



Andrew C. Glass

Partner

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OVERVIEW

Andrew Glass advises businesses in achieving integrated, multi-disciplinary solutions to managing risk. Andrew and his project teams work closely with clients' business lines, and their legal, compliance, and information technology departments, to navigate complex regulatory areas. Andrew provides regulatory-compliance advice and policy and procedure review. He oversees audits and internal investigations and responds to government investigations. Andrew defends complex litigation including class actions. He counsels companies in the financial services, energy, media and telecommunications, manufacturing, and consumer product industries. His multi-faceted approach to problem-solving delivers seamless solutions to clients' legal challenges.

PROFESSIONAL BACKGROUND

Before joining K&L Gates in 1998, Andrew served as law clerk to Chief Judge Paul J. Barbadoro of the United States District Court for the District of New Hampshire. Andrew is active in providing pro bono legal representation and is the pro bono coordinator for K&L Gates' Boston office.

ACHIEVEMENTS

- Listed in *The Best Lawyers in America*® for Commercial Litigation in Boston, 2024

SPEAKING ENGAGEMENTS

- Speaker, Mortgage Bankers Association Compliance and Risk Management Conference (Panel about the Facts on Fair Lending), Washington D.C., 11 September 2023
- Speaker, Mortgage Bankers Association Legal Issues and Regulatory Compliance Conference (Panel about major developments in Fair Lending), 9 May 2023
- Speaker, 2018 Consumer Financial Services Symposium, 3 December 2018.

- Getting Your House in Order - Best Practices for FinTechs Preparing for Investment/Acquisition, San Francisco, CA, 8 February 2018
- ACI Residential Mortgage Regulatory Enforcement & Litigation Conference; TCPA Challenges Impacting the Residential Mortgage Industry, Dallas, TX, 26 September 2018
- MBA's Regular speaker at Mortgage Bankers Association Legal Issues and Regulatory Compliance Conferences
- Government Enforcement and Litigation Trends, 2017 Consumer Financial Services Symposium, 4 December 2017
- Boston Bar Association: Supreme Court Mid-Year Round-Up: Important Decisions and a New Administration, Boston, MA, 24 January 2017
- Consumer Litigation: The Year in Review and the Years to Come - What to Expect in Consumer Litigation Under the Trump Presidency, K&L Gates Webinar, 17 January 2017
- K&L Gates and Carnegie Mellon University Seminar, Cracking the Code: Cybersecurity for Tomorrow, 10 November 2016
- K&L Gates and Charles River Associates Fall 2016 Consumer Financial Services Symposium, Impact of Recent Fair Lending Decisions on Financial Services Institutions, Washington, D.C., 18 October 2016
- MBA Regulatory Compliance Conference, "General Session: Focus on Fair Lending and Servicing, Mortgage Bankers Association," 13 September 2016.

EDUCATION

- J.D., Harvard Law School, 1997 (*cum laude*; *Editor, Harvard Negotiation Law Review; Harvard Legal Aid Bureau*)
- M.Arch, Harvard University, 1992 (*Department of Architecture; with honors, the highest distinction*)
- A.B., Dartmouth College, 1988 (*summa cum laude; phi beta kappa*)

ADMISSIONS

- Bar of Massachusetts
- Bar of New York
- Supreme Court of the United States
- United States Court of Appeals for the Eleventh Circuit
- United States Court of Appeals for the First Circuit
- United States Court of Appeals for the Fourth Circuit

- United States Court of Appeals for the Ninth Circuit
- United States Court of Appeals for the Second Circuit
- United States Court of Appeals for the Seventh Circuit
- United States Court of Appeals for the Third Circuit
- United States District Court for the District of Massachusetts
- United States District Court for the District of New Hampshire
- United States District Court for the Eastern District of Wisconsin
- United States District Court for the Northern District of Illinois

