

# In Case You Missed It: Consumer Financial Services Law Monitor – August in Review

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Our team has published new content and podcasts to the *Consumer Financial Services Law Monitor* throughout the month of August. To catch up on posts you may have missed, click on the titles below:

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## CONSUMER FINANCIAL PROTECTION BUREAU (CFPB)

[New York Federal Court Sides with CFPB, Denies Debt Holders' Motions to Dismiss Case Alleging Violations of the FDCPA and CFPA](#)

[Credit Union Trade Associations Move to Intervene in Case Challenging CFPB's Enforcement of its Section 1071 Rule](#)

[Banks From Coast to Coast Urge CFPB to Stay Implementation of its Section 1071 Final Rule](#)

[Credit Union Trade Associations Urge CFPB to Stay Implementation of its Section 1071 Final Rule](#)

[Trade Associations for Community Banks and Texas First Bank Move to Intervene in Case Challenging CFPB's Enforcement of its Section 1071 Rule](#)

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## CREDIT REPORTING + DATA BROKERS

[Homeowner Files Cert Petition Over Whether an HOA Assessment Qualifies as a "Credit Transaction" Under the FCRA](#)

[Impending FCRA Data Broker Rulemaking Announced by CFPB Director Chopra at White House Data Broker Roundtable](#)

[Kentucky Federal Court Holds Furnishing Data to Consumer Reporting Agency Does Not Subject Furnisher to Personal Jurisdiction in Consumer's Home State](#)

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## TCPA

[Ninth Circuit Affirms Dismissal of TCPA Case Involving Text Messages Holding "Prerecorded Voice Messages" Require Audible Component](#)

[Colorado Federal Court Declines to Dismiss TCPA Claim: Finds ATDS Plausibly Alleged Based on Reasoning in Facebook's Footnote 7](#)

[California Federal Court Denied Class Certification in TCPA Case Where Plaintiff Arguably Requested Calls](#)

[Eleventh Circuit Reverses Course and Holds a Single Text Message Constitutes TCPA Standing](#)

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## **DEBT COLLECTION**

[New York District Court Approves Class Action in FDCPA Case Alleging Improper Debt Assignment Notification](#)

[Tenth Circuit Affirms Summary Judgment in Favor of Defendant in FDCPA Case on the Basis of Claim Preclusion](#)

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## **AUTO FINANCE**

[July Consumer Litigation Filings: Mixed Bag](#)

[New York Federal Court Stays CFPB's Lawsuit Against Indirect Auto Finance Company Pending U.S. Supreme Court Decision in CFPB Funding Case](#)

[Federal Reserve's July Senior Loan Officer Opinion Survey Shows Tightened Auto Loan Standards and Weakened Demand Amid Uncertain Economic Outlook](#)

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## **CRYPTO**

[Conflicting Opinions: District Court Concludes EFTA and Regulation E Do Not Apply to Digital Asset Accounts Established for "Investment Purposes"](#)

[SEC Requests Leave to Appeal in Ripple Labs](#)

[Fed Provides Details of Novel Banking Activities and Cryptocurrency Supervisory Program](#)

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## **REGULATORY ENFORCEMENT + COMPLIANCE**

[DOJ Reaches \\$1.15 Million Redlining Settlement With American Bank of Oklahoma](#)

[California DFPI Requires Annual Reporting and Expands UDAAP to Commercial Financing](#)

[New Jersey Enacts Law Capping Surcharges for Credit Card Transactions](#)

[Seven State AGs Announce Settlement With Robocallers](#)

[Minnesota AG Investigating Allina Health as Part of its Renewed Medical Billing Initiative](#)

[Maryland Issues Guidance on Earned Wage Access Products](#)

[Rhode Island AG Settles with Dealerships over Allegedly Charging Fees Not Included in Advertised Prices](#)

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Case Update: Tenth Circuit Denies Petitions for Rehearing in Decision Requiring Substantial Changes to Health Plan Denial Letters

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## **PODCASTS**

Updates on the CFPB's Section 1071 Final Rule

Current Landscape of Cryptocurrency Regulation and Enforcement

Turning up the Heat – A Look at the FTC's Groundbreaking Fine Against Bankrupt Digital Asset Services Provider Celsius Network LLC

FedNow Is Here!

How to Combat Corporate Theft: Office Space – Crossover Episode With the Hiring to Firing Podcast

Crypto As "Funds" Under the EFTA – How a Court's Recent Ruling May Impact Virtual Currency Platform Operators

Analyzing the Credit Card Competition Act of 2023

CFPB Advisory Opinion on Time-Barred Debt Collection

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- Financial Services Litigation