

Derek Edwards

PARTNER



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Fintech is evolving rapidly, and public and private companies, acquirers, payment processors, financial institutions, ATM operators and others depend on Derek Edwards to answer their needs across the country. For more than 15 years, Derek has advised them on consumer, merchant, and inter-company disputes, as well as defended consumer lawsuits and class-action litigation, including the following:

- Electronic Funds Transfer Act (EFTA), Regulation E
- Fair Credit Reporting Act (FCRA)
- Fair Debt Collection Practices Act (FDCPA)
- Truth in Lending Act (TILA)
- Americans with Disabilities Act (ADA)
- Telephone Consumer Protection Act (TCPA)

Derek responds as novel legal issues arise. For example, he is a frequent speaker concerning mitigating litigation risk for ATM operations and financial services companies complying with the Americans with Disabilities Act. He has presented at meetings of the ATM Industry Association, including at its annual meeting, and to the Tennessee Bankers Association.

Not only do financial service companies call upon Derek to defend consumer class-action lawsuits, but they also seek his counsel on matters of their day-to-day operations, including contract enforcement, payment disputes, creditor rights, and identity theft concerns. Payment processors, independent service organizations (ISOs), acquirers, and sponsor banks all have sought Derek to defend and prosecute their lawsuits in federal courts across the country. Derek has defended hundreds of inter-company disputes, consumer complaints, and consumer class-actions, from California to Massachusetts, Illinois to Texas, Mississippi to Delaware. He has also obtained multi-million dollar verdicts and settlements for punitive damages for contract interference and competitive injuries.

Clients depend on Derek to be responsive, efficient, creative, and tough. They benefit greatly from his depth of knowledge of financial services legislation and that his time for them is spent crafting solutions, not learning the law.

EXPERIENCE

- **Bank defends against \$200 million embezzlement claim**

Defended AmSouth Bancorporation against several state insurance commissioners who sought to recover lost funds from a \$200 million embezzlement perpetrated against multiple casualty insurance companies. Negotiated a nominal settlement of the claims below the cost of defense.

EDUCATION

- J.D., Vanderbilt University Law School, 2000
- B.A., *cum laude*, Duke University, 1993
 - Dean's List with Distinction for three years

COURT ADMISSIONS

- U.S. Court of Appeals for the Sixth, Ninth and Eleventh Circuits
- U.S. District Court, All Districts of California
- U.S. District Court, All Districts of Tennessee
- U.S. District Court, All Districts of Texas
- United States Supreme Court
- U.S. District Court, District of Nebraska
- Supreme Court for the State of California
- Supreme Court for the State of Tennessee
- U.S. District Court, All Districts of Michigan
- U.S. District Court, Northern District of Ohio

BAR ADMISSIONS

- Tennessee
- California

RECOGNITIONS

The Best Lawyers in America® (BL Rankings)

- Commercial Litigation, 2013-2023

PROFESSIONAL INVOLVEMENT

- Member, Nashville, Tennessee and American Bar Associations
- Member, ATM Industry Association

- Member, Defense Research Institute (DRI)

COMMUNITY INVOLVEMENT

- Member, Veterans of Foreign Wars
- Member, Westminster Presbyterian Church