

Nicholas S. Agnello

Partner

Ft. Lauderdale, FL
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Nick Agnello defends major banking and financial services industry clients in civil litigation matters alleging violations of federal and state law. He handles individual and mass actions, class action defense, multi-district litigation, arbitration, contested foreclosure, CFPB regulatory compliance and defense, appeals, and other commercial litigation matters.

Nick has helped create favorable new law for his Financial Services Industry clients in the deposit banking, credit card, mortgage lending and servicing, automobile finance, consumer lending, and FinTech industries. He has extensive experience with claims under state and federal consumer protection statutes, including the Fair Credit Reporting Act, Electronic Funds Transfer Act, Telephone Consumer Protection Act, Uniform Commercial Code, Fair Debt Collection Practices Act, Truth in Lending Act, Real Estate Settlement Procedures Act, Unfair Deceptive and Abusive Acts and Practices (UDAAP) prohibitions, etc. Nick's experience also extends to claims involving wire fraud, elder financial exploitation, identity theft, and other types of financial fraud.

While attending the University of Miami School of Law, he was a member of the University of Miami Law Review and the Charles C. Papy Jr. Moot Court Board. Nick received his B.A. from Samford University and was a member of the Intercollegiate Debate Team where he was a three-time participant in the elite invitation-only National Debate Tournament.

Nick is also a contributing author to the firm's Consumer Finance Litigation Blog.

Honors & Recognition

- Listed in *Best Lawyers: Ones to Watch: Banking & Finance Law* (2021)

PARALEGAL/ASSISTANT

Legal Practice Assistant

Rosa Zamora
(954) 414-6205
rzamora@burr.com

Paralegal

Shay B. Winebarger
(813) 367-5705
swinebarger@burr.com

CAPABILITIES

Commercial Litigation

Financial Institutions

Consumer Finance Litigation & Compliance

EDUCATION

J.D., University of Miami School of Law

magna cum laude

B.A., Samford University

LICENSED IN

Florida

ADMITTED IN

Supreme Court of the United States

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court - Northern District of Florida

U.S. District Court - Middle District of Florida

U.S. District Court - Southern District

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News

- CFPB Servicing Rule Aims to Stave Off Another Foreclosure Crisis - American Banker
Firm News, 08.24.2021
- Burr & Forman Names New Partners Across Six Offices
Firm News, 01.03.2020

Speaking Engagements

- Webinar: Navigating the Complex World of Post-Moratorium Foreclosures
Speaking Engagement, Webinar, 08.26.2021
- Speaker, American Bar Association, Consumer Financial Services Committee, Fall Meeting 2019
Speaking Engagement, 09.01.2019
- Speaker, Mortgage Bankers Association's Regulatory Compliance Conference
Speaking Engagement, Washington, D.C., 09.18.2016

Articles

- "Panel Spotlight: Whither the Housing Market - GSE Reform and QMs", American Bar Association, Consumer Financial Services Committee, March 2020.
Articles / Publications, 03.01.2020
- "Credit Reporting During the Pandemic: What the CARES Act Amendment to the FCRA Means for Furnishers", Consumer Finance Law Quarterly Report, Vol 74, No 1, 2020.
Articles / Publications, 01.01.2020
- *Banking & Financial Services Policy Report: CFPB Flexing New Muscle in Contested Administrative Enforcement Actions* (Feb 2016)
Articles / Publications, 02.26.2016
- "Cities are Looking to Fair Housing Act to Fight Redlining", Law 360 (November 5, 2015).
Articles / Publications, 11.05.2015
- "The First CFPB Administrative Appeal: RESPA, Kickbacks, and the Danger of De Novo Review," *Business Law Today*, (Sept. 2015)
Articles / Publications, 09.17.2015

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Blog Posts

- Eleventh Circuit Clarifies Tests for Article III Standing, Changes Course on FDCPA and Mailing Vendors
Consumer Finance Litigation, 09.09.2022
- Eleventh Circuit Keeps Troublesome FDCPA Ruling Despite Rehearing, Dissent
Consumer Finance Litigation, 11.01.2021
- Florida Supreme Court Adopts Apex Doctrine
Consumer Finance Litigation, 08.27.2021
- 5 Key Provisions in the CFPB's New COVID-19 Mortgage Servicing Final Rule
Consumer Finance Litigation, 07.07.2021
- Biden Administration Removes FHFA Director Following SCOTUS Decision
Consumer Finance Litigation, 06.24.2021

Professional Activities

- American Board of Trial Advocates (ABOTA) National Trial College, Fellow
- Governing Committee of the Conference on Consumer Finance Law