Virginia Bell Flynn

Partner

Charlotte

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Virginia defends clients in the managed health care and financial services sectors in complex litigation in state and federal courts. Her thorough understanding of plaintiffs' strategies and tactics helps clients to effectively navigate their most challenging disputes.

OVERVIEW

Virginia is a first chair litigator with a diverse practice, representing clients in the health care and financial services sectors. Her managed health care work is focused on defending insurers, managed care organizations, and plan administrators in complex multiparty and single-plaintiff litigation. Virginia helps clients navigate a range of claims, including bad faith, breach of contract, ERISA, the Mental Health Parity Act (MHPA), out-of-network, and issues arising under common law. As a go-to advisor for some of the largest companies in the U.S., Virginia has litigated matters in more than 21 states.

Virginia also has a long track record of resolving cases involving the Telephone Consumer Protection Act (TCPA), and its state analogues, for both managed health care and consumer financial services clients. She also defends consumer-facing clients against the myriad federal consumer protection statutes, and is particularly experienced with the TCPA. Virginia's approach is thorough and practical, developing a road map for early resolution through dispositive motion practice, settlement, and other creative means. With experience in the federal and state appellate courts, she helps to position clients for success as they face an increasingly aggressive plaintiffs' bar.

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

REPRESENTATIVE MATTERS

Health Care

- Successfully obtained dismissal with prejudice (at the pleadings stage) of a putative TCPA class action on behalf of a California-based medical group, in a matter in the Central District of California. The plaintiff alleged unlawful calls to her cellular phone, but the court granted the defendant's motion to dismiss, holding the communications fell within the FCC's "emergency purpose" exception because the calls were purposed to convey health- and safety-related information related to prior authorization requests from the intended recipients' physicians. The court confirmed the emergency purpose exception is broad and applies even when a call reaches a wrong number. The case was dismissed without leave to amend.
- ABC *Services Group, Inc. v. Health Net of California, Inc., et. al.*, 8:19-cv-00243-DOC (C.D. Cal. June 13, 2022)

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– Obtained dismissal with prejudice of litigation against Anthem Blue Cross Life and Health Insurance Company, Anthem, Inc., Beacon Health Options, Inc., Beacon Health Strategies, LLC, ValueOptions Federal Services, Inc., and ValueOptions of California, Inc. The plaintiff sought to recover claims on behalf of a closed substance abuse treatment facility. The litigation was initially filed as individual lawsuits in state and federal court against 36 defendants, asserting state law and ERISA claims. The litigation was consolidated in the U.S. District Court for the Central District of California, which granted the defendants' motion to dismiss the plaintiff's first amended complaint. On appeal, the Ninth Circuit Court of Appeals affirmed the dismissal of the state law claims and remanded the ERISA claims to the district court, which dismissed the remaining ERISA claims for lack of standing and failure to cite specific plans and plan terms.

