housing denied my application because of this

very technical reason." We've used experts in the industry to call them out on that and say, "Well, no. That's not really how it works. Your damages weren't caused by this sort of technical issue."

**Dave Gettings:**

Thanks, Jessica. Another area I want to talk about with experts, which I love because I love playing with Excel, is dataset reviews. I know, Jessica, you have been knee-deep in dataset reviews for a bunch of cases in recent weeks and months. That is an area where experts can really help. If you have an expert that is good at that, he or she is absolutely worth their weight in gold because they can distill down a lot of information into very manageable bites for the court that also really help on class certification.

The type of examples I'm thinking about here, which we've used successfully before, is first in public records cases. Having an expert review large sets of public records to determine, one, whether it's possible to assess whether public records are accurate across a purported class, across different jurisdictions, across different databases.

Many of the listeners might be shocked at how large a variation there is in public records, and how it's really, really difficult for public records to be uniform across different jurisdictions. That's somewhere where experts can be worth their weight in terms of looking at public records, and figuring out individual issues either for predominance or for ascertainability in a purported class. Tim or Jessica, do you guys have any good examples of times you've used experts to do dataset reviews?

**Jessica Lohr:**

I was just going to say, it could be really helpful when you're trying to ask a court to deny class certification in a case. Because I was just telling Dave, I think yesterday afternoon, that I was tired of parsing through an Excel file in one of our cases because they get really large. There's a lot of different columns when you're exporting data from clients' datasets. There's a lot of information, and so sometimes ... I think I'm an excellent Excel user, as I know Dave is, but sometimes, having an expert come in and find patterns, or be able to parse the data or match it up can alert you to different trends or variances that you can really highlight in opposing a class certification motion.

So, definitely have had personal experience getting a third party in who understands the data, especially when it's more technical, and can help identify really important variances, or differences between people in a persuasive way where you can actually say, "This percentage of people fall into this category," and look at these fields to show variance. It can be really useful to get an expert involved.

**Dave Gettings:**

Jessica, just in terms of a real-world example, what you're talking about yesterday, we've got an employment screening case where we're using an expert to parse into multiple separate things regarding the employment records. One, whether you can tell the timing and the accuracy of the public records that were reported across the purported class by looking at different public records.

Two, looking at the employment records to determine whether the public record at issue was the cause of adverse action. Because oftentimes, the applicant, if they have one conviction, maybe they have multiple convictions. Maybe the conviction that's not at issue in the case would have



been an adequate, independent basis for the adverse action. Those are really interesting aspects that may not appear at first glance, but that we've had experts dive into with real success. Tim, we've bought enough time for you to think of your answer. Have you had any interesting dataset review experiences?

**Timothy St. George:**

I have. Thanks for asking. I've had lots of interesting dataset experiences from sample datasets ranging from a couple thousand consumer report examples, to mirror image copies of entire databases that have been turned over that contain hundreds of millions of records. And in both instances, even down to the sample level, experts can be helpful. They can be helpful in a bunch of different ways.

First, the way that a lot of this data is structured is just going to be foreign to lay individuals. We talk about Excels, but it's certainly not the case that all of our data comes to us in an Excel format. Lots of our clients have specific delivery mechanisms for their clients, and that delivery mechanism can be in kind of a blob or unstructured format, or it can be in an XML format. It's really not meant to be human-readable. If that's how the data is stored, then getting an expert onboard who can really parse that type of unstructured data is really critical.

Then assuming that the data can be structured and understood, to Jessica's point, you can have a lot of good data variance and analysis done that can really upset class certification. Typically, you'll get a very easy-breezy expert report from the plaintiff's counsel that says, "Anything can be done at any time for any data," and it's really superficial, so a hard-hitting technical expert can really expose the flaws and superficiality of that analysis. And again, don't lose sight of the fact that you can also use experts in a consulting way too. Experts can be brought in. They don't have to be disclosed, as long as they don't testify, to help you understand what you're working with on the front end.

So, I know Dave, Jessica, and I have often used consulting experts, who then may or may not turn into testifying experts, but to at least help you understand, as counsel, or the client on the front end. What are we really dealing with here? What's the scope of the issue? How might we push back on claims of ascertainability? Then if the answers sound good, that consulting expert may turn into a testifying expert.

**Dave Gettings:**

Thanks, Tim. Jessica, can you talk a little bit in the dataset context of how we've used disputes before and how experts can leverage those?

**Jessica Lohr:**

Yeah. So, in the context of the FCRA, consumers can submit disputes pretty much at any time to a credit reporting agency about information that's included in their consumer report. We often see plaintiffs pivoting to dispute data, at times, to try to establish inaccuracy, which isn't really right, but it happens. And, we also have a lot of really interesting information included in dispute data, regardless of what the plaintiffs' attorneys are trying to do in a case. And so we've had situations where we've been able to get clients that can pull a lot of information, systematically, about disputes. And sometimes, you can't, but there's some information that can be pulled, depending on the system.