THOUGHT LEADERSHIP *POWERED BY HUB*

- 12 February 2024, "Grandma, I have [not] been kidnapped": The FCC Bans AI-Generated Robocalls
- 17 January 2024, CFPB Aiming to Oversee Digital Payments
- 23 September 2023, The Power of the Purse: Supreme Court Hears Argument on Constitutionality of CFPB Funding Structure
- 28 June 2023, US Supreme Court Holds That an Appeal From a Denial of a Motion to Compel Arbitration Stays the District Court Proceeding
- 28 September 2022 , The Third Time Is the Charm: The Eleventh Circuit Allows Creditor's Use of Commercial Mail Vendor
- 17 November 2021, New But Not Improved: On Panel Rehearing, 11th Circuit Issues Revised FDCPA Decision in Hunstein v. Preferred Collection and Management Services
- 30 June 2021, "No Concrete Harm, No Standing:" U.S. Supreme Court's Decision Solidifies Standing Requirements for Fair Credit Reporting Act Claims
- 12 May 2021, Not a Preferred Course: 11th Circuit Decides FDCPA Question in Hunstein v. Preferred Collection and Management Services
- April 2021, 2021 Consumer Financial Services Symposium - Virtual Edition: Panel 1 - Fintech Trends, Developments, and New Directions
- 1 April 2021, It's No Joke: In 1 April 2021 Decision, Supreme Court Significantly Limits Definition of "ATDS" Under the TCPA
- 12 January 2021, Potential Major Change for U.S. Prepaid Products: PayPal vs CFPB Court Vacates Two Significant Restrictions in CFPB's Prepaid Account Rule
- 17 December 2020, The Massachusetts Supreme Judicial Court Holds State-Mandated Default Notice Not Inaccurate or Deceptive

- 10 December 2020, Supreme Court Hears Argument on Definition Of ATDS Under TCPA
- 10 July 2020, Supreme Court Agrees to Review Growing Circuit Split on Definition of ATDS
- 7 July 2020, Supreme Court Declares TCPA Government-Debt Exception Unconstitutional but Severs Provision to Preserve Remainder of TCPA
- 1 July 2020, The FCC Clarifies the Definition of ATDS
- 25 February 2020, *Strength in Numbers*: The Seventh Circuit Joins the Third and Eleventh Circuits in Limiting the Definition of an Automatic Telephone Dialing System under the TCPA
- 24 February 2020, The Massachusetts Supreme Judicial Court Considers the Effect of a State-Mandated Default Notice on the Validity of Non-Judicial Foreclosures
- 5 December 2019, The Shifting Currents of Arbitration: The Supreme Court of Texas Reverses Course, Holding That the Availability of Class Arbitration Is for the Courts to Decide
- 26 November 2019, Absent But Not Forgotten: The Second Circuit Addresses the Impact of Arbitration on Absent Class Members
- 5 September 2019, Eleventh Circuit Holds That a Single, Unsolicited Text Message Does Not Confer Article III Standing Under the TCPA
- 9 July 2019, Deepening the Divide: D.C. Circuit Continues Circuit Split Regarding Standing in Data Breach Class Action Based on Risk of Future Harm
- 9 July 2019, Deepening the Divide: D.C. Circuit Continues Circuit Split Regarding Standing in Data Breach Class Action Based on Risk of Future Harm
- 27 June 2019, DACA Recipients Are Ineligible for FHA Mortgage Insurance Officially, but Lending to DACA Recipients and Other Immigrant Communities Is Subject to Many Unresolved Compliance Challenges
- 8 April 2019, U.S. Supreme Court Rules that Entities Conducting Nonjudicial Foreclosures Are Not Debt Collectors under the FDCPA
- 22 March 2019, Attorneys General Express Widespread Support for TRACED Act Reintroduced in the Senate to Stop Illegal Robocall Scams
- 14 March 2019, What Is in a Name? The Third Circuit Holds That Debt Buyers Can Be Debt Collectors under the FDCPA
- 11 February 2019, Massachusetts State Senators Seek to Enact Biometric Data Protection Law
- 14 January 2019, Revamped Relief
- 27 November 2018, Bipartisan Bill Introduced In The Senate To Thwart Illegal Robocall Scams
- 8 November 2018, Expounding on Arbitrability: The Seventh Circuit Joins the Growing Ranks of Circuit Courts Finding that Courts Presumptively Decide the Availability of Class Arbitration