- Successfully represented Blue Cross Blue Shield of Georgia, Inc. (dba Anthem Blue Cross Blue Shield) in an ERISA § 1132(a) matter in the Central District of California. The plaintiff alleged Anthem improperly denied benefits relating to Proton Beam Radiation Therapy (PBRT) to treat his prostate cancer. The court confirmed that records evidenced Anthem's reasonable review and proper reliance on its medical policies, guidelines, and literature, as required by the health benefits plan at issue, in denying the benefits at issue. The court further held that Anthem's determination that the plaintiff's PBRT treatment was not covered by the plan was not an abuse of discretion. As such, the court entered judgment in Anthem's favor. *Loren Swearingen v. Westlake Health Care Plan, et. al.*, 2:20-cv-02052-MCS-JEM (C.D. Cal. August 24, 2021).
- Successfully represented HealthKeepers, Inc. before the Virginia Supreme Court (Court) on the partial denial of a demurrer in a matter where an out-of-network health care provider sought reimbursement for services rendered under Virginia Code § 38.2-3445 which provides payment for emergency services. The Circuit Court agreed with the provider and denied HealthKeeper's demurrer on this singular issue. The Court sided with HealthKeepers, reversing the Circuit Court's decision and ruling that the plain text of Virginia Code § 38.2-3445 did not create a private right of action for providers. The Circuit Court had previously granted HealthKeeper's demurrer to counts of quantum meruit and unjust enrichment, so the Court's decision fully resolves the case in HealthKeeper's favor. If the Circuit Court decision had been upheld, this case may have left HealthKeepers open to an array of lawsuits from out-of-network providers.
- Successfully represented Anthem, Inc. and Anthem UM Services, Inc. in an ERISA (§ § 1132(a)(1)(B) and 1132(a)(3)) putative class action matter in the Central District of California, and on the subsequent appeal to the Ninth Circuit, regarding denial of FDA-cleared, but investigational, peripheral nerve stimulation (PNS) treatment. The Court held that plaintiff failed to adequately plead a provision of the plan that was breached, and importantly, that the medical policy was a part of the plan. *Marie Fortier v. Anthem, Inc. and Anthem UM Services, Inc.*, 2:20-cv-004952-MCS, (C.D. Cal. Dec. 12, 2020). The Ninth Circuit unanimously affirmed the District Court's decision. *Marie Fortier v. Anthem Inc. et al.*, No. 20-56361 (9th Cir. 2021).
- Counsel for nationwide health insurance company in major multidistrict litigation (100+ consolidated class action) involving cybersecurity.
- Counsel to a national health insurance company, numerous state-based health insurance companies, and pharmacies on numerous state and federal compliance issues including TCPA and TSR.
- Successfully represented Anthem, Inc. in a TCPA putative class action matter in the Northern District of Ohio regarding prerecorded message calls. Obtained summary judgment in this first-of-its-kind decision. *Adam Savett v. Anthem Inc.*, 1:18-cv-00274-PAB, 2019 US Dist. Lexis 190955, 2019 WL 5696973 (N.D. Ohio Nov. 4, 2019).
- *Reese v. Anthem, Inc., et al.*, No. 17-07940 (E.D. La. Mar. 12, 2018): Motion to dismiss granted with prejudice in a TCPA putative class action relating to informational health care-related text messages.

Financial and Consumer Law Litigation

- *Lindblom v. Santander Consumer USA Inc.*, Case No. 1:15-cv-00990 (E.D. Cal. January 26, 2018): Defeated Motion for Class Certification in Rosenthal Act class action.
- *Sahakian v. Consumer Credit Counseling Service Of Greater Atlanta, Inc., et al,* Case No. 3:16cv00219 (S.D. CA 2016) (class case).
- *Avila v. United Auto Credit Corporation*, Case No. 1:16-cv-04568 (S.D. N.Y. 2016) (class case).
- *Mendez v. Price Self Storage Management, Inc.,* Case No. 3:15cv2077-AJB-JLB (UDSC Southern District of CA, 2015) (class case).

- Counsel for national banking institution in TCPA and FDCPA case in federal court. Successful in moving to dismiss case with prejudice. *Lee v. Wells Fargo Home Mortgage*, Case No. 3:13cv00034 (W.D. Va. Dec. 13, 2013).
- Counsel for national banking institution in TILA and RESPA in federal court. Successful in moving to dismiss case with prejudice. *Burkhead v. Wachovia Home Mortg.,* Case No. 3:12cv832-JAG, 2013 U.S. Dist. LEXIS 55360 (E.D. Va. April 15, 2013).
- *Newman v. AmeriCredit Financial Services, Inc.,* Case No. 3:11cv3041 (S.D. Cal. 2011).
- Counsel for national banking firm in mortgage litigation case; successfully dismissed a case with prejudice on Rule 12(b)(6) motion.
- First chaired a successful bench trial for a large financial services holding company.
- Counsel for national automobile lender in FCRA suit.
- Counsel for national take-out and delivery pizza restaurant chain in a TCPA putative class action; successful in having class dismissed.
- Counsel for national banking institution in mortgage servicing case in state court. Successful in having the case dismissed with prejudice on demurrer and plea in bar. Successful in defending case on appeal, with case dismissed on procedural grounds.
- Counsel for national collections agency in multiple suits in state court for claims of violation of the FDCPA and abuse of process.
- Counsel for national debt collection agency in federal court for class-action asserted under § 1692 of the FDCPA.
- Counsel for national collections agency in federal court for putative class action for alleged violation of the Fair Debt Collection Practices Act (FDCPA) with regard to collection of garnishment costs in post-judgment collection efforts.
- Counsel for national collections agency in multiple suits in federal court for alleged violations of the FDCPA and the TCPA.
- Counsel for national banking firm in federal court for putative class action for alleged violations of the TCPA and a common law claim of invasion of privacy.
- National counsel for *Fortune* 200 banking institution with regard to numerous claims asserted under the Magnuson-Moss Warranty Act, FTC Holder Rule, and various state consumer protection statutes in Virginia, Nevada, Michigan, California, Missouri, Ohio, Pennsylvania, New York, and New Jersey.

