Brooke K. Conkle

Partner

Richmond

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Brooke offers consumer-facing companies compliance counseling and litigation services to help them address federal and state consumer protection laws. Recognizing the challenges facing financial services companies, she provides in-depth analysis of complex issues related to consumer protection and compliance.

OVERVIEW

Brooke focuses her practice on complex litigation and federal consumer protection statutes, including the Fair Credit Reporting Act (FCRA) and Regulation V, the Equal Credit Opportunity Act (ECOA) and Regulation B, the Telephone Consumer Protection Act (TCPA), and Unfair and Deceptive Acts and Practices (UDAP) laws.

Brooke is part of the firm's national practice defending consumer-facing companies of all types. She has been counsel in individual cases and class actions in many states, including Virginia, Alabama, California, Florida, Georgia, Kentucky, Maryland, Missouri, Nevada, Ohio, Pennsylvania, Tennessee, Texas, Washington, and West Virginia. Brooke has also been counsel in complex regulatory investigations of consumer-facing companies. Further, she routinely provides compliance advice for national automotive financing companies.

Brooke provides analysis and commentary on legal and business developments in the consumer financial services industry, with a focus on credit reporting and data brokers, through the Consumer Financial Services Law Monitor blog at www.consumerfinancialserviceslawmonitor.com. Brooke is the co-host of *Moving the Metal: The Auto Finance Podcast* where they discuss all things related to the auto finance industry.

Brooke is also a co-leader of the Consumer Financial Services practice group's AI task force.

REPRESENTATIVE MATTERS

- Served as counsel for national background-screening companies in an FCRA national class action and in single-plaintiff FCRA cases.
- Defended the nation's largest used car retailer in a class action challenging sales practices.
- Represented a national automotive financing company in nationwide class actions asserting Magnuson-Moss Warranty Act violations.
- Defended a national bank in federal litigation involving Magnuson-Moss Warranty Act violations.
- Served as counsel for national banks in class actions and single-plaintiff FCRA cases.

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- Represented a national mortgage company in class actions and single-plaintiff TCPA cases.
- Counseled a national bank in foreclosure actions.
- Advised national consumer finance companies in a state regulatory investigation.
- Served as counsel for a national bank in a debt collection case.
- Represented an automotive financing company in an ECOA case.
- Conducted a UDAP analysis for a national automotive financing company, and counseled it on numerous other state and federal compliance issues.

AWARDS

- *JD Supra* Readers' Choice Awards, Transportation (2026)
- *Best Lawyers in America*®: *Ones to Watch:* Financial Services Regulation Law (2026), Litigation – Banking and Finance (2026), Mass Tort Litigation/Class Actions – Defendants (2026)

TOP AREAS OF FOCUS

- Auto Finance
- Consumer Financial Services
- Financial Services Litigation

ALL AREAS OF FOCUS

- Auto Finance
- Class Action
- Consumer Financial Services
- Financial Services
- Financial Services Litigation
- Litigation + Trial
- Telephone Consumer Protection Act (TCPA)

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of Richmond School of Law, J.D., *cum laude, Order of the Barristers*, 2014
- University of Virginia, B.A., 2002

BAR ADMISSIONS

- Virginia

COURT ADMISSIONS

- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- Supreme Court of Virginia

- U.S. Court of Appeals, Fourth Circuit

CLERKSHIPS

- Hon. David A. Faber, U.S. District Court, Southern District of West Virginia, 2014-2016

SPEAKING ENGAGEMENTS

- Speaker, "ESI Protocols Webinar," Troutman Pepper Locke, August 6, 2025.
- Speaker, "*Duguid v. Facebook*: Supreme Court Answers the Call on the TCPA," Troutman Pepper, April 7, 2021.
- Speaker, "Hot TCPA Topics for Calling in the Time of COVID-19," Troutman Sanders Webinar, May 20, 2020.