- 4 September 2018, When “Clear and Unmistakable” Is neither Clear nor Unmistakable: Circuit Split Emerges as to Whether Arbitrator or Court Should Decide Class Arbitrability When Parties Incorporate Arbitration Facility Rules into Their Agreements
- 16 August 2018, Follow the Leader: The Sixth Circuit Applies *Spokeo*, Ruling That Certain Statutory Violations May, Without More, Establish Article III Standing to Bring an FDCPA Claim
- 14 June 2018, No More Zombie Class Actions: Supreme Court Stops Class Members from Filing Successive Class Claims after Expiration of Limitations Period
- 13 June 2018, No More Zombie Class Actions: Supreme Court Stops Class Members from Filing Successive Class Claims after Expiration of Limitations Period
- 1 June 2018, It’s Epic: Supreme Court Approves Class-Action Waivers in Employment Agreements
- 23 May 2018, FCC Seeks Comment on TCPA Following D.C. Circuit’s Decision in *ACA International*
- 14 May 2018, Of Pipes and Crowns: The Supreme Court Considers Extent of Tolling of Statute of Limitations in Putative Class Actions
- 11 May 2018, Shedding Some Light: SCOTUS Grants Cert. in *Lamps Plus* to Answer Question on State-Law Contract Interpretation and Class Arbitration
- 10 May 2018, Shedding Some Light: SCOTUS Grants Cert. in *Lamps Plus* to Answer Question on State-Law Contract Interpretation and Class Arbitration
- 9 May 2019, The Door May Be Open, but the Ride Isn’t Free: Seventh Circuit Allows Data Breach Class Action to Survive Pleading Stage but Signals Tough Road Ahead for Plaintiffs
- 9 May 2018, Trade Groups Petition the FCC to Adopt a Narrow Interpretation of Autodialer Under the TCPA
- 8 May 2018, The Door May Be Open, but the Ride Isn’t Free: Seventh Circuit Allows Data Breach Class Action to Survive Pleading Stage but Signals Tough Road Ahead for Plaintiffs
- 9 April 2018, District Court Finds No Violation of First Amendment in TCPA Suit Brought By Coalition of Bi-Partisan Political Organizations
- 26 March 2018, Risky Business: Whether an Increased Risk of Harm Supports Legal Standing in Data Breach Class Actions Continues to Divide Federal Courts of Appeals
- 26 March 2018, Risky Business: Whether an Increased Risk of Harm Supports Legal Standing in Data Breach Class Actions Continues to Divide Federal Courts of Appeals
- 22 March 2018, Court Finds Website Owner did not Send Text Messages Initiated by its Users and thus did not Violate the TCPA
- 16 March 2018, The D.C. Circuit Calls Out the FCC – Striking Key Elements of Its 2015 TCPA Order, While Upholding Certain Provisions
- 16 March 2018, Ninth Circuit Doubles Down on Lack of Standing under *Spokeo* in FACTA Cases