Complex Litigation

- Counsel for government security and defense contractor in patent infringement action against competitors. Successfully defended against motion to transfer venue for lack of jurisdiction. *Ashbury International Group, Inc. v. Cadex Defense, Inc.*, 2012 U.S. Dist. LEXIS 134878 (W.D. Va. Sept. 20, 2012).
- Counsel for college in federal district court seeking permanent injunction against accrediting body for violations of due process and the Higher Education Act of 1965.
- Represented plaintiff in a successful § 1983 civil rights action alleging malicious prosecution.
- Counsel for a roll-your-own tobacco machinery manufacturer with regard to federal regulations issued by the U.S. Treasury Department.
- Counsel for national banking institution in state court for claim of defamation.
- Counsel for regional banking corporation in state court in shareholder derivative suit.

Counseling and Compliance

- Counsel to a self-storage company on numerous state and federal compliance issues including TCPA and TSR.
- Counsel to numerous financial services companies including national banks, creditors, debt collectors, and debt

buyers on numerous state and federal compliance issues, including TCPA and TSR.

- Counsel to a national advertising company on numerous state and federal compliance issues, including TCPA and TSR.
- Counsel to several broadcasting companies on numerous state and federal compliance issues including TCPA and TSR.

AWARDS

- *Benchmark Litigation:* "Future Litigation Star" in North Carolina (2025)
- *Best Lawyers in America®:* Commercial Litigation (2024-2025), Consumer Law (2024-2026), Health Care Law (2025-2027), Mass Tort Litigation/Class Actions – Defendants (2024-2027)
- *Law360* Rising Star in Consumer Protection Law, 2019
- Emerson G. Spies Award, Young Lawyers Division, Virginia Bar Association, 2012
- Virginia's oral advocacy skills are not only outlined in her successful representative experience, but at Washington and Lee she served on the Moot Court Executive Board and was an award-winning Mock Trial Competitor in both school-wide and national competitions

TOP AREAS OF FOCUS

- Financial Services Litigation
- Managed Care Payor Disputes, Investigations + Regulatory Counseling
- Telephone Consumer Protection Act (TCPA)

ALL AREAS OF FOCUS

- Business Litigation
- Class Action
- Consumer Debt Servicing + Protection
- Consumer Financial Protection Bureau (CFPB)
- Consumer Financial Services
- Consumer Law Compliance
- Financial Services Litigation
- Litigation + Trial
- Managed Care Payor Disputes, Investigations + Regulatory Counseling
- Telephone Consumer Protection Act (TCPA)

PROFESSIONAL/COMMUNITY INVOLVEMENT

- Member, Law360 Telecommunications Editorial Advisory Board (2025)
- Co-chair, TCPA Subcommittee, American Bar Association (2021)
- Member, Daughters of the American Revolution (DAR)
- Member, Troutman Sanders Women's Leadership & Growth Network
- Washington and Lee University School of Law Young Alumni Council, 2017-2019
- Member of ABPA, Dallas philanthropic organization, Secretary of Board 2015-2017
- Texas State Bar

- Virginia State Bar
- Virginia Bar Association, Young Lawyers Division – Communications Committee, Co-Chair 2012
- Associate Liaison to the United Way, 2012-2013

EDUCATION AND CERTIFICATIONS

EDUCATION

- Washington and Lee University School of Law, J.D., 2009, Mock Trial, Finalist and Runner-Up for Best Trial Advocate, Mock Trial Competition
- College of Charleston, B.A., *Pi Sigma Alpha*, 2005

BAR ADMISSIONS

- Virginia
- Texas
- North Carolina

COURT ADMISSIONS

- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Ninth Circuit
- U.S. District Court, Eastern District of Virginia
- U.S. District Court, Western District of Virginia
- Supreme Court of Virginia
- U.S. Bankruptcy Court, Eastern District of Virginia
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Southern District of Indiana
- U.S. District Court, Northern District of Ohio
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Northern District of Texas
- U.S. District Court, Southern District of Texas
- U.S. District Court, Western District of Texas
- 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
- U.S. Court of Appeals, Sixth Circuit

