

## Zachary D. Miller

Partner

Nashville, TN  
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Zach Miller is a financial services partner who focuses on consumer litigation and compliance. He has over fifteen years of experience acting as an important advisor to his clients, helping them navigate federal and state courts, arbitration forums and the complex web of consumer laws that impact the industry.

Zach serves as national counsel for numerous financial institutions, leading a team that has represented clients in jurisdictions from coast to coast. He views himself as a business partner, recommending strategic changes where process improvements are possible, but is a zealous advocate when called upon to defend sound business practices.

Zach takes a holistic approach to the representation of his clients, believing that litigation should inform compliance, and vice versa. He does not see a lawyer's job as "issue spotting," but developing and advocating for comprehensive solutions to reduce risk and uncertainty, while increasing client profitability and customer satisfaction.

Zach is proud of the team that has been assembled at the Firm, which consists of partners and associates with a near total focus on consumer finance law. He prides himself on providing his fellow attorneys with autonomy to use their diverse backgrounds for unique problem solving and advocacy, while encouraging the consistent sharing of information so that the group can learn, evolve and quickly pivot, where necessary.

Zach is a fellow of the American College of Financial Services Lawyers. He serves as the Chair of the ABA's Consumer Finance membership subcommittee and is on the Governing Committee of the Conference on Consumer Finance Law. He has served on the Firm's Executive Committee and is a graduate of the ABOTA Trial Academy.

### PARALEGAL/ASSISTANT

Paralegal

Sharon Foshee  
(205)-458-5257  
[sfoshee@burr.com](mailto:sfoshee@burr.com)

Legal Practice Assistant

Angela K. Beasley  
(615)-724-3267  
[abeasley@burr.com](mailto:abeasley@burr.com)

### CAPABILITIES

Consumer Finance Litigation & Compliance

Financial Institutions

Financial Institution Disputes

### EDUCATION

J.D., *cum laude*, Indiana University School of Law Indianapolis (2008)

B.A., Michigan State University (2005)

### LICENSED IN

Alabama

Colorado

Florida

Oregon

Tennessee

### ADMITTED IN

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court - Middle District

# Zachary D. Miller

While Zach is dedicated to serving his clients and takes pride in his responsiveness, he also loves spending his down time with his wife, Paige, and sons, Clyde and Percy.

## Honors & Recognition

- Fellow, American College of Consumer Financial Services Lawyers (2023)
- Listed in *The Best Lawyers in America*®, Banking and Finance Law since 2022, Financial Services Regulation Law since 2022, Litigation - Banking and Finance since 2022
- Listed in *The Best Lawyers in America*® "Lawyers of the Year," Financial Services Regulation Law, Nashville, TN (2023)
- *Alabama Super Lawyers "Rising Star"*, Consumer Law (2011-2014)
- *Mid-South Super Lawyers "Rising Star,"* Consumer Law (2016-2022)

## News

- Best Lawyers® 2024 Honors 244 Burr Attorneys, Including 17 "Lawyers of the Year"  
Firm News, 08.17.2023
- Zach Miller Elected Fellow of American College of Consumer Financial Services Lawyers  
Firm News, 05.01.2023
- Judge Finds That Arkansas District Court Clerk Violated Freedom of Information Act in Lawsuit Pursued by Burr & Forman  
Firm News, 08.20.2019
- Burr & Forman Promotes Attorneys To Partnership  
Firm News, 01.04.2016
- 16 Burr and Forman Attorneys Selected Among Mid-South Super Lawyers For 2015  
Firm News, 11.09.2015

