

Jim Sandy



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Legal Secretary

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education

University of Cincinnati College of Law (J.D., 2008)

University of Dayton (B.A., Communication Management, 2005, *cum laude*)

admissions

Ohio

U.S. District Court for the Southern District of Ohio

U.S. District Court for the Northern District of Ohio

U.S. Court of Appeals for the Sixth Circuit

honors

- *Ohio Super Lawyers* “Rising Star” (Business Litigation), 2015–2018, 2021–2023

affiliations

Professional

- Akron Bar Association Leadership Academy, 2018–2019
- American Bar Association, Business Law Section, Consumer Financial Services Committee, Vice Chair, Debt Collection

When financial services companies and other businesses find themselves threatened with or embroiled in litigation, they turn to me for assistance. With my experience and breadth of knowledge of state and federal consumer protection statutes, I work closely with my clients to tailor a legal strategy to not only resolve their issues in the most expedient and cost-effective manner, but to also ensure that the underlying issues are remedied on a company-wide basis.

James “Jim” W. Sandy is an experienced trial and appellate lawyer who represents individuals, small businesses, and Fortune 500 companies in all aspects of civil and commercial litigation. Financial services companies of varying sizes have engaged Jim based on his significant experience handling complex single-party and class action disputes in state and federal courts, in matters with financial exposure reaching seven figures. He also advises clients outside the financial industry in data privacy and cybersecurity matters, as well as clients involved the cannabis space.

Practices and Bankruptcy Subcommittee, 2023-present

- ABA Business Law Today, Contributing Editor, Business Regulation & Regulated Industries, 2023-present

Community

- West Akron Baseball League, Head Baseball Coach, 2021–present
- Walsh Jesuit High School Alumni Board, 2018–present
- Community Legal Aid Volunteer, 2017–present
- Imagine on Superior Volunteer School Board Member, 2012–2014
- Cleveland Metropolitan Bar Association 3Rs Program Volunteer, 2012–2013

Jim’s primary focus is on assisting and advising national mortgage servicing companies, auto finance companies, banks, and small businesses in cases involving federal and state regulatory matters, arbitrations, consumer complaints filed with the Consumer Financial Protection Bureau (CFPB), and state and federal lawsuits. Jim regularly defends lawsuits brought under the Fair Debt Collection Practices Act (FDCPA), Fair Credit Reporting Act (FCRA), Ohio Consumer Sales Practices Act and other state UDAAP (Unfair, Deceptive, or Abusive Acts or Practices) laws, Real Estate Settlement Procedures Act (RESPA), and Truth in Lending Act (TILA) in both state and federal courts. He also assists mortgage and auto finance clients with compliance matters, including protecting consumer data and privacy, as well as navigating the various complicated state regulatory regimes at play in the financial services context.

In the privacy arena, Jim acts as in-house counsel for small business clients, advising on data security and privacy policies and analyzing the applicability and requirements of state, federal, and global privacy regimes, such as Europe’s GDPR (General Data Protection Regulation). On the litigation side, Jim has defended clients in privacy class actions involving claims related to data breaches.

Nationwide, Jim represents a variety of cannabis industry clients in compliance as well as litigation. He has handled Prevent All Cigarette Trafficking (PACT Act) compliance for vape companies, advised on employment agreements between cannabis companies and their contracted sales reps and sales agreements between manufacturers and dispensaries, and managed breach of contract disputes. As this area of law evolves and expands, Jim looks forward to providing first-class service to marijuana and ancillary companies, as well as financiers and lenders involved in this space.

An experienced appellate advocate, Jim has handled more than 80 appellate matters. He has delivered oral arguments before all 12 state appellate courts in Ohio as well as before the Sixth Circuit Court of Appeals.

Jim also advises clients on general corporate and business matters including entity formation, corporate governance, and vendor and service agreements.

presentations

"The CFPB and Foreclosure: Latest Guidance, Areas of Scrutiny, and More," National Business Institute (NBI) Webinar, March 5, 2024

"Consumer Loan Servicing and Collection Issues - Fundamental and Emerging Issues CLE," Pennsylvania Bar Institute, January 30, 2024

"Regulatory Pulse: Exploring Consumer Finance Updates and Trends," The Knowledge Group Webcast, January 25, 2024

"Ohio Collection Law: The Ultimate Guide," National Business Institute (NBI) Webinar, December 11, 2023

"Complex Issues in Foreclosure," National Business Institute (NBI) Webinar, October 26, 2023

"The ABCs of Junk Fees: Navigating Recent Regulatory, Enforcement, and Private Causes of Action Involving Junk Fees," 2023 Consumer Finance Legal Conference, October 12, 2023

"This Is the End. Unless It's Just the Beginning. How To Prepare For a Potentially Re-Energized CFPB and What Has It Been Up To In the Meantime," 2023 Consumer Finance Legal Conference, October 11, 2023

