

FDCPA/FCRA/TCPA Defense

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National Leaders in Consumer Financial Services Law

Litigation related to the Fair Debt Collection Practices Act (FDCPA), Fair Credit Reporting Act (FCRA), Telephone Consumer Protection Act (TCPA), and other consumer-protection provisions is on the rise. As national leaders in consumer financial services law, Peabody & Arnold's FDCPA/FCRA/TCPA Defense Group has decades of experience representing attorneys, collection agencies, debt buyers, financial institutions, and their employees throughout New England in such matters. Group members are admitted and regularly practice in Massachusetts, Maine, New Hampshire, Rhode Island, and Connecticut.

Vigorous and Thoughtful Defense

We are experienced in all stages of litigation, including pre-trial discovery and motions, trials, and appeals. Our approach is pragmatic and calculated to achieve the best outcome as efficiently as possible. Knowing that some claims can and should be settled quickly for nuisance-value payments, we aim to control costs and keep attorneys' fees (both plaintiffs' and ours) to a minimum. In cases that cannot be resolved quickly, we bring the fight to the plaintiff through tough but economical motion and trial practice.

From Claim to Class Action

When FDCPA/FCRA/TCPA and other consumer claims are brought as class actions, we know when to settle and when to defend. We are familiar with the state and federal procedural requirements for such suits, and strive to resolve class actions as efficiently as possible, to minimize exposure and expenses. In every class action we have defended, we defeated the motion to certify, obtained summary judgment, or settled the matter on favorable terms.

Regulatory Expertise

In addition to litigation, we are experienced in handling administrative and regulatory matters, including claims by Attorneys General and enforcement/licensing proceedings before Consumer Affairs/Banking regulators. We have represented collection professionals in cases before the Attorneys General of Massachusetts and other states, and as to licensing issues before the Massachusetts Division of Banks and the Rhode Island Secretary of State. We also have represented and spoken for clients in inquiries by print and broadcast journalists in Massachusetts and Rhode Island. We have testified before legislative committees studying collection-practices bills.