



Contact

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Practice Areas

- Commercial Litigation

Michael D. DeFrank

Bio

Mike represents clients in the financial services industry in litigation involving claims for violation of state and federal consumer protection statutes. These include the Fair Credit Reporting Act (FCRA), Truth in Lending Act (TILA), Fair Credit Billing Act (FCBA), Telephone Consumer Protection Act (TCPA), Fair Debt Collection Practices Act (FDCPA), and their state law counterparts. Mike regularly defends banks, credit card companies, and other financial institutions and related companies.

Mike's trial practice is focused on complex commercial litigation, including contract and business tort disputes. He has litigated cases for clients in federal and state courts throughout the country, including class action defense. Mike has tried jury and non-jury cases and as well as arbitrations before the American Arbitration Association and other arbitration tribunals.

Mike also devotes a substantial portion of his practice to counseling clients on compliance with the FCRA, TCPA, TILA, FCBA, and other federal and state statutes. He has managed a number of sophisticated synthetic identity fraud investigations for clients.

Mike is a member of the firm's Executive Committee. He is a former Litigation Practice Group Leader and has previously chaired the firm's Recruiting and Attorney Mentoring committees. Mike received his B.A., magna cum laude, from Wake Forest University. He received his J.D. from Emory University. Prior to joining the firm in 2003, Mike practiced in Atlanta.

Languages: Spanish

Awards & Recognition

- Listed among *Business North Carolina Magazine* Legal Elite: Litigation (2013-2017, 2020, 2022, 2024)
- Recognized as a leading Commercial Litigation Attorney by *Chambers USA* (2022-2024)
- Listed among *North Carolina Super Lawyers* Business Litigation (2015-2020, 2024)
- Listed among *Benchmark Litigation* "Future Stars" (2012-2022)

Professional & Community Activities

- American Bar Association, Business Law Section, Consumer Financial Services Committee
 - The Conference on Consumer Finance Law
 - American Bar Association, Litigation Section
 - Meritas, U.S. Leadership Committee Chair (2021-2024)
 - Meritas, Board Chair Nominating Committee (2023)
 - Meritas, Board of Directors (2017-2020)
 - Meritas, Member Engagement Committee (2017-2020)
 - J. Y. Joyner Foundation, Founder and Vice President (2015-2017)
 - North Carolina Bar Association, Litigation Section; Latino Affairs Committee Chair (2008-2010); Joint Diversity Task Force (2008-2010)
 - North Carolina State Bar
 - State Bar of Georgia
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Reported Cases

- *Hwang v. University of North Carolina Healthcare System*, 882 S.E.2d 153 (N.C. App. 2023)
 - *Leslie v. Barclays Bank Delaware*, No. 17-CV-2514, 2017 WL 8220505 (N.D. Ga. Oct. 13, 2017)
 - *Lemke v. Barclays Bank Delaware*, No. 14-CV-1449, 2015 WL 3441145 (E.D. Mich. May 28, 2015)
 - *Mitchell v. Sajed, et al*, No. 3:13-CV-312, 2013 WL 3805041 (E.D. Va. July 22, 2013)
 - *Kight's Medical Corp. v. Pickett*, 722 S.E.2d 212 (N.C.App. 2012)
 - *DTC Health, Inc. v. Global Healing Center, Inc.* 2006 WL 2022893 (S.D. Tex.)
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Related Insights

- [Staying on the Front Foot in the Face of Mass Arbitrations](#)
 - [The World Turned Upside Down: How the Pandemic Has Permanently Transformed the Legal Industry](#)
 - [Has the Switch Been Flipped on the TCPA's Definition of Autodialer?](#)
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Speeches & Publications

- [Staying on the Front Foot in the Face of Mass Arbitrations, September 2022](#)
- Speaker, "The Legal Industry in a Post-Pandemic World: Evolution, Efficiencies, and How Clients Benefit," ACC Small Law Department Committee (SLD) Legal Quick Hit series, July 2021
- [The World Turned Upside Down: How the Pandemic Has Permanently Transformed the Legal Industry](#)

- [Has the Switch Been Flipped on the TCPA's Definition of Autodialer? American Bar Association Consumer Financial Services Committee Newsletter, January 2019](#)
 - ["Reyes v. Lincoln Automotive Financial Services: A Silver Bullet or Fool's Gold?" American Bar Association Consumer Financial Services Committee Newsletter, November 2017](#)
 - Speaker, "Secrets to Strategically Negotiating Indemnification Provisions," Ironclad Indemnification Provisions in Business Contracts CLE, Raleigh, NC, September 2015
 - ["HELLO? HELLO?: The Telephone Consumer Protection Act, Cell Phones, and You," Antitrust and Complex Business Disputes Section Newsletter, North Carolina Bar Association, March 2014](#)
 - "The Things They Never Taught You in Law School: Using Your Law Degree to Benefit Hispanic/Latino Communities," North Carolina Bar Association Continuing Legal Education Seminar, Cary, NC, February 2007
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