

Ellen Silverman Authors Article on Minnesota Automatic Dialing-Announcing Devices Statute

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Ellen B. Silverman, a partner in the Consumer Financial Services group at Hinshaw & Culbertson LLP, authored the article “Minnesota’s Automatic Dialing Statute: You May be Liable for Calling a Wrong Number in Minnesota,” published by *insideARM.com* on July 12, 2016.

The article examines the Minnesota Automatic Dialing-Announcing Devices statute, which provides that calling a Minnesota telephone line using an auto dialer and pre-recorded voice, without prior express consent, and without a current business relationship, could result in liability for actual damages, and attorneys’ fees. Ms. Silverman discusses that although the statute seems to have been aimed at curbing use of an automatic dialing-announcing device (ADAD) by telemarketers, the statutory language is not limited and applies to all callers. As a result, a debt collector who dials a wrong number in Minnesota and uses an ADAD without first obtaining the subscriber’s consent through a live operator may be liable under the statute.

Ellen Silverman focuses her practice in consumer litigation, both individual cases and defending class actions. She divides her practice among two distinct areas: (1) managing consumer financial services litigation for large, national banks and credit card companies across the country and (2) representing mortgage lenders and servicers in mortgage loan litigation.

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