PUBLICATIONS

- Co-author, "New York AG Settlement Signals Increased Scrutiny of Dealer Fee Practices and Add-On Products ," *insideARM*, October 20, 2026.
- Co-author, "Maryland Federal Court Denies TCPA Class Certification in Appointment Reminder Call Case," *Consumer Financial Services Law Monitor*, October 7, 2026.
- Podcast, "Don't Move That Metal: SCRA Lessons From a Costly Settlement," *Moving the Metal: The Auto Finance Podcast*, September 29, 2026.
- Podcast, "The Ghost of CARS Rule Past: FTC and Connecticut Team Up on Junk Fees," *Moving the Metal: The Auto Finance Podcast*, September 22, 2026.
- Podcast, "California Dreamin' of October 1: The CARS Act Comes to California," *Moving the Metal: The Auto Finance Podcast*, September 15, 2026.
- Podcast, "The FTC Caught Up: What You Need to Know About Its Latest Disparate Impact Statement," *Moving the Metal: The Auto Finance Podcast*, September 1, 2026 and *The Consumer Finance Podcast*, September 3, 2026.
- Podcast, "FTC Hits the Brakes on Disparate Impact," *Moving the Metal: The Auto Finance Podcast*, August 25, 2026.
- Podcast, "Point-of-Sale Finance Series: Auto Finance — Dealer Risk, Lien Perfection, and Compliance Essentials for Market Entrants," *The Consumer Finance Podcast*, August 20, 2026.
- Podcast, "From Texas to the Tenth Circuit: Another ID Theft Case Confirms That Credit Reporting Law Is Reshaping," *FCRA Focus*, August 18, 2026.
- Podcast, "13 Years and Counting: The Rise of the Forever Car in America," *Moving the Metal: The Auto Finance Podcast*, August 11, 2026.
- Podcast, "From the FTC to the Five Boroughs: Auto Enforcement Goes Local," *Moving the Metal: The Auto Finance Podcast*, July 28, 2026.
- Podcast, "Buckle Up: Everything That Happened in Auto Finance So Far in 2026," *Moving the Metal: The Auto Finance Podcast*, July 14, 2026.
- Podcast, "States Respond to the FTC's Notorious 97 Letters: The Sequel No Dealer Wanted," *Moving the Metal: The Auto Finance Podcast*, June 30, 2026.
- Podcast, "The $10 Million Oops: How One New Jersey Dealer's Penalty Got a Dramatic Makeover," *Moving the Metal: The Auto Finance Podcast*, June 16, 2026.
- Podcast, "Top 100 Dealerships by F&I Preview; What's Next for FTC's Dealership Ad Crackdown?," *Automotive News Daily Dive,* June 19, 2026.
- Podcast, "Kicking the Tires on Kentucky: SB 158 and the Add-On Product Revolution," *Moving the Metal: The*

Auto Finance Podcast, May 26, 2026.

- Podcast, "Fraud on the Front Line: How Dealers Are Fighting Emerging Auto Finance Scams," *Moving the Metal: The Auto Finance Podcast*, May 21, 2026.
- Podcast, "Price Tags and Pitfalls: Inside the FTC–Maryland Dealer Smackdown," *Moving the Metal: The Auto Finance Podcast*, April 28, 2026.
- Podcast, "Auto Finance Year in Review, Part 2: Security Clearances, Supervisory Lines, and Connected Cars," *Moving the Metal: The Auto Finance Podcast*, April 14, 2026.
- Podcast, "Warning Letters and Warren Letters: What the Auto Finance Industry Needs to Know," *Moving the Metal: The Auto Finance Podcast*, March 31, 2026.
- Podcast, "Auto Finance Year in Review, Part 1: From FTC CARS Rule Collapse to a State-Led Patchwork," *Moving the Metal: The Auto Finance Podcast*, March 17, 2026.
- Podcast, "Empire State of Scrutiny: The New York FAIR Act and Auto Lending," *Moving the Metal: The Auto Finance Podcast*, February 24, 2026.
- Podcast, "Soaring Repos and Senate Requests: Warren Targets Auto Finance," *Moving the Metal: The Auto Finance Podcast*, February 17, 2026.
- Podcast, "State AGs in the Driver's Seat: Auto Finance Enforcement in the Trump 2.0 Era," *Moving the Metal: The Auto Finance Podcast*, January 27, 2026.
- Podcast, "From Showroom to Server Room: AI in Auto Finance," *Moving the Metal: The Auto Finance Podcast*, January 13, 2026.
- Podcast, "New Year, New Surprises? 2026 Resolutions for Dealers and Auto Finance Companies," *Moving the Metal: The Auto Finance Podcast*, December 30, 2025.
- Podcast, "Deck the Halls, Not the Trade Lines: Auto Fraud Talk," *Moving the Metal: The Auto Finance Podcast*, December 16, 2025.
- Podcast, "Point-of-Sale Finance Series: The Holder Rule at 50," *The Consumer Finance Podcast*, December 11, 2025.
- Podcast, "State Law Roundup: Arbitration Changes and Junk Fee Rules in California and Massachusetts," *Moving the Metal: The Auto Finance Podcast*, November 11, 2025.
- Podcast, "Quarterly Insights: Driving Through Q2 Auto Finance Data," *Moving the Metal: The Auto Finance Podcast*, October 28, 2025.
- Podcast, "State Law Roundup: A Focus on Connecticut and Oregon," *Moving the Metal: The Auto Finance Podcast*, October 14, 2025.
- Podcast, "The Larger Participant Rule: A New Route for Auto Finance," *Moving the Metal: The Auto Finance Podcast*, September 23, 2025.
- Podcast, "Driving New Standards With California's CARS Rule," *Moving the Metal: The Auto Finance Podcast*, September 9, 2025.
- Podcast, "The Road to Regulation: Vehicle Service Contracts Explained," *Moving the Metal: The Auto Finance Podcast*, August 12, 2025.
- Co-author, "Oregon Passes New Telephone Solicitation Law," *Consumer Financial Services Law Monitor*, July 31, 2025.
- Podcast, "*Suluki* Secrets: Behind the Scenes of Reasonable Investigations," *FCRA Focus*, July 30, 2025.
- Podcast, "The Current State of the Holder Rule: Friend or Foe?," *Moving the Metal: The Auto Finance Podcast*, July 29, 2025.
- Podcast, "Driving Digital Security: The FTC's Safeguards Rule Explained," *Moving the Metal: The Auto Finance Podcast*, July 8, 2025.
- Podcast, "Doc Fees Decoded: The Price of Paperwork in Auto Sales," *Moving the Metal: The Auto Finance Podcast*, June 24, 2025.
- Podcast, "Cruising Through Change: The Auto-Finance Industry's New Era Under Trump Unveiled," *Moving the*