CLERKSHIPS

- Hon. R. Terrence Ney, 19th Judicial Circuit, Fairfax, Virginia, 2009-2011

SPEAKING ENGAGEMENTS

- Speaker, "Patient Champions or Profit Chasers? The Rise of Profit-Driven Patient Advocacy and the Legal Implications of Managed Care Organizations in Litigation and Beyond," American Bar Association's National Managed Care Institute, November 13, 2025.

- Speaker, “The Decline and Fall of the ‘Lead Generator Loophole’,” Blue Cross Blue Shield Association, February 26, 2024.
- Speaker, “No Surprises Act Guidance for Health Plans,” Strafford Webinars, November 2, 2022.
- Speaker, “*Duguid v. Facebook*: Supreme Court Answers the Call on the TCPA,” Troutman Pepper, April 7, 2021.
- Speaker, “A Higher Call: Understanding How the TRACED Act Rings in New TCPA Compliance Rules,” Blue Cross Blue Shield National Teleconference Series, February 17, 2021.
- Speaker, “Hot TCPA Topics for Calling in the Time of COVID-19,” Troutman Sanders Webinar, May 20, 2020.
- Speaker, “A Glimmer of Light: An Update on Key TCPA Developments,” Troutman Sanders Webinar, November 19, 2019.
- Co-presenter, “Cinema & Developing Key Litigation Strategies in ERISA Reimbursement Cases to Drive Early Resolutions and Manage Legal Spending,” 2019 Blue Cross Blue Shield National Summit, April 29, 2019.
- Speaker, “Consumer Financial Services Outlook 2019,” Troutman Sanders Webinar, February 12, 2019.
- Speaker, “Did the D.C. Circuit Short-Circuit the TCPA? Life After *ACA v. FCC*,” Troutman Sanders Webinar, March 20, 2018.
- Speaker, “Game-Changers in Consumer Class Actions,” Troutman Sanders Webinar, April 17, 2018.
- Speaker, “Navigating Risks, Threats, and Lawsuits in the Credit and Collection Industry,” Lorman Education Series, July 28, 2016.
- Panelist, “I Love Lucy but I Don’t Love the TCPA: A Deeper Dive into the Details,” BlueCross BlueShield 2016 National Summit, Orlando, FL, May 16, 2016.
- Panelist, “A Year in Review – TCPA Developments Since the FCC’s Landmark Declaratory Ruling,” Troutman Sanders Consumer Financial Services Webinar Series, June 7, 2016.
- Speaker, “Keeping Up with TCPA: Avoid Liability with Mobile Marketing,” National Constitution Center Webinar, August 6, 2014.

PUBLICATIONS

- Co-author, “DOL Final Rule Expands PBM Transparency for Self-Insured Health Plans,” *Consumer Financial Services Monitor*, November 2, 2026.
- Co-author, “Maryland Federal Court Denies TCPA Class Certification in Appointment Reminder Call Case,” *Consumer Financial Services Law Monitor*, October 7, 2026.
- Co-author, “DOL/EBSA Narrows Mental Health Parity Enforcement Focus to Three Priority Areas,” *Consumer Financial Services Law Monitor*, September 17, 2026.
- Co-author, “Reading the Tea Leaves: Text Messages May Not Be TCPA Calls in the Seventh Circuit,” *Troutman Pepper Locke*, May 22, 2026.
- Co-author, “Sixth Circuit Holds Tennessee PBM Network and Steering Rules Are ERISA?Preempted,” *Consumer Financial Services Law Monitor*, April 16, 2026.
- Co-author, “Fourth Circuit Blocks West Virginia’s 340B Contract Pharmacy Law as Likely Preempted,” *Consumer Financial Services Law Monitor*, April 3, 2026.
- Co-author, “FTC Launches Healthcare Task Force,” *Consumer Financial Services Law Monitor*, March 26, 2026.
- Podcast, “TCPA Risk Reloaded: Why DNC and Consent Issues Are Fueling the Next Wave of Litigation,” *The Consumer Finance Podcast*, March 26, 2026.
- Co-author, “Patient Champions or Profit Chasers? The Rise of Profit-Driven Patient Advocacy and Legal Implications for Managed Care Organizations,” *American Bar Association, Health Law Section*, March 19, 2026.
- Co-author, “Maine Court Enjoins HRSA’s 340B Rebate Pilot,” *Consumer Financial Services Law Monitor*, January 9, 2026.