## Speaking Engagements

- Recent Legal Updates Affecting Collections Dialing Strategy  
Speaking Engagement, Chicago, IL, 08.10.2023
- Webinar: Navigating the Complex World of Post-Moratorium Foreclosures  
Speaking Engagement, Webinar, 08.26.2021

of Alabama

U.S. District Court - Northern District of Alabama

U.S. District Court - Southern District of Alabama

U.S. District Court - Middle District of Florida

U.S. District Court - Southern District of Florida

U.S. District Court - Eastern District of Tennessee

U.S. District Court - Middle District of Tennessee

U.S. District Court - Western District of Tennessee

U.S. District Court - District of Colorado

# Zachary D. Miller

- Webinar: FCRA - How to Defend Identity Theft Claims Under the FCRA  
Speaking Engagement, Webinar, 08.04.2021
- Speaker: Conference on Consumer Finance Law Annual Consumer Financial Services Conference  
Speaking Engagement, Texas A&M School of Law; Ft. Worth, TX, 11.05.2018
- American Bar Association: Ninth Annual Institute on Consumer Financial Services Basics  
Speaking Engagement, Wyndham Grand Chicago Riverfront; Chicago, IL, 10.12.2018

## Articles

- Zach Miller Says "It's Time to Remove the Element of Surprise from Mass Arbitration" in American Banker's BankThink  
Media Mention, 07.13.2023
- ATDS Resources - December 2018  
Articles / Publications, 12.17.2018
- *The Business Lawyer*: TCPA Litigation Update: Courts Take the Reins in Defining the Statute's Limits, Vol. 73, p. 431  
Articles / Publications, 04.15.2018
- *The Business Lawyer*: TCPA Litigation Update: Enduring Questions After the FCC's 2015 TCPA Declaratory Ruling, Vol. 71, p.577  
Articles / Publications, 04.15.2017
- "TCPA Regulatory and Litigation Developments: The FCC Opens the Floodgates," *The Business Lawyer*, Vol. 71, p. 649 (Spr. 2016)  
Articles / Publications, 04.10.2016

## Blog Posts

- Upcoming Webinar: How to Defend Identity Theft Claims Under the FCRA  
Consumer Finance Litigation, 07.28.2021
- TCPA Breaking News: The Sixth Circuit Sides With *Marks*, as the Supreme Court Readies to Step In  
Consumer Finance Litigation, 07.29.2020
- *Medley v. Dish Network, LLC*: The Eleventh Circuit Joins the Second Circuit in Prohibiting Unilateral Revocation of Consent Originally Provided in Bargained-For Contracts  
Consumer Finance Litigation, 05.05.2020
- *Gadelhak v. AT&T*: The Seventh Circuit Joins the Eleventh Circuit in Taking a Big Bite Out of the TCPA  
Telephone Consumer Protection Act, 02.20.2020
- *Gadelhak v. AT&T*: The Seventh Circuit Joins the Eleventh Circuit in Taking a Big Bite Out of the TCPA  
Consumer Finance Litigation, 02.19.2020

# Zachary D. Miller

## Professional Activities

- American Bar Association
- Young Lawyers Section of the Alabama Bar
- Alabama State Bar
- Nashville Bar Association
- Tennessee Bar Association

## Publications and Presentations

### Publications

- Co-Author, Mass Arbitration: Altering the Litigation Landscape, --THE BUS. LAW.--- (forthcoming Spring 2023).
- Co-Author, TCPA Update: In Return Visit to Supreme Court, Justices Endorse Narrow Autodialer Definition, 77 THE BUS. LAW. 601 (Spring 2022).
- Author, Casenote: *Facebook v. Duguid, et al.*, The Supreme Court Tackles the Definition of Automatic Telephone Dialing System, Consumer Finance Law Quarterly Report (Summer 2021).
- Co-Author, TCPA Update: Circuit Split on Automatic Dialer Definition Sets the Stage for Back-to-Back Supreme Court Rulings, 76 The Bus. Law. 729 (Spring 2021).
- TCPA: The Federal Circuit Courts of Appeals Take Sides on the Definition of ATDS, as the Supreme Court Prepares to Intervene, Debt Collection Symposium, Consumer Finance Law Quarterly Report (2021).
- Co-Author, TCPA Update: Circuit Split on Automatic Dialer Definition Sets the Stage for Back-to-Back Supreme Court Rulings, THE BUS. LAW., Vol. 76, No. 2, p. 729 (Spring 2021).
- Co-Author, TCPA: The D.C. Circuit Rules and Chaos Ensues, 74 THE BUS. LAW. 581 (Spring 2019).
- Co-Author, Effective Revocation of Consent Under the Telephone Consumer Protection Act Following *Reyes v. Lincoln Automotive Financial Services*, 72 CONSUMER FIN. L.Q. REP. 453 (2018).
- Co-Author, TCPA Litigation Update: Courts Take the Reins in Defining the Statute's Limits, 73 THE BUS. LAW. 431 (Spring 2018).
- Co-Author, TCPA Litigation Update: Enduring Questions After the FCC's 2015 TCPA Declaratory Ruling, 72 THE BUS. LAW. 577 (Spring 2017).
- Co-Author, TCPA Regulatory and Litigation Developments: The FCC Opens the Floodgates, 71 THE BUS. LAW. 649 (Spring 2016).