Metal: The Auto Finance Podcast, June 11, 2025.

- Podcast, "Under the Hood: Exploring the CFPB's 2025 Focus," *Moving the Metal: The Auto Finance Podcast*, May 20, 2025.
- Podcast, "Driven by Data: Auto Finance Trends Uncovered," *Moving the Metal: The Auto Finance Podcast*, May 6, 2025.
- Podcast, "Shifting Gears: Adapting to Regulatory Changes in Auto Finance," *Moving the Metal: The Auto Finance Podcast*, April 22, 2025.
- Podcast, "Dialing In: The TCPA and Auto Finance," *Moving the Metal: The Auto Finance Podcast*, April 8, 2025.
- Podcast, "Through the Crystal Ball: What's Next for Auto Finance," *Moving the Metal: The Auto Finance Podcast*, March 25, 2025.
- Podcast, "Requiem for the Rules: The Rise and Fall of the Junk Fee and CARS Rules," *Moving the Metal: The Auto Finance Podcast*, March 11, 2025.
- Podcast, "The Future of Auto Dealership Compliance: A Conversation With Tom Kline," *Moving the Metal: The Auto Finance Podcast*, February 25, 2025.
- Podcast, "From Federal to Local: CFPB's Blueprint for State Regulators," *Moving the Metal: The Auto Finance Podcast*, February 11, 2025.
- Podcast, "2024 Year in Review: Key Developments in Auto Finance," *Moving the Metal: The Auto Finance Podcast*, January 28, 2025.
- Podcast, "Auto Finance Under the Microscope: Unpacking Landmark FTC and AG Settlements," *Moving the Metal: The Auto Finance Podcast*, January 14, 2025.
- Podcast, "2024 Privacy Trends and Their Impact on Auto Finance," *Moving the Metal: The Auto Finance Podcast*, December 17, 2024.
- Podcast, "Lemon Law Shakeup: *Rodriguez* vs. *FCA US* Has Unexpected Result," *Moving the Metal: The Auto Finance Podcast*, November 25, 2024.
- Podcast, "CFPB's Supervisory Highlights on Auto-Finance and Auto-Servicing," *The Consumer Finance Podcast*, November 7, 2024.
- Podcast, "Breaking Granite: Understanding New Amendments to the New Hampshire Retail Installment Sales Act," *Moving the Metal: The Auto Finance Podcast*, November 1, 2024.
- Podcast, "Dissecting Oral Arguments in NADA's Challenge to the CARS Rule," *Moving the Metal: The Auto Finance Podcast*, October 18, 2024.
- Co-author, "New Hampshire Enacts Law Overhauling Its Motor Vehicle Retail Installment Sales Act," *Consumer Financial Services Law Monitor*, August 30, 2024. Republished on *Westlaw Today*, September 25, 2024.
- Podcast, "Investigation Tag Team: The FTC and the State of Arizona," *Moving the Metal: The Auto Finance Podcast*, September 18, 2024.
- Podcast, "FTC CFPB Enforcement Report," *Moving the Metal: The Auto Finance Podcast*, August 28, 2024.
- Podcast, "Loans, Retail Installment Contracts, and Refinancing Programs," *Moving the Metal: The Auto Finance Podcast*, August 13, 2024.
- Podcast, "The CFPB's Report on Negative Equity in Auto Lending," *Moving the Metal: The Auto Finance Podcast*, July 31, 2024.
- Podcast, "The CARS Rule," *Moving the Metal: The Auto Finance Podcast*, July 16, 2024.
- Podcast, "Auto Finance – CFPB Circular Release," *The Consumer Finance Podcast*, June 18, 2024.
- Podcast, "Navigating Ancillary Products in Auto Finance," *The Consumer Finance Podcast*, June 4, 2024.
- Podcast, "Auto Finance – The Holder Rule," *The Consumer Finance Podcast*, May 21, 2024.
- Podcast, "Auto Finance – The CFPB Complaints Report," *The Consumer Finance Podcast*, May 7, 2024.
- Podcast, "Navigating the CFPB's Auto Finance Data Collection Initiative," *The Consumer Finance Podcast*, April 25, 2024.
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Podcast, "Avoiding Auto Finance Pitfalls Under the FTC's New CARS Rule," *The Consumer Finance Podcast*, February 29, 2024.