- Co-author, "CY 2026 Medicare Physician Fee Schedule: What Payors and Insurers Need to Know," *Consumer Financial Services Law Monitor*, November 12, 2025.
- Co-author, "California Expands Vaccine Coverage Requirements," *Consumer Financial Services Law Monitor*, September 25, 2025.
- Co-author, "Fourth Circuit Holds Filing a Time-Barred Collections Lawsuit Waives Right to Arbitrate," *Consumer Financial Services Law Monitor*, August 5, 2025.
- Author, "Understanding California Senate Bill 940," *Consumer Financial Services Law Monitor*, July 16, 2025. Republished on *American Financial Services Association's Daily Brief*, July 21, 2025.
- Co-author, "Litigation Heats Up Over Air Ambulance Billing Practices Under the No Surprises Act," *Consumer Financial Services Law Monitor*, July 9, 2025.
- Co-author, "Why Does the TCPA Equal Chaos? The US Supreme Court Opens FCC Orders to New Challenges ," *Troutman Pepper Locke*, July 1, 2025.
- Co-author, "Illinois Passes Bill Prohibiting Collection of Coerced Debt," *Consumer Financial Services Law Monitor*, June 11, 2025. Republished on *insideARM*, June 17, 2025.
- Co-author, "Indiana Federal Court Dismisses FDCPA Suit Alleging Violations for being an Unlicensed Debt Collector," *Consumer Financial Services Law Monitor*, April 4, 2025. Republished on *insideARM*, April 30, 2025.
- Co-author, "Maryland Federal Court Grants Summary Judgment to Debt Collector Who Provided Validation Upon Receipt of Dispute Letter," *Consumer Financial Services Law Monitor*, March 5, 2025. Republished on *insideARM*, March 18, 2025.
- Co-author, "Eleventh Circuit Re-Opens TCPA "Lead Generator Loophole" and Signals Further Erosion of Judicial Deference to Administrative Rules," *Troutman Pepper Locke*, February 6, 2025.
- Co-author, "*McLaughlin Chiropractic Associates, Inc. v. McKesson Corp.*: An Early Look at the Waning Power of the Administrative State Post-Chevron," *Consumer Litigation Newsletter*, American Bar Association, February 3, 2025.
- Podcast, "TCPA Trends: 2024 Year-in-Review and 2025 Predictions," *The Consumer Finance Podcast*, January 23, 2025.
- Co-author, "D.C. Circuit Dismisses Appeal of Class Certification Denial Due to Lack of Standing," *Consumer Financial Services Law Monitor*, August 15, 2024.
- Co-author, "9th Circ. Clarifies ERISA Preemption for Healthcare Industry," *Law360*, June 12, 2024.
- Co-author, "Troutman Pepper Publishes *2023 Consumer Financial Services Year in Review and A Look Ahead* ," *Troutman Pepper*, February 1, 2024.
- Author, "Appeals Court Overturns FDCPA Ruling," *AccountsRecovery.net Compliance Digest*, December 4, 2023
- Co-author, "Pa. Autodialer Decision Has Turned TCPA Tides in 3rd Circ." *Law360*, October 18, 2023.
- 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, "Tenth Circuit Holds Arbitration Provision in ERISA Plan Document Unenforceable," *Consumer Financial Services Law Monitor*, February 24, 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, "Did the DOL Claims Procedure Regulations Abrogate the Substantial Compliance Doctrine?," *Consumer Financial Services Law Monitor*, February 21, 2023.
- Co-author, "I'll Do That Later: Procrastination, the Quiet Enemy," *Consumer Litigation Newsletter*, American Bar Association, February 16, 2023.
- Co-author, "California Court of Appeals Suggests Electronic Signatures Require Additional Proof for Authentication," *Consumer Financial Services Law Monitor*, February 7, 2023.
- Co-author, "New York Federal Court Grants Summary Judgment in FDCPA Letter Case Due to Absence of

Standing," *Consumer Financial Services Law Monitor*, February 3, 2023.

