

## David A. Elliott

Executive Committee

Birmingham, AL  
(205) 458-5324  
[delliott@burr.com](mailto:delliott@burr.com)



David routinely defends lenders in all types of litigation, including individual actions, mass actions, and class actions ranging from common law lender liability lawsuits to statutory actions under state and federal statutes. He has extensive experience defending lawsuits under TILA, HOEPA, FCRA, RESPA, FDCPA, FCCPA and the TCPA, and has consulted with and defended financial institutions in connection with claims against financial institutions involving elder financial exploitation by third parties.

He has successfully litigated hundreds of matters on behalf of lenders in various forums across the Southeast. David is also the founder and Chair of the Firm's Wellness Program. In 2016, BTI Consulting Group named David to its list of "Client Service All-Stars, and in 2015 and 2023 he was named Lawyer of the Year, Litigation - Banking and Finance by *The Best Lawyers in America*. David is also the founder and former Chair of the Firm's Wellness Program.

### Honors & Recognition

- Listed in *The Best Lawyers in America*®, "Lawyer of the Year," Litigation - Banking & Finance, Birmingham, Alabama (2015, 2023)
- Listed in *The Best Lawyers in America*®, Commercial Litigation since 2011, Litigation - Banking & Finance since 2011, Financial Services Regulation Law since 2016, Banking and Finance Law since 2022, Mass Tort Litigation/Class Actions - Defendants since 2023
- *Mid-South Super Lawyers*, Business Litigation (2016-2019)
- JD Supra's Readers' Choice Award Recipient (2017)
- BTI Client Service All-Stars List (2016)
- *Alabama Super Lawyers*, Business Litigation (2011-2015)

### PARALEGAL/ASSISTANT

Paralegal

Sharon Foshee  
(205) 458-5257  
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Legal Practice Assistant

Caryn Wingate  
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### CAPABILITIES

Consumer Finance Litigation & Compliance

Financial Institutions

Commercial Litigation

Financial Institution Disputes

Lender Liability

Class Action

Financial Services

### EDUCATION

J.D., Vanderbilt University Law School

B.A., University of Virginia

### LICENSED IN

Alabama

Florida

South Carolina

### ADMITTED IN

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court - Middle District

# David A. Elliott

## News

- Best Lawyers® 2024 Honors 242 Burr Attorneys, Including 17 "Lawyers of the Year"  
Firm News, 08.17.2023
- Burr & Forman Continues Partnership with Discover Financial and Midtown Education Foundation Teaching Teens about the Legal Field  
Firm News, 09.11.2019
- Burr & Forman Partners with Discover Financial Teaching Teens in Chicago About Careers in the Legal Field  
Firm News, 08.02.2017
- Two Burr Attorneys Recognized by JD Supra's 2017 Readers' Choice Awards  
Firm News, 03.20.2017
- David Elliott Named a 2016 *BTI Client Service All-Star*  
Firm News, 02.08.2016

## Speaking Engagements

- Webinar: How to Defend Negotiable Instrument and Funds Transfer Litigation  
Speaking Engagement, Webinar, 04.06.2022
- Webinar: FCRA - How to Defend Identity Theft Claims Under the FCRA  
Speaking Engagement, Webinar, 08.04.2021
- Speaker, "Who Wants to be an Ethical Lawyer? - Ethical Issues for In-House Counsel"  
Speaking Engagement, 12.05.2019
- Panelist: 10th Annual Education Finance & Loan Symposium  
Speaking Engagement, Alexandria, VA, 05.09.2018
- Presenter, 29<sup>th</sup> Annual Advanced Forum on Consumer Finance Class Actions and Litigation  
Speaking Engagement, Chicago, IL, 07.24.2017

## Articles

- Investigating and Defending Identity Theft Claims Against Furnishers Under The Fair Credit Reporting Act  
Articles / Publications, 06.27.2022
- "2019 Payday Lending Roundup," Thomson Reuters Westlaw  
Articles / Publications, 09.05.2019

of Florida

U.S. District Court - Southern District of Florida

U.S. District Court - Middle District of Alabama

U.S. District Court - Northern District of Alabama

U.S. District Court - Southern District of Alabama

U.S. District Court - South Carolina

# David A. Elliott

- CFPB Update April 2019  
Articles / Publications, 04.12.2019
- *Bloomberg Law*: Response of States to the CFPB During President Trump's Administration  
Articles / Publications, 01.07.2019
- *The Banking Law Journal* The Fair Credit Reporting Act: Where We've Been and Where We're Going  
Articles / Publications, 06.01.2018

## Blog Posts

- Investigating and Defending Identity Theft Claims Against Furnishers Under The Fair Credit Reporting Act  
Consumer Finance Litigation, 08.04.2021
- Upcoming Webinar: How to Defend Identity Theft Claims Under the FCRA  
Consumer Finance Litigation, 07.28.2021
- Southern District of New York Weighs In on Preemption Under the Dodd-Frank Act  
Consumer Finance Litigation, 03.23.2016
- Arizona District Court Holds Law Firm's Debt Collection Letter Not Subject to FDCPA's § 1692(g)  
Consumer Finance Litigation, 04.21.2014
- Southern District of Texas Holds Loan Originator Compensation Rule Is Not Retroactive  
Consumer Finance Litigation, 04.17.2014

## Civic Activities

- First Light, Former Board Member and Past President
- United Way of Central Alabama, Tocqueville Campaign (2009, 2011)
- United Way of Central Alabama, Legal Fundraising Team (2012)
- Burr & Forman Heart Walk, Chair (2013)
- Midtown Educational Foundation Law Day, Chicago, IL (2015-2017)

## Professional Activities

- Alabama State Bar
- South Carolina State Bar
- Florida Bar Association
- International Association of Defense Counsel