And going through that dispute data can be very helpful, both to attack a plaintiff's theory that a dispute would necessarily show some sort of inaccuracy, or to further find more of these

individualized issues that are really important in the class certification context. It's just another area where if you get this dispute data, it's often complicated and there's a lot of information, and so having an expert that can look to that can help you defeat plaintiffs' primary theories on class cert, or to just create more individualized issues to further your defense.

**Dave Gettings:**

A dispute can also be valuable on willfulness because if you can have an expert say, "I've looked at these disputes and this issue hasn't come up before, or has not come up significantly," that can be a real defense to the notion that the client was on notice, and the client should have anticipated this issue that's coming up now. I know that's another way you've looked at disputes before.

**Jessica Lohr:**

Another way that you can also look at it is a dispute rate. This ties back into the first thing we talked about with industry standards. If you can show that you have a very low dispute rate, that can really help. We've had industry standard experts testify as to the reasonableness of the procedures based on the low dispute rate. That's a higher-level takeaway from disputes that is often used, and very helpful, and has been persuasive and effective in many courts and courts of appeals across the country.

**Dave Gettings:**

As we wrap up, Tim, I'm going to put you on the spot first so Jessica can have some time. Any last minute thoughts or advice for clients on experts?

**Timothy St. George:**

First of all, we would encourage experts to be used. Oftentimes, they're not as expensive as you think. It really comes down to careful budgeting and creation of expectations. There obviously is an expense with experts, but as Dave noted, that expense can often be worth the cost.

I do want to give just a quick word on some potential pitfalls in working with experts, because we've presented a very rosy scenario of working with experts, but experts can become a money trap if they're not done well and they can be excluded, in which case, all of their opinions are out. Then, you've spent a bunch of money for no purpose. When you're thinking about dealing with experts, you really need to think about their qualifications. Are they going to pass muster under Federal Rule of Evidence 702? Are they qualified? Do they actually have a foundation for what they intend to say? And are they rendering opinions with a sufficient level of specialized knowledge, that they won't be excluded? Make sure you've got the right expert who can pass all those tests.

Obviously, be on the lookout for instances where that potential expert may have been excluded in the past. That's never a good look. Then when you're dealing with the expert, you need to make sure that the expert actually is the one doing the work. Ghost-writing expert reports is unacceptable and is a quick way for an expert's testimony to be thrown out. Realize that there are privilege protections when it comes to dealing with experts. Those privilege protections are specifically defined in Rule 26 and can be fairly limited, so you need to have a lot of caution in what you share with the expert, the manner in which you share information with the expert. Because you don't want the expert to end up being a vehicle to disclose a lot of privileged, strategic communications.

You want to think about, on the front end, who's your expert? Are they going to pass muster? Have they been excluded in the past? Then you also need to pay a lot of attention to what you're doing when you're actually working with the expert to make sure that the expert doesn't actually end up harming you in the process of formulating what's, hopefully, a very helpful opinion.

**Dave Gettings:**

Well, Tim, we were going to try to get this portion of the episode sponsored by the defense expert bar, so we may have to cut that out before it actually makes it to production. Jessica, how about you? Any last minute thoughts on experts?

**Jessica Lohr:**

Yeah. I just think that when you're working with experts practically, it's really important to vet the experts and to make sure you're comfortable with how they come across in a deposition or trial testimony. Because somebody might be really smart and really good with technical issues, and you talk to them, and you're like, "This person is great. They're going to be excellent for our case." Then you get them into a deposition after significant prep or, ultimately, they may be called at trial, and you want to make sure that they can connect with the jurors or convey their opinions effectively. Because we see a lot of experts in deposition or trial testimony that don't come across very well.

It's hard to square the technical nature of an expert with being able to connect on a personal level with a layperson who's deciding the case. I would just definitely take that into account when you're thinking about experts, because you want somebody who's going to come across well in person, and be able to actually explain very technical things in an easy to understand way.

**Dave Gettings:**

Jessica, you sound like you're speaking from experience, but I won't ask for detail. The only parting words I would say is to embrace the data. A lot of times, our clients have this visceral reaction to producing data, including producing consumer data, for reasons that make complete sense. We've at least found that sometimes, the more data we produce, the more it gives experts interesting angles to talk about, and frankly, the more it leads to or eliminates certain discovery fights about withholding data, but that's for another podcast.

With that, we will end. We'd like to thank everyone for listening to *FCRA Focus*, the podcast that focuses on all things FCRA. Please do not forget to head over to Troutman's blog, the [Consumer Financial Services Law Monitor](#), for much more great content discussing credit reporting, debt collection, and all things in-between. Thanks, everybody.

**Timothy St. George:**

Thank you.

**Jessica Lohr:**

Thanks, Dave.

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