- Co-author, "Troutman Pepper Publishes *2023 Consumer Financial Services Year in Review and A Look Ahead* ," *Troutman Pepper*, February 1, 2024.
- Co-author, "Ninth Circuit Holds Phone Owner Suffers Concrete Injury From Unsolicited Telemarketing Texts Even if Not "Actual User" of the Phone or "Actual Recipient" of the Texts," *Consumer Financial Services Law Monitor*, July 5, 2023.
- Co-author, "Consumer Advocates Respond to DentalPlans's FCC Petition Regarding Membership Renewal Calls," *Consumer Financial Services Law Monitor*, February 22, 2023.
- Co-author, "FTC Proposed Ground-Breaking Federal Regulation of Motor Vehicle Dealer Sales Practices," *Troutman Pepper*, June 24, 2022.
- Co-author, "Eighth Circuit Holds Text System That Randomly Selects Phone Numbers From Database Does Not Qualify as ATDS," *Troutman Pepper*, March 24, 2022.
- Co-author, "Another California Court of Appeals Weighs In on Availability of Attorneys' Fees Under the FTC's Holder Rule," *Troutman Pepper*, March 24, 2022.
- Co-author, "California Supreme Court Prepares to Weigh In on Holder Rule," *Troutman Pepper*, March 3, 2022.
- Co-author, "2021 Consumer Financial Services Year in Review & A Look Ahead," *Troutman Pepper*, January 28, 2022.
- Co-author, "TCPA: Ninth Circuit Rejects Duguid's "Footnote Seven" Argument, Holding That Storage of a Pre-Produced List Does Not Turn a System Into an ATDS," *Troutman Pepper*, January 20, 2022.
- Co-author, "Sixth Circuit Reverses Lindenbaum, Finds TCPA Government-Backed Debt Exemption Did Not Render Remainder of Statute Unconstitutional," *Troutman Pepper*, September 10, 2021.
- Co-author, "Northern District of California Rejects "Footnote Seven" Argument in TCPA Case," *Troutman Pepper*, September 2, 2021.
- Co-author, "4 Ways Courts Are Approaching High Court's TCPA Ruling," *Law360*, August 23, 2021.
- Co-author, "Life After *Facebook*: District of South Carolina Holds Predictive Dialer Is Not an ATDS," *Troutman Pepper*, June 17, 2021.
- Co-author, "A Chainsaw, Rather than a Scalpel: Supreme Court Holds Telephony Must Include Random or Sequential Number Generator to Qualify as ATDS under TCPA," *Troutman Pepper*, April 1, 2021.
- Co-author, "TCPA: U.S. Government Advocates for Strict Reading of the Statute, ATDS Should Include Random or Sequential Generation Requirement," *Troutman Pepper*, September 10, 2020.
- Co-author, "Northern District of California Denies Arbitration in TCPA Class Action, Citing Lack of Affirmative Assent to Arbitrate in Web Submissions," *Troutman Pepper*, September 8, 2020.
- Co-author, "2019 Consumer Financial Services Year in Review & a Look Ahead," *Troutman Sanders*, February 24, 2020.
- Co-author, "The Words Strike Back: The Empire of TCPA Litigation Suffers a Mighty Blow at the Hands of the Eleventh Circuit, Which Joins Third Circuit in Finding that an ATDS Requires Random or Sequential Number Generation," *Troutman Sanders*, January 28, 2020.
- Co-author, "The Top 10 TCPA Cases of 2019," *Law360*, January 2, 2020.
- Co-author, "Dissecting the Inherent Tension in Today's TCPA Landscape," *Law360*, August 5, 2019.
- Co-author, "Marketing Add-on Warranty Products Draw FTC Scrutiny," The Center for Auto Finance Excellence, May 16, 2018.
- Co-author, "Federal Deregulation Opens the Door for State-Level Threats to Auto Finance," *Business Law Today*, January 16, 2018.
- Co-author, "Annual Report: 2017 Consumer Financial Services Year in Review and a Look Ahead," January 10, 2018.
- Co-author, "TCPA Litigation Heating Up, Poses Significant Litigation Risk," *Virginia Association of Community Banks E-Newsletter*, December 2017.

