

## Thomas J. Cunningham

Partner

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Tom focuses his practice on defending companies in class action and other high-stakes litigation matters. He represents clients facing significant litigation exposure in state and federal courts across the United States.

### OVERVIEW

Tom represents clients across various industries, including banking, financial services, retail, technology, cosmetics, and food and beverage, in consumer-related class action litigation in both state and federal courts. Tom's practice frequently involves managing cases of consumer fraud and issues under numerous state and federal consumer protection and false advertising statutes.

Tom has extensive trial experience and an ability to effectively argue before appellate courts. His practice includes defending major national class action lawsuits involving state unfair and deceptive trade practices statutes, such as California's Unfair Competition Law (UCL), Invasion of Privacy Act (CIPA), and False Advertising Law, Florida's Consumer Collection Practices Act (FCCPA), and Illinois' Consumer Fraud Act (ICFA), as well as federal statutes, including the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), Fair Credit Reporting Act (FCRA), Fair Debt Collection Practices Act (FDCPA), and Telephone Consumer Protection Act (TCPA). Tom is known for obtaining dismissals in these challenging cases and resolving them on a class-wide basis when necessary.

Tom has a deep understanding of consumer protection laws and utilizes a strategic approach to litigation, which often leads to outcomes without the need for protracted court battles. His experience helps clients navigate complex litigation landscapes confidently, preventing costly repercussions and achieving their business objectives.

### AWARDS

- Fellow, Litigation Counsel of America
- *The Best Lawyers in America*®: Commercial Litigation (2016-2026)

### TOP AREAS OF FOCUS

- Class Action
- Consumer Financial Services

- Financial Services Litigation
- Privacy + Cyber

## **ALL AREAS OF FOCUS**

- Beer, Wine + Spirits
- Class Action
- Consumer Financial Services
- Consumer Products
- Data + Privacy
- Fair Credit Reporting Act (FCRA)
- Fair Debt Collection Practices Act (FDCPA)
- Financial Services Litigation
- Litigation + Trial
- Privacy + Cyber
- Telephone Consumer Protection Act (TCPA)

## **PROFESSIONAL/COMMUNITY INVOLVEMENT**

- Fellow, Litigation Counsel of America

## **EDUCATION AND CERTIFICATIONS**

### **EDUCATION**

- DePaul University College of Law, J.D.
- Arizona State University, B.S.

### **BAR ADMISSIONS**

- Illinois
- California
- Florida
- Georgia

### **COURT ADMISSIONS**

- U.S. District Court, Northern District of Illinois
- U.S. District Court, Northern District of Illinois, Trial Bar
- U.S. District Court, Central District of Illinois
- U.S. District Court, Central District of Illinois, Trial Bar
- U.S. District Court, Southern District of Illinois
- U.S. District Court, Northern District of Indiana
- U.S. District Court, Eastern District of Michigan
- U.S. District Court, Western District of Michigan
- U.S. District Court, Northern District of Ohio

- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin
- U.S. District Court, District of Columbia
- U.S. District Court, Middle District of Florida
- U.S. District Court, Northern District of Florida
- U.S. District Court, Central District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Sixth Circuit
- U.S. Court of Appeals, Seventh Circuit
- U.S. Court of Appeals, Eighth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Eleventh Circuit
- Supreme Court of the United States

## PUBLICATIONS

- Co-author, "[Platforms Face Section 230 Shift From Take It Down Act](#)," *Law360*, June 9, 2025.
- Co-author, "Consent Has Never Been More Important: Take-Aways From the FTC Settlement Relating to Tracking Technologies," Locke Lord QuickStudy, January 11, 2024.
- Co-author, "Beware Common Website Technology Tools That Can Lead to Wiretap Claims," Locke Lord, December 2023.
- Co-author, "FTC Takes Action Against Amazon for Alleged Deceptive Prime Subscriptions," Locke Lord QuickStudy, June 28, 2023.
- Author, "An Inconvenient Decision on Convenience Fees," *The Banking Law Journal*, July-August 2022.
- Co-author, "CFPB Issues Advisory Opinion Regarding Convenience Fees," Locke Lord QuickStudy, July 27, 2022.
- Co-author, "Show Me the Money: Florida Supreme Court Removes Ability to Include Non-Monetary Terms in Proposals for Settlement," Locke Lord QuickStudy, June 20, 2022.
- Co-author, "An Inconvenient Decision on Convenience Fees," Locke Lord QuickStudy, February 17, 2022.
- Co-author, "Closing the Levee – Florida's Supreme Court's Levy Decision Narrows Applicability of Reciprocal Fee Statute," Locke Lord QuickStudy, October 25, 2021.
- Co-author, "An Apex Doctrine for All," Locke Lord QuickStudy, September 1, 2021.
- Co-author, "The New Standard – Florida's Changes to Its Summary Judgment Rule," Locke Lord QuickStudy, May 4, 2021.
- Co-author, "A Stunning Opinion on 'Dunning' Letters," Locke Lord QuickStudy, April 29, 2021.
- Co-author, "Standing on Thin Ice? New Guidance on Standing for Data Breach Claims," Locke Lord QuickStudy, March 5, 2021.
- Co-author, "Florida Supreme Court Resolves Attorney's Fees Issues," Locke Lord QuickStudy, January 25, 2021.
- Co-author, "Class Actions Continue Down Rocky Road in Eleventh Circuit as Court Dismisses Godiva Class Action," Locke Lord QuickStudy, October 29, 2020.
- Co-author, "Updated Restrictions on Florida Foreclosure Proceedings due to COVID-19," Locke Lord QuickStudy, September 1, 2020.

- Co-author, “Updated Restrictions on Florida Foreclosure Proceedings due to COVID-19,” Locke Lord QuickStudy, July 1, 2020.
- Co-author, “Restrictions on Residential Foreclosure Activities and Court Proceedings Due to COVID-19,” Locke Lord QuickStudy, June 3, 2020.
- Co-author, “Update – Suspension of Foreclosure and Eviction Activities in Florida Due to Covid-19,” Locke Lord QuickStudy, May 15, 2020.
- Co-author, “HUD Face-to-Face Meeting Requirement: Fourth Circuit Holds That a Bank Office That Conducts No Mortgage-related Business Does Not Qualify as a ‘Branch Office’ of a ‘Mortgagee’,” Locke Lord QuickStudy, April 22, 2020.
- Co-author, “Suspension of Foreclosure and Eviction Activity in Florida Due to Covid-19,” Locke Lord QuickStudy, April 9, 2020.