- 12 March 2018, Dismissing FDCPA Lawsuit, Sixth Circuit Calls Out Congress for Creating Statutory Remedies Where No Harm Has Occurred
- 12 March 2018, Lurking Beneath the Surface: UDAP Claims in ICO Litigation
- 12 March 2018, Dismissing FDCPA Lawsuit, Sixth Circuit Calls Out Congress for Creating Statutory Remedies Where No Harm Has Occurred
- 28 February 2018, Ninth Circuit Ruling Rejects FACTA Suit under Spokeo, Avoiding Circuit Split
- 26 February 2018, Ninth Circuit Ruling Rejects FACTA Suit under Spokeo, Avoiding Circuit Split
- 12 February 2018, Saved by the En Banc: CFPB Appears Here To Stay
- 1 February 2018, A First in the Second (Circuit): On Remand, District Court Breaks New Ground by Vacating Arbitrator's Class Certification Award
- 1 February 2018, Legislative Efforts to Curb Caller ID Spoofing Continue at Federal and State Levels
- 12 January 2018, Standing to Sue under the Fair and Accurate Credit Transactions Act after *Spokeo*
- 13 November 2017, Supreme Court Again Declines to Review Ruling That Courts Determine Availability of Classwide Arbitration
- 3 November 2017, President Signs Congressional Resolution Overturning CFPB Arbitration Rule
- 27 October 2017, Senate Joins House in Resolution Overturning CFPB Arbitration Rule; President Trump Is Likely to Sign
- 12 October 2017, The Supreme Court Hears Argument to Decide Whether Class-Action Waivers in Employment Arbitration Agreements Are Enforceable
- 9 October 2017, Data Breach Doubleheader: The Eighth Circuit Issues Two Decisions Addressing Boundaries of Standing in Data Breach Class Actions
- 6 October 2017, With Senate on the Sidelines So Far, Financial Services Trade Groups Launch Challenge to CFPB Arbitration Rule
- 25 August 2017, Spokeo Redux: Ninth Circuit Holds That a Statutory Violation under FCRA May, without More, Establish a Concrete Injury for Purposes of Article III Standing
- 14 August 2017, Into The Breach: D.C. Circuit Weighs in on Circuit Split Regarding Standing in Data Breach Class Actions
- 2 August 2017, CFPB Promulgates, House Seeks to Repeal, Final Arbitration Agreements Rule
- 28 July 2017, District Court Set to Rule on Cross Motions for Summary Judgment in First Amendment Challenge to TCPA
- 3 July 2017, Federal Government Continues Defense Against First Amendment Challenge to TCPA
- 16 June 2017, U.S. House Judiciary Committee Examines Lawsuit Abuse and the TCPA

- 15 June 2017, CFPB Director Informs Consumer Advisory Board That Bureau Will Not Shy Away from Issuing Debt Collection Proposed Rule
- 1 June 2017, No Class Conflict in Data Breach Settlement Involving Class Members With and Without Economic Injury
- 24 May 2017, Balancing Act: Supreme Court Rules That Filing a Proof of Claim for Stale Debt Does Not Violate the Fair Debt Collection Practices Act
- 12 May 2017, It Wasn't Me! – District Court Dismisses TCPA Action Alleging Vicarious Liability against Hotel Chains
- 4 April 2017, U.S. Supreme Court Sides with Merchants in Credit Card Surcharge Case, But the Fight Isn't Over Yet
- 3 April 2017, Delaware's No-Usury-Cap Rule Deemed Unenforceable as Contrary to New York Public Policy in FDCPA Class Action
- 27 March 2017, FCC Begins Rulemaking Process to Allow Blocking of "Spoofed" Number Calls
- 24 March 2017, Federal Government Not Successful in Moving to Dismiss First Amendment Challenge to TCPA

OTHER PUBLICATIONS

- "Third Time Is the Charm: Eleventh Circuit Allows Creditor's Use of Commercial Mail Vendor," *The Banking Law Journal*, January 2023
- "Mortgage Lending to Nontraditional Borrowers: The Opportunities and Compliance Points of Mortgage Lending to DACA Recipients, Recent Immigrants, and Limited-English Proficiency Borrowers," *The Banking Law Journal*, April 2019
- "Massachusetts State Senators Seek to Enact Biometric Data Protection Law," *The National Law Review*, 11 February 2019

NEWS & EVENTS

- 24 March 2023, K&L Gates Team Obtains Appellate Victory for Mortgage Lender in NY Tax Foreclosure Case
- 25-26 May 2021, MBA's Legal Issues and Regulatory Compliance Conference/Litigation Forum: Fair Lending, hosted by Mortgage Banker's Association

AREAS OF FOCUS

- Payments, Banking Regulation, and Consumer Financial Services
- Appellate Litigation

- Class Action Litigation Defense
- Commercial Disputes
- Financial Institutions and Services Litigation
- Fintech Lending

INDUSTRIES

- Financial Services
- Fintech