



Michael D. DeFrank

ATTORNEY

Mike serves as the Practice Group Leader of the firm's Litigation Practice Group. He represents clients in the financial services industry in matters involving claims for violation of state and federal consumer protection statutes. These include the Telephone Consumer Protection Act (TCPA), Fair Credit Reporting Act (FCRA), Truth in Lending Act (TILA), Fair Credit Billing Act (FCBA), Fair Debt Collection Practices Act (FDCPA), and their state law counterparts. Mike regularly defends banks, credit card companies, and collection 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 defense of TCPA class actions. He has tried jury and non-jury cases and handled many cases 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 TCPA, FCRA, TILA, FCBA, and other federal and state statutes. He has managed a number of sophisticated synthetic identity fraud investigations for clients.

Mike is a past member of the firm's Executive Committee and has previously chaired the firm's Recruiting Committee and Attorney Mentoring Committee. He is a member of the [Meritas](#) Board of Directors, Meritas U.S. Leadership Committee and Member Engagement Committee. 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, Georgia.

Languages: Spanish

Awards & Recognitions

- Listed among *North Carolina Super Lawyers* Business Litigation (2015-2019)
- Listed among *Benchmark Litigation* "Future Stars" (2012-2019)
- Listed among *Business North Carolina Magazine* Legal Elite: Litigation (2013-2017, 2020)

Professional & Community Activities

- Meritas, Board of Directors

Contact

mdefrank@wyrick.com
919.865.2822

Practice Areas

Commercial Litigation

- Meritas, US Leadership Committee
- Meritas, Member Engagement Committee
- American Bar Association, Business Law Section, Consumer Financial Services Committee
- The Conference on Consumer Finance Law
- American Bar Association, Litigation Section
- 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

Speeches & Publications

- "Has the Switch Been Flipped on 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

Reported Cases

- *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.)