

Press Coverage | November 2, 2022

9th Circ.'s Weariness of TCPA Award May Quell Big Paydays

RELATED PROFESSIONALS

[David N. Anthony](#) | [Brooke K. Conkle](#)

David Anthony and Brooke Conkle, attorneys in the Consumer Financial Services Practice Group of Troutman Pepper, are quoted in the November 2, 2022 *Law360* article, "[9th Circ.'s Weariness of TCPA Award May Quell Big Paydays.](#)"

Depending on how the lower court responds, the Ninth Circuit's ruling is poised to have "interesting legal ramifications" for the TCPA and other statutory regimes that include minimum penalties with no cap, Troutman Pepper partner David Anthony and associate Brooke Conkle said in a joint email.

"On its face, the \$925 million award makes theoretical sense based on a \$500 fine for each of the 1.8 million calls at issue," they said. "[But] the decision begs the question — at what point are collective damages simply too much where a company can engage in multiple violations, either intentionally or unintentionally, at the single push of a button?"

RELATED INDUSTRIES + PRACTICES

- [Consumer Financial Services](#)
- [Telephone Consumer Protection Act \(TCPA\)](#)