### Speeches and Presentations

- Co-Presenter, Legal Considerations in a Rapidly-Evolving Regulatory Landscape and Unsettled Economy, Auriemma Roundtables – Orlando (November 2022)

# Zachary D. Miller

- Co-Presenter, So You've Been Sued, The National Rent-to-Own Convention and Tradeshow – Indianapolis (August 2022).
- Presenter, Regulation F and TCPA Developments and the Impact on Dialing Strategies, Auriemma Roundtables – Denver (June 2022).
- Co-Presenter, The Art of Arbitration, Alternative Finance Bar Association – New York City (June 2022).
- Co-Presenter, TCPA Post-Facebook, Conference on Consumer Finance Law – Chicago (May 2022)
- Co-Presenter, Effective Strategies for Managing and Defending Counterclaims, National Creditors Bar Association – Nashville (April 2022).
- Co-Presenter, Stretching Your Outside Counsel Dollar: Strategies for Maximizing Your Legal Budget, Professional Background Screeners Association – Anaheim, CA (September 2021)
- Co-Presenter, Preparing for your Deposition, Professional Background Screeners Association – Anaheim, CA (September 2021).
- Co-Presenter, TCPA Update, Conference on Consumer Finance Law – Virtual (March 2021)
- Co-Presenter, New Texting Technology, Short Term Loan Bar Association Annual Meeting – Virtual (November 2020).
- Co-Presenter, Arbitrating During the Pandemic – Speed Over Courts, ABA Consumer Finance Committee Virtual Annual Meeting – Virtual (September 2020).
- Co-Presenter, The Upside Down: Deciphering TCPA Decisions After *ACA International*, Conference on Consumer Finance Law – Ft. Worth (November 2018)
- Co-Presenter, Federal Regulation of Consumer Communications, ABA Consumer Finance Basics – Nashville (September 2018).
- Co-Presenter, Law of the Land: An Exploration of State Laws Governing Debt Collectors, ACA International Convention and Expo – Nashville (July 2018)
- Co-Presenter, Managing Your Cybersecurity Risk, Conference on Consumer Finance Law (May 2018).
- Co-Presenter, The Future of the TCPA After *ACA International v. FCC*, ABA Business Law Section Spring Meeting – Orlando (April 2018).
- Co-Presenter, Hindsight is 20/20: Using Real-Life Fact Patterns to Avoid Ethical Quandaries, Hudson Cook Financial Services Conference – Baltimore, MD (April 2018).
- Co-Presenter, The Full Spectrum of TCPA Litigation from Phone Call to Judicial Opinion, ABA Consumer Financial Services Committee Meeting – Park City, UT (January 2018).
- Co-Presenter, Attorney Liability and Ethics: Lessons from Cashcall, Short Term Loan Bar Association – Santa Fe, NM (November 2017)
- Co-Presenter, TCPA Update, Conference on Consumer Finance Law – Ft. Worth (November 2017).
- Co-Presenter, 2017 TCPA Landscape: Using Litigation Developments to Guide Your Compliance, Hudson Cook Consumer Financial Services Conference – Baltimore (April 2017).