



# James W. Sandy

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## About Jim

Jim is an experienced trial and appellate lawyer who represents mortgage servicers, auto finance providers, debt collectors, and fintech companies in all aspects of civil and commercial litigation. Financial services entities of varying sizes engage Jim based on his significant experience handling complex single-party and class action disputes in state and federal courts, arbitrations, and enforcement actions brought by the Consumer Financial Protection Bureau (CFPB) and state agencies, often in matters involving exposure exceeding seven figures. He also advises clients outside the financial industry on data privacy and cybersecurity issues, as well as clients involved in the cannabis space.

Jim regularly defends lawsuits under the Fair Debt Collection Practices Act (FDCPA), Fair Credit Reporting Act (FCRA), Ohio Consumer Sales Practices Act, and other state Unfair, Deceptive, or Abusive Acts or Practices (UDAAP) laws, Real Estate Settlement Procedures Act (RESPA), and Truth in Lending Act (TILA) in both state and federal courts. He also assists mortgage and auto finance clients with compliance matters, including post-default notice compliance under Ohio law and the Uniform Commercial Code (UCC), consumer data protection and privacy, and navigating complex state regulatory regimes in the financial services context. In addition, he counsels a vape pen manufacturer on compliance with the Prevent All Cigarette Trafficking Act (PACT).

In the privacy arena, Jim acts as outside in-house counsel for small business clients, advising on data security and privacy policies and analyzing the applicability of state, federal, and global privacy regimes, including Europe's General Data Protection Regulation (GDPR). On the litigation side, he also defends clients in privacy class actions arising from alleged data breaches.

## Jim's Affiliations

- Akron Bar Association, Grievance Sub-Committee, 2023 – present; Leadership Academy, 2018 – 2019
- American Bar Association, Business Law Section, Consumer Financial Services Committee, Vice Chair, Debt Collection Practices and Bankruptcy Subcommittee, 2023 – present; *ABA Business Law Today*, Contributing Editor; *Business Regulation & Regulated Industries*, 2023 – present

## Areas of Focus

**Industries:** Automotive Financial Services; Banking & Financial Institutions;

Consumer Financial Services; Financial Services; Fintech

**Services:** Alternative Dispute Resolution (ADR); Appellate; Complex Commercial Litigation;

Consumer & Class Action Defense; Data Privacy, AI & Cybersecurity;

Financial Services Litigation; Mortgage Lending & Servicing Litigation

## Experience

- Obtained summary judgment for a mortgage servicing client on fraud and falsification claims, defeating borrower counterclaims based on alleged signature fabrication after the court rejected the borrower's handwriting expert as unqualified.
- Secured a favorable jury verdict for a national bank in an SBA loan dispute involving breach of contract and good faith claims arising from withdrawal of a conditional loan commitment.
- Vacated a default judgment more than five years old against a national trust company, halting garnishment proceedings and restoring the case for litigation on the merits.
- Reversed denial of a motion to compel arbitration on appeal for an indirect auto finance company, with the court holding the arbitration clause neither procedurally nor substantively unconscionable.
- Defeated federal RICO claims against a national bank alleging racketeering tied to foreclosure standing.
- Resolved \$2.5 million shareholder derivative action through mediation on behalf of an LLC and its owner-members following extensive discovery.
- Obtained judgment in a week-long arbitration involving conspiracy allegations and purported "hidden finance charges" under the Truth in Lending Act.
- Reversed an appellate ruling that had barred a foreclosure claim as time-barred, reinstating the action for a national mortgage servicer.
- Obtained judgment for auto finance company in a Truth in Lending Act conspiracy case alleging improper dealer fees and hidden finance charges.
- Successfully dismissed numerous appeals challenging orders compelling arbitration and staying proceedings as non-appealable under the Federal Arbitration Act.
- Resolved a putative data breach class action on a single-plaintiff basis, avoiding class certification.

- Successfully defeated a mass arbitration demand at its outset, saving an auto finance company significant upfront arbitral fees.

## Recognition

- *Ohio Super Lawyers*, Rising Star, Business Litigation, 2015 – 2018; 2021 – 2023

## Credentials

### Education

University of Cincinnati College of Law, JD, 2008

University of Dayton, BA, *cum laude*, 2005

### Bar Admissions

Ohio

### Court Admissions

US Court of Appeals for the Sixth Circuit

US District Court for the Northern District of Ohio

US District Court for the Southern District of Ohio

## Interests

### Did you know...

Jim has two boys who love sports, and he spends much of his free time coaching them in baseball and basketball. Jim is also an avid Cleveland sports fan and can usually be found wallowing in another heartbreak loss. Jim enjoys golfing, although not well, and is a dedicated member of his local Orange Theory Fitness gym, where he once ran a mile in under 5 1/2 minutes, which, for him was very fast. He also enjoys seeing live music and is a big fan of the underrated Cleveland food scene.

