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## Point-of-Sale Finance Series: The Holder Rule at 50

### SPEAKERS

[Jason M. Cover](#) | [Brooke K. Conkle](#) | [Caleb N. Rosenberg](#)

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In this crossover episode of *The Consumer Finance Podcast* and *Payments Pros*, Jason Cover sits down with Brooke Conkle and Caleb Rosenberg to demystify the Federal Trade Commission's Holder Rule and its day-to-day impact on point-of-sale (POS) finance programs. They explain why creditors and assignees inherit customers' claims and defenses against merchants, what transactions are in scope and out of scope, how liability is generally capped at amounts paid (and why attorneys' fees remain a live issue), and how merchant/vendor/dealer agreements can shift risk back to sellers. The conversation turns practical with a compliance toolkit: robust upfront diligence, continuous monitoring of merchant and consumer complaints (including requiring merchants to forward complaints), and a risk-based response that separates meritless claims from those requiring redress. The panel also highlights enforcement and litigation trends and why, at 50 years old, the Holder Rule remains bedrock law that POS lenders cannot ignore, even as strong contracts and oversight materially mitigate exposure.

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