- Co-author, "Considerations for Interstate Travel for Abortion Services Post-*Dobbs*," *Law360*, September 26, 2022.
- Co-author, "Considerations Regarding Interstate Travel for Abortion Services Post-*Dobbs*," *LexisNexis Practical Guidance*, September 14, 2022.
- Co-author, "AAA Issues Amended Commercial Arbitration Rules," *Troutman Pepper*, August 31, 2022.
- Co-author, "After Multiple Strikes, Final Rules Issued for the No Surprises Act," *Troutman Pepper*, August 25, 2022.
- Co-author, "Massachusetts Health Care Laws Are Bellwethers of National Trends Two Years into the Pandemic ," *Troutman Pepper*, April 14, 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, "Ninth Circuit Reversal of Trial Court Order Equals Big Win for Payors," *Troutman Pepper*, March 23, 2022.
- Co-author, "Providers Prevail in Challenge to No Surprises Act Interim Final Rule," *Troutman Pepper*, March 4, 2022.
- Co-author, "2021 Consumer Financial Services Year in Review & A Look Ahead," *Troutman Pepper*, January 28, 2022.
- Co-author, "Navient Settles with State AG Coalition Over Alleged Unfair, Deceptive, and Abusive Student Loan Origination and Servicing Practices," *Troutman Pepper*, January 20, 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, "Unsurprisingly, The No Surprises Act Has Surprises: Part II," *Troutman Pepper*, December 17, 2021.
- Co-author, "DC Circuit Court of Appeals Revives Medicare Advantage Overpayment Rule," *Pratt's Government Contracting Law Report*, December 2021.
- Co-author, "The No Surprises Act Gets Litigated," *Troutman Pepper*, November 16, 2021.
- Co-author, "HHS Issues Second Set of Regulations Implementing the No Surprises Act," *Troutman Pepper*, October 13, 2021.
- Co-author, "DC Circuit Revives Medicare Advantage Overpayment Rule," *Troutman Pepper*, September 21, 2021.
- 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, "Empowered DOL and NY AG Settle Mental Health Parity Case with US' Largest Health Insurer," *Troutman Pepper*, September 2, 2021.
- Co-author, "Northern District of California Rejects "Footnote Seven" Argument in TCPA Case," *Troutman Pepper*, September 2, 2021.
- Co-author, "US Chamber of Commerce Files Lawsuit Challenging HHS's Health Plan Price Transparency Rule," *Troutman Pepper*, August 25, 2021.
- Co-author, "4 Ways Courts Are Approaching High Court's TCPA Ruling," *Law360*, August 23, 2021.
- Co-author, "HHS Issues Interim Final Rule for the No Surprises Act," *Troutman Pepper*, July 26, 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, “D.C. Circuit Upholds Short Term Plans as Alternative to ACA Plans,” *Troutman Pepper*, July 27, 2020.
- Co-author, “Tenth Circuit Develops New ERISA Rule in *Ellis v. Liberty Assurance Company of Boston*,” *Troutman Sanders*, May 18, 2020.
- Co-author, “6th Circ. Ruling Jeopardizes ERISA Exhaustion Defense,” *Law360*, April 16, 2020.
- Co-author, “The COVID-19 Crisis and the Expansion of Telehealth Services,” *Troutman Sanders*, April 3, 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, “The Latest on Medicaid Freedom-of-Choice Enforcement,” *Law360*, December 19, 2019.
- Co-author, “Pretrial Defenses for Payors Facing Quasi-Contract Claims,” *Law360*, November 15, 2019.
- Co-author, “2018 Consumer Financial Services Year in Review & A Look Ahead,” *Troutman Sanders*, January 28, 2019.
- Co-author, “California Expands Auto Loan Protections for Service Members,” *Auto Finance News*, December 12, 2018.
- Co-author, “ALERT for Ninth Circuit and TCPA: A System That Has the Capacity to Automatically Dial Stored Numbers Is an ATDS,” *Troutman Sanders*, September 21, 2018.
- Co-author, “FTC Conducts First Compliance Sweep Since Amendment to Used Car Rule,” *The Center for Auto Finance Excellence*, September 7, 2018.
- Co-author, “Marketing Add-on Warranty Products Draw FTC Scrutiny,” *The Center for Auto Finance Excellence*, May 16, 2018.
- Co-author, “The Latest on TCPA Exemption for Health Care-Related Calls,” *Law360*, February 7, 2018.
- Co-author, “2 Dish Network Defeats Suggest TCPA Is Not Dead Yet,” *Law360*, June 9, 2017.
- Co-author, “TCPA Is Not Dead Yet – Court Trebles Eight Figure TCPA Award While World Awaits ACA Decision ,” *Consumer Financial Services Law Monitor*, May 25, 2017.
- Co-author, “Supreme Court Wavers During Oral Arguments in FDCPA Case That May Upend Entire Industry,” *Consumer Financial Services Law Monitor*, April 20, 2017.
- Co-author, “A Serious Circuit Split on Class Ascertainability,” *Law360*, June 30, 2016.
- Co-author, “The TCPA Balance Shifts: The Eleventh Circuit Decision in Mais Is Extremely Favorable for Collectors,” *Terralex Connections,* December 9, 2014.
- Co-author, “FCC Opinion on TCPA Consent Could Impact Debt Collectors,” *Law360*, August 19, 2014.
- Co-author, “Pa. Ruling Supports Common-Sense Application of TCPA,” *Law360*, May 13, 2014.
- Co-author, “Court Ruling Means FCC Free to Issue Unreviewable TCPA ‘Guidance,’” *TereLex Connections*, April 4, 2014.
- Co-author, “Top 5 Questions About the CFPB’s Larger Participant Rule,” *Corporate Counsel*, January 14, 2013.
- Co-author, “CFPB’s Reach Extends to ‘Larger Participants’ and Beyond,” *Law360*, December 7, 2012.
- Contributor, “Annual Case Law Update – Overview of Cases Decided Under 42 U.S.C. § 1983 in 2011 and 2012 ,” LGA Fall Conference October 4-6, 2012.
- Co-author, “Case Study: *Soppet v. Enhanced Recovery*,” *Law360*, May 31, 2012.
- Co-author, “Extending CFPB Supervision to Nonbanks,” *Law360,* January 6, 2012.
- Co-author, “The CFPB’s Authority to Regulate ‘Abusive’ Consumer Financial Products and Services,” *Bureau of*