MEDIA COMMENTARY

- Quoted, "Why NADA, Experts Urge Dealers to Keep Uniform F&I Pricing Despite FTC, CFPB Retreat," *Automotive News*, October 26, 2026.
- Quoted, "Regulators Cast Wider Net for Deceptive Auto Finance Pricing, Advertising," *Auto Finance News*, October 21, 2026.
- Quoted, "Social Media Advertising Poses Compliance Risks Following FTC Warnings," *Car Dealership Guy*, May 29, 2026.
- Quoted, "Out-of-State Car Deals Require Dealerships to Master Varying Laws and Regulations," *Automotive News*, May 22, 2026.
- Quoted, "All Dealerships Urged to Take FTC Warnings About Deceptive Pricing Seriously as Scrutiny Ramps Up," *Automotive News*, May 19, 2026.
- Quoted, "4 Attorneys Decipher Developments Since FTC Sent Letters to Dealers Nationwide," Auto Remarketing, April 24, 2026.
- Quoted, "Auto Lenders See Rise in Litigation, Consumer Complaints Spurred by Social Media, AI," *Auto Finance News,* February 23, 2026.
- Quoted, "State Regulatory Activity to Increase Despite CFPB Funding Ruling," *Auto Finance News*, January 9, 2026.
- Quoted, "State Regulators Are Stepping in as Auto Compliance Risks Build for 2026," *Car Dealership Guy*, December 24, 2025.
- Quoted, "Texas Is a Leader in the Auto Finance Industry. Here's Why.," *Automotive News*, November 26, 2025.
- Interviewed, "New Oregon Law Requires Auto Dealers to Use Plain, Clear Language in Their Contracts," *KGW News*, October 22, 2025.
- Quoted, "F&I Tips: Remember the Holder Rule," *Automotive News*, September 16, 2025.
- Quoted, "FTC's Holder Rule Interpretation Adds New Pressure on Auto Dealers, Lenders," *Car Dealership Guy*, September 9, 2025.
- Quoted, "Dealerships Might Be Able to Live With California Version of CARS Rule Moving Through Legislature ," *Automotive News*, August 27, 2025.
- Quoted, "Dealership Doc Fees Are Capped at $85 in California, but That Could Rise to $500," *Automotive News*, July 3, 2025.
- Quoted, "Auto Dealers, Beware: State AGs Are Trying to Chase You Down," *Corporate Counsel*, April 17, 2025.
- Quoted, "Trump FTC Chairman OK'd Some Cases Against Dealerships, Showed Skepticism on Disparate Impact," *Automotive News*, February 26, 2025.
- Quoted, "CFPB Scrutiny of F&I Practices Shows Parallels With Cars Rule, Attorney Says," *Automotive News*, November 25, 2024.
- Quoted, "Attorneys: Trump Victory Could Change CARS Rule, Produce Quieter FTC, CFPB," *Automotive News*, November 7, 2024.
- Quoted, "9th Circ.'s Weariness of TCPA Award May Quell Big Paydays," *Law360*, November 2, 2022.
- Quoted, "New TCPA Battleground Emerges Over Minors' Consent," *Law360*, November 24, 2021.
- Quoted, "Judge With 'West Virginia Grit' Takes on 1st Opioid MDL Trial," *Law360*, April 28, 2021.
- Quoted, "Facebook Robocall Fight Is Justices' Chance to Define Autodialer," *Bloomberg Law*, December 7, 2020.
- Mentioned, "In Case You Missed It: Hottest Firms and Stories on *Law360*," *Law360*, January 10, 2020.