### Community/Civic Activities

- West Akron Baseball League, Board Member, 2025 – present; Coach 2021 – present
- St. Anthony of Padua, Head Basketball Coach, 2023 – present
- Walsh Jesuit High School, Alumni Board, 2018 – present
- Community Legal Aid, Volunteer, 2017 – present
- Imagine on Superior, School Board Member Volunteer, 2012 – 2014
- Cleveland Metropolitan Bar Association, 3Rs Program Volunteer, 2012 – 2013

# Thought Leadership

## Presentations

Jim regularly presents on consumer finance regulatory developments, foreclosure law, CFPB guidance, and arbitration strategies. His topics emphasize practical approaches to managing enforcement risk and compliance challenges.

- “Clause and Effect: Rethinking Arbitration in Consumer Finance,” 24th Annual Consumer Finance Legal Conference, October 22, 2025
- “The New Reality of Regulation and Enforcement,” 24th Annual Consumer Finance Legal Conference, October 22, 2025
- “Foreclosure Rules, Trends, and Case Law,” National Business Institute (NBI), August 6, 2025
- “Consumer Finance 2025: Managing Risks and Opportunities in a Shifting Landscape,” Knowledge Group, January 29, 2025
- “Mass Arbitration Logistics: New JAMS, AAA Rules, Fees; Process Arbitrators; Batching; Streamlining Tactics,” August 22, 2024
- “Mastering Arbitration Agreements: Creation, Claims, Class and Collective Waivers, and Ethical Hearings,” June 20, 2024
- “Hedging the Risk of Mass Arbitration: Waivers, Pre-Dispute Resolution, Batching, Sequencing, New Rules, and More,” April 25, 2024
- “The CFPB and Foreclosure: Latest Guidance, Areas of Scrutiny, and More,” March 5, 2024
- “Consumer Loan Servicing Symposium – Fundamental and Emerging Risk Issues,” January 30, 2024
- “Regulatory Pulse: Exploring Consumer Finance Updates and Trends,” January 25, 2024
- “Ohio Collection Law: The Ultimate Guide,” December 11, 2023
- “It’s in the Contract: Compelling Arbitration in the Collections Context”, November 9, 2023
- “Complex Issues in Foreclosure,” October 26, 2023
- “A Contract Within a Contract: Practical Tips and Pointers to Compelling Arbitration,” July 14, 2023
- “What’s New in Credit Contracts: Revisions to the Holder Rule,” May 18, 2023
- “Think You Are Not Privacy Counsel? Think Again. A Webinar on What You Need to Know,” February 3, 2023
- “Regulatory Trends to Watch Out for in Consumer Finance,” January 26, 2023
- “What’s Ahead for Consumer Financial Protection: Navigating the Evolving Legal and Regulatory Landscape,” September 15, 2021

## Publications

Jim publishes regularly on consumer finance, arbitration, and regulatory enforcement, with emphasis on CFPB actions, mass arbitration, and key federal and state court decisions. His writing delivers concise analysis of compliance risks and litigation trends affecting financial services.

- “California Draws the Line: S.B. 82 Narrows the Reach of Consumer Arbitration Agreements,” *Business Law Today*, American Bar Association, October 9, 2025
- “Fourth Circuit Rules that SCRA Does Not Preclude Arbitration,” *Business Law Today*, American Bar Association, February 17, 2025
- “Supreme Court to Hear TCPA Class Action on Unsolicited Faxes and Online Fax Services,” *Business Law Today*, American Bar Association, October 9, 2024
- “Separate Actions Against a Residential Tenant in Different Courts Could Constitute Abusive Collection Practices Under the FDCPA,” *Business Law Today*, American Bar Association, October 9, 2024
- “Cellphone Users Are Not Categorically Excluded From Definition of “Residential Subscriber” Under TCPA,” *Business Law Today*, American Bar Association, July 23, 2024
- “New York Court Finds Mortgage Loan Made to Corporate Entity is “Consumer Credit Transaction” Under Truth in Lending Act,” *Business Law Today*, American Bar Association, July 22, 2024
- “SCOTUS Unanimous: Order Compelling Arbitration Requires Court to Stay, not Dismiss Case,” *Business Law Today*, American Bar Association, May 17, 2024
- “Stop the Case: SCOTUS Resolves Circuit Split on Stays Pending Appeal of Arbitration Decision,” *Business Law Today*, American Bar Association, June 28, 2023
- “Taking the Case: SCOTUS to Decide Constitutionality of CFPB,” *Business Law Today*, American Bar Association, February 27, 2023