National Affairs (BNA), Securities Regulation & Law Report, December 2011.

MEDIA COMMENTARY

- Quoted, "Judge Vacates Default Judgment in FDCPA Case, Calls Out Plaintiff's 'Gamesmanship,'" *AccountsRecovery.net Compliance Digest*, September 29, 2025.
- Quoted, "CFPB Pulls Plug on Data Broker Rule," *AccountsRecovery.net Compliance Digest*, May 27, 2025.
- Quoted, "Overdraft Fees and Payment App Rule Rollbacks Head to Trump's Desk," *AccountsRecovery.net Compliance Digest*, April 21, 2025.
- Quoted, "FCC Seeks Comments on Petition to Address TCPA 'Quiet Hours,'" *AccountsRecovery.net Compliance Digest*, March 31, 2025.
- Quoted, "Settlement Unlikely in Telnyx Robocall NAL," *Communications Daily*, March 19, 2025.
- Quoted, "Sorensen Reintroduces QUIET Act to Combat AI-Powered Robocalls," *AccountsRecovery.net Compliance Digest*, March 10, 2025.
- Quoted, "Judge Dismisses TCPA Case Against Collector," *AccountsRecovery.net Compliance Digest*, February 3, 2025.
- Quoted, "CFPB Issues Final Rule Capping Overdraft Fees," *AccountsRecovery.net Compliance Digest*, December 23, 2024.
- Quoted, "CFPB Delays Enactment of Medical Debt Collection Guidance," *AccountsRecovery.net Compliance Digest*, December 2, 2024.
- Quoted, "Bill Introduced in House to Allow Furnishers to Report Positive Medical Debt Information to Credit Bureaus," *AccountsRecovery.net Compliance Digest*, October 14, 2024.
- Quoted, "Comment Period Opens on FCC AI-Generated Calls," *AccountsRecovery.net Compliance Digest*, September 23, 2024.
- Quoted, "Appeals Court Affirms Ruling for Defendant in FCRA Case Over Plaintiff's Lack of Standing," *AccountsRecovery.net Compliance Digest*, September 3, 2024.
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