"Raising Capital: Sources, Options, and Keys to Success," 2023 Midwest Cannatech Conference, Cincinnati, Ohio, June 28, 2023

"Emerging Issues in Cannabis Law," 2023 Midwest Cannatech Conference, Cincinnati, Ohio, June 28, 2023

"What's New in Credit Contracts: Revisions to the Holder Rule," The Conference on Consumer Finance Law (CCFL), Chicago, Illinois, May 18, 2023

"Real Estate Foreclosure in Ohio, Step by Step," National Business Institute (NBI) Webinar, May 3, 2023

"Think You Are Not Privacy Counsel? Think Again. A Webinar on What You Need to Know." McGlinchey Webinar, February 15, 2023

"Regulatory Trends to Watch Out for in Consumer Finance," The Knowledge Group Webcasts Webinar, January 26, 2023

"FTC Gets Tough on Dealers - What Does it Mean for Holders?" 2022 Consumer Finance Legal Conference, October 20, 2022

"Class Actions - Trends and Compliance Considerations," 2022 Consumer Finance Legal Conference, October 20, 2022

"Update on Federal and State Data Privacy Initiatives and Related Litigation," 2021 Virtual Consumer Finance Legal Conference, October 13, 2021

"What's Ahead for Consumer Financial Protection: Navigating the Evolving Legal and Regulatory Landscape," The Knowledge Group Webinar, September 15, 2021

"Working with Executive Teams to Analyze Risk and Develop Strategy to Resolve Business Issues," Northeast Ohio Chapter of the Association of Corporate Counsel, February 27, 2020

"The State of Arbitration in Consumer Financial Services," 2019 Consumer Finance Legal Conference, October 16, 2019

"Advanced Civil Litigation Skills in Ohio," National Business Institute Seminar, December 20, 2018

"State of Spokeo: its Current Value and Making the Most of It," 2018 Consumer Finance Legal Conference, New Orleans, LA, October 18, 2018

"The Rules of Evidence: A Practical Toolkit," National Business Institute Seminar, June 28, 2018

"Boot Camp: Foreclosure and Loan Workout Procedures," National Business Institute Seminar, September 2, 2015

"Overcoming Standing Challenges in Foreclosures," National Business Institute Seminar, September 2014

published articles

"Another Brick in the Wall: New Hampshire House Passes Adult-Use Cannabis," *ABA Business Law Today*, February Month-In-Brief: Business Regulation & Regulated Industries, March 1, 2024

"Which Came First: Forum Selection Clause or Arbitration Provision? SCOTUS to Decide," *ABA Business Law Today*, November Month-In-Brief: Business Regulation & Regulated Industries, December 1, 2023

"9th Circuit Hears Argument Regarding DEA Process for Drug Rescheduling and Remands for Further Consideration," *ABA Business Law Today*, October Month-In-Brief: Business Regulation & Regulated Industries, November 2, 2023

"Junk Fee Supervisory and Enforcement Activity Targets Auto Servicers," *Auto Finance Excellence*, October 23, 2023

"Clues On High Court Outcome In CFPB Constitutionality Case," *Law360*, October 20, 2023

"SCOTUS Resolves Circuit Split on Stays Pending Appeal of Arbitration Decision," *ABA Business Law Today*, June Month-In-Brief: Business Regulation & Regulated Industries, July 3, 2023

"Eleventh Circuit Calls Out CFPB's Conduct," *ABA Business Law Today*, June Month-In-Brief: Business Regulation & Regulated Industries, July 3, 2023

"Taking the Case: SCOTUS to Decide Constitutionality of CFPB," *ABA Business Law Today*, February Month-In-Brief: Business Regulation & Regulated Industries, March 1, 2023

"Second Circuit Holds a Legal Inaccuracy Does Not Give Rise to a Cause of Action Under the Fair Credit Reporting Act," *ABA Business Law Today*, January Month-In-Brief: Business Regulation & Regulated Industries, February 1, 2023

"CFPB zeros in on Servicemembers Civil Relief Act," *Auto Finance News*, July 25, 2022

"CFPB Report Is A Warning To Consumer Debt Collectors," *Law360*, May 12, 2021

"CFPB eyes unfair, deceptive acts: Technology and repossessions," *Auto Finance Excellence*, April 5, 2022

"CFPB eyes unfair, deceptive acts: Here are some tips to avoid scrutiny," *Auto Finance Excellence*, April 4, 2022

"3 Predictions For Mortgage Industry As Foreclosures Mount," *Law360*, December 10, 2021

"Takeaways From CFPB's Fair Debt Collection Rule Changes," *Law360*, October 13, 2021

"Substantive Amendments to Ohio's Civil Rules of Procedure: A Summary," August 4, 2020

"Personal View: Vague definition of 'essential businesses' leads to confusion," *Crain's Cleveland Business*, April 26, 2020