

## ARTICLE

# White Paper on Telephone Consumer Protection Act Litigation Abuse

May 2, 2024

The Telephone Consumer Protection Act (TCPA) has long been the source of a tide of lawsuits that target legitimate businesses engaged in outbound calling and texting. While the Supreme Court's 2021 *Facebook v. Duguid* decision clarified the definition of the term "autodialer" under the TCPA, there has been a troubling and recent uptick in the number of TCPA filings. Writing on behalf of the U.S. Chamber of Commerce Institute for Legal Reform, Wiley attorneys Megan Brown, Kathleen Scott, Stephen Conley, and Lauren Lerman recently authored a white paper that examines the creative new pathways that plaintiffs' attorneys are forging to get their feet back in the courtroom door in the wake of *Duguid* and how this stream of lawsuits hurts legitimate businesses and nonprofits attempting to communicate with their clients, donors, and others.

*"These trends make clear that despite the clarity that Duguid provided, the onslaught of TCPA litigation against legitimate organizations is not going away. Instead, it is evolving, and businesses must stay one step ahead of opportunistic plaintiffs and their attorneys seeking a payday."*

[View the White Paper Here](#)

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## Practice Areas

Telecom, Media & Technology  
The Telephone Consumer Protection Act (TCPA)