



Partner Michael Goodman comments on U.S. Supreme Court rulings that affect auto finance industry

May 3rd, 2021

The U.S. Supreme Court recently decided two consumer protection cases that impact the auto finance industry. *Automotive News* spoke to Hudson Cook Partner [Michael Goodman](#) about the rulings and how they will impact the industry.

In *AMG Capital Management v. Federal Trade Commission*, the court ruled that the powers the FTC was using to obtain monetary relief never authorized the agency to disgorge companies of ill-gotten gains in the process it had used for the past 40 years, according to *Automotive News*. The new bureaucratic layers will add time and cost to the FTC's process of obtaining monetary relief for unfair or deceptive acts or practices, and possibly deter the agency from attempting to pursue monetary relief at all, according to Michael Goodman. "It basically comes close to closing off the option of monetary relief for the FTC altogether in its typical cases," Michael said. "It's unclear how many defendants will have money still available after all that process has come and gone."

Automotive News reported that in the second case, *Facebook, Inc. v. Duguid*, the court ruled in favor of the social media company, which provided clarity on how companies should define an automatic telephone dialing system under the Telephone Consumer Protection Act (TCPA). The court's decision likely benefits auto lenders, which have struggled with TCPA violations in recent years.

Michael will explain how this decision should drastically reduce the volume of autodialer litigation and help to protect financial institutions from new suits being filed against them in a [May 11 Hudson Cook Compliance Coffee Break](#) webinar. Michael also wrote [an article about the case](#) in April's Hudson Cook Insights.

Subscribers to *Automotive News* may [click here](#) to read the full article.

Hudson Cook, LLP provides articles, webinars and other content on its website from time to time provided both by attorneys with Hudson Cook, LLP, and by other outside authors, for information purposes only. Hudson Cook, LLP does not warrant the accuracy or completeness of the content, and has no duty to correct or update information contained on its website. The views and opinions contained in the content provided on the Hudson Cook, LLP website do not constitute the views and opinion of the firm. Such content does not constitute legal advice from such authors or from Hudson Cook, LLP. For legal advice on a matter, one should seek the advice of counsel.