
Consumer Protection Defense and Compliance

Full-spectrum representation for companies facing consumer protection compliance questions, investigations, enforcement actions and litigation.

Consumer-facing businesses are the focus of unprecedented pressure from state attorneys general, the Federal Trade Commission, the Consumer Financial Protection Bureau, the Department of Justice, and the plaintiffs' bar. In the current political climate, renewed federal investigative and enforcement activity related to consumer protection has been matched by increased attention from state attorneys general and other state and local agencies, which have likewise stepped up enforcement of their consumer protection regimes. WilmerHale's industry-leading Consumer Protection Defense and Compliance practice has the skill and experience to guide companies through enforcement actions, class action litigation, mass arbitration, and all of the other features of this challenging terrain.

With our formidable investigations and trial practices, our well-known presence and experience in Washington, DC and state capitals, and our extensive roster of former senior government officials who understand regulators' priorities, WilmerHale provides strategic counsel to clients facing regulatory inquiries, enforcement investigations, compliance questions, and litigation related to consumer protection. Our experience includes high-profile, fast-moving challenges that require strategic crisis management and coordinated legislative, regulatory and/or litigation strategies. We not only represent our clients in investigations and litigation opposite regulators and private litigants; we help companies prepare for and avoid such contingencies with advice on how to align their businesses with industry best practices and existing or anticipated regulatory and policymaking priorities.

In all respects, our team is notable for its 360-degree insight into the reasoning, processes, and concerns of the key agencies focused on consumer protection, thanks to our extensive experience dealing with those agencies and the many former federal and state officials among our ranks, including senior leaders from the FTC, the CFPB, DOJ, US Department of the Treasury, Office of the Comptroller of the Currency, the US Securities and Exchange Commission, the Federal Reserve, and the offices of state attorneys general.

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Related Solutions

Anti-Discrimination
Crisis Management and
Strategic Response
Investigations
Trials

Class Actions
Cybersecurity and Privacy
Litigation

Consumer Financial Services
FinTech
State Attorneys General

Areas of Focus

Unfair, Deceptive, and Abusive
Acts and Practices (UDAAP)
CFPB & Consumer Financial
Services

Government Enforcement
Litigation
Consumer Privacy, Data
Security and Big Data/AI

Civil Litigation
Fair Lending and Anti-
Discrimination

Experience

Represent a loan servicer in a CFPB enforcement action filed in US District Court alleging unfair, deceptive and abusive practices in the servicing and collection of student loans.

Represent a financial technology company in regulatory investigations pursued by the FTC, a multistate group of more than 30 attorneys general, and a state financial services regulator, as well as in federal and state litigation and mass arbitrations related to alleged unfair and deceptive marketing practices.

Represented a technology company in cybersecurity and privacy investigations by the US Congress, SEC and a multistate group of state attorneys general.

Represented a major telecommunications company in an FTC investigation into the company's compliance with the agency's regulations related to identity theft.

Represented Chase in connection with the California attorney general's investigation into the bank's debt collection practices.

Represented Comcast at trial against allegations by the Washington State attorney general of violating the state's Consumer Protection Act. In the course of litigation, we successfully prevailed on summary judgment on one of the state's claims and prevailed on a "half-time" motion to substantially curtail the scope of the remaining claims.

Represented a large national bank and mortgage servicer in negotiation of the National Mortgage Settlement with the United States and 49 state attorneys general, as well as in parallel enforcement actions taken by prudential banking regulators.

Represented a major investment bank in a high-profile case against a group of homeowners alleging violations under the Fair Housing Act, Equal Credit Opportunity Act and state law.

Represented a large financial institution in parallel CFPB and DOJ investigations into practices concerning consumer credit and small business offerings.

Represented two large automobile dealers in a DOJ investigation regarding allegations of discriminatory pricing of automobile loans.

Represented a technology company in parallel investigations by over a dozen state AGs, the FTC, the US Congress and numerous international regulators regarding data privacy and consumer protection issues.

Represented a structured payments company in connection with a CFPB enforcement inquiry raising novel issues of CFPB jurisdiction.

Represented large financial institutions in dozens of public enforcement actions related to deposit products, credit cards, credit reporting, student lending and mortgage lending.

Represented a global financial institution in connection with multi-state attorneys general and federal resolution of mortgage related claims arising from the financial crisis.

Represented a major mortgage servicer in a significant CFPB investigation and settlement regarding the company's loan modification application processes and practices.

Represented a large national bank in connection with a regulatory inquiry regarding potentially discriminatory mortgage lending practices. We obtained a very favorable result for the client, with the regulator declining to pursue any further investigation of action.