Nicholas A. Verderame

Associate

Charlotte

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OVERVIEW

Nicholas focuses his practice on financial services, general commercial, and consumer litigation for financial services institutions and consumer lending companies. He has experience litigating complex commercial and consumer disputes in both state and federal court, as well as before various arbitration panels around the U.S. Nicholas also has experience successfully negotiating pre-litigation disputes to obtain favorable payments and resolutions for clients. He is routinely brought into cases pending in both court and arbitration across the United States to directly argue dispositive motions and obtain favorable verdicts.

Nicholas defends and advises his clients in connection with a variety of complex statutory claims under both federal and state consumer protection laws, including claims and compliance issues involving the Fair Credit Reporting Act, Electronic Fund Transfer Act, Fair Debt Collection Practices Act, Truth in Lending Act, Bank Secrecy Act, Expedited Funds Availability Act, and the Civil Rights Act of 1964, as well as state equivalent statutes and various unfair, deceptive, or abusive acts or practices laws. He also has significant experience defending clients against both statutory and common law claims brought in connection with negotiable instruments, wire transfers, and auto financing under Article 3, Article 4, Article 4A, and Article 9 of the Uniform Commercial Code.

Nicholas maintains a robust practice representing underserved and disadvantaged members of the Charlotte community. He has successfully represented numerous clients seeking political asylum before the USCIS as well as those seeking custody of minor children in connection with immigration applications and expunction relief in North Carolina.

REPRESENTATIVE MATTERS

- Obtained a voluntary dismissal of lawsuit filed in federal court alleging violations of the Fair Credit Reporting Act.
- Obtained a voluntary dismissal of lawsuit filed in federal court alleging violations of the Truth in Lending Act and other various consumer lending statutes on behalf of auto finance division of a national bank.
- Obtained multiple favorable rulings in federal court related to lawsuit alleging violations of the Fair Credit Reporting Act on behalf of auto finance division of a national bank.
- Obtained dismissal of lawsuit filed in Kentucky state court against a national bank seeking more than $4.5 million in connection with fraud committed by a third party.
- Obtained a dismissal for national bank of a lawsuit alleging violations of the Electronic Fund Transfer Act and seeking more than $1 million in damages.

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- Prevailed on motions to dismiss filed in cases where plaintiffs sought to hold bank responsible for fraud committed by a third party.
- Prevailed on motions to compel arbitration in various lawsuits in connection with issues arising from the sale, financing, and servicing of residential solar panel loans.
- Prevailed in arbitration pending before the American Arbitration Association (AAA) and received award of complete reimbursement of filing fees based on finding that claims were frivolous and successfully defended arbitrator's decision on appeal to federal district court.
- Obtained dismissal of "sovereign citizen" claims in various state and federal courts against national bank client.
- Negotiated extremely favorable settlements in various lawsuits in connection with issues arising from the sale, financing, and servicing of residential solar panel loans.
- Negotiated full payment for client in connection with unpaid contractual obligations.
- Negotiated favorable settlement for client in connection with potential breach of contract claims.

TOP AREAS OF FOCUS

- Consumer Financial Services
- Financial Services Litigation

ALL AREAS OF FOCUS

- Consumer Financial Services
- Financial Services Litigation
- Litigation + Trial

EDUCATION AND CERTIFICATIONS

EDUCATION

- University of North Carolina School of Law, J.D., *with honors*, editor-in-chief, *North Carolina Journal of International Law*
- University of North Carolina at Chapel Hill, B.A., *with distinction*

BAR ADMISSIONS

- North Carolina

COURT ADMISSIONS

- U.S. District Court, Eastern District of North Carolina
- U.S. District Court, Middle District of North Carolina
- U.S. District Court, Western District of North Carolina

PUBLICATIONS

- Author, "Beef – It's *Not* What's for Dinner": The Implications of France's Newest Law for the Future of Labeling Cultured Meat in the European Union, 47 N.C. J. Int'l L. 541 (2022).