



## **Robby H. Birnbaum**

*Partner*

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Robby H. Birnbaum began his law career with Greenspoon Marder in 1998 and has practiced with the firm ever since. Mr. Birnbaum is a Partner and Practice Group Leader of the Regulatory Compliance and Financial Services Practice Groups and serves on the firm's Management Committee. Mr. Birnbaum also Chairs the firm's Health and Consumer Insurance Sales Regulatory Group.

For over 20 years, Mr. Birnbaum has provided proactive, successful compliance strategies and outcomes to financial and health industry clients. Mr. Birnbaum also has substantial experience in the travel and vacation resort industries, representing and counseling some of the largest travel providers and sellers of vacation and business travel services in the world.

Mr. Birnbaum's practice focuses on providing comprehensive legal advice and regulatory advocacy to a broad spectrum of clients, such as nonbank financial products and services providers; advertisers and marketers; health insurance and health-related service sellers; along with trade and professional associations. Mr. Birnbaum practices before the CFPB, the Federal Trade Commission (FTC), offices of state attorneys' general, state banking and financial services departments and federal and state insurance regulators.

A substantial portion of Mr. Birnbaum's work involves assisting clients with proactive regulatory compliance to remain out of the cross-hairs of regulators and expensive class action lawsuits. Mr. Birnbaum immerses himself in the industries of his clients, advising clients on how to minimize the legal risks related to providing, advertising, and marketing financial and health insurance products and services to consumers under federal and state consumer protection laws, including laws and regulations under the jurisdiction of the CFPB and FTC. Mr. Birnbaum's team also assists with state licensing and agency compliance reviews. Mr. Birnbaum regularly advises on the design of compliance management systems tailored to specific client needs and government expectations.

Mr. Birnbaum is an experienced advertising attorney who regularly advises clients on consumer protection issues, specifically with regard to advertising and promotions, including digital media and lead generation, as well as consumer credit and financial services laws, privacy laws and regulations. He has extensive experience in the issues surrounding mobile marketing, target marketing, lead generation, affiliate marketing, social media, and user-generated content. Mr. Birnbaum has widely counseled clients on compliance with state and federal banking and insurance regulations, along with the sweeping wave of recent state privacy law regulations.

Mr. Birnbaum focuses on defending clients in regulatory investigations and enforcement actions pursued by the CFPB, FTC, state attorneys' general, and other state regulatory agencies, as well as advising in private litigation involving claims, such as false or misleading advertising, TCPA and telemarketing challenges, and unfair, deceptive, or abusive acts and practices.

Mr. Birnbaum is heavily involved as the "go-to attorney" for the debt settlement, consumer credit counseling, vehicle service contracts, seller of travel, and the credit repair industries, actively representing over 500 companies in those industries in all areas from lead generation to administrative licensing and contract fulfillment. Mr. Birnbaum also counsels

the financial partners and supporting vendors of those industries, and is active in their trade associations.

Mr. Birnbaum regularly counsels private equity and venture capital funds, along with public companies on their potential investments and market activity in regard to his practice areas. Mr. Birnbaum regularly supports and serves as lead counsel and advisor on multi-million dollar buyouts and investments. Mr. Birnbaum serves as outside general counsel to many of the firm's largest advertising, financial, insurance and other public companies.

Mr. Birnbaum served as the elected president of the American Fair Credit Council, the National Association of Credit Service Organizations, and the Administrator of the Vehicle Protection Association. Mr. Birnbaum is exceptionally active in Congressional and legislative affairs groups, bringing those direct insights and current updates back to the firm's clients. Moreover, affiliate marketing, publisher/affiliate lead generation and sales, and network referrals round out Mr. Birnbaum's practice areas.

Over the last twenty years, Mr. Birnbaum has likely resolved, without the need for litigation and to the great satisfaction of his clients, more state and federal government investigations and inquiries than any other attorney.

Mr. Birnbaum graduated from the University of Wisconsin for both his undergraduate studies and law degree. He resides in Boca Raton, Florida, practicing from the firm's Boca Raton, Fort Lauderdale, and Miami offices. Mr. Birnbaum can be reached at (954)343.6959 and [Robby.Birnbaum@gmlaw.com](mailto:Robby.Birnbaum@gmlaw.com).

## **Bar Admissions**

- Florida
- Wisconsin

## **Court Admissions**

- U.S. District Court, Southern District of Florida
- U.S. District Court, Western District of Wisconsin

## **Education**

- J.D., University of Wisconsin Law School, 1999
- B.A., Political Science and English, University of Wisconsin, 1996

## **Practice Areas**

- Government Relations
- Regulatory Compliance & Defense

## **Professional and Community Involvement**

- American Fair Credit Council, Vice Chairman and former President
- National Association of Credit Service Organizations, President
- Vehicle Protection Association, Administrator
- The Association of Settlement Companies, President, 2009-Present
- Information Privacy Sub-Committee, The Association of Resort Developers, Member

## **Professional Licenses**

- Certified Auditor, Vehicle Service Contract Industry

## **Speaking Engagements**

- Featured Speaker, "Spring Workshop," AADR - American Association for Debt Resolution, April 4, 2024
- Speaker, "The Role of Debt Relief and Credit Counseling," Kredit's Conversion Summit 2023, November 2, 2023

- Speaker, American Fair Credit Council, Spring and Fall Industry Conference, 2019
- Speaker, Association For Student Loan Relief Florida Workshop, May 11, 2017
- Presenter, "An Update on the Industry: Compliance and Regulators: What is Going On and What is Coming" Association For Student Loan Relief Summer Conference, August 2016
- Presenter, Vehicle Protection Association Annual Meeting, September 2016
- Presenter, "Debt Settlement Today", American Fair Credit Council (AFCC) Conference, March 9, 2015
- Presenter, Association of Independent Consumer Credit Counseling Agencies' (AICCA) 21st Annual Meeting. March 29- April 3, 2014, San Francisco, CA
- Presenter, Credit Repair Boot Camp, April 23-28, 2014, Tampa, FL
- Speaker, Vehicle Protection Association's Annual Conference. May 13-15, 2014. St. Louis, MO
- Speaker, The Association of Independent Consumer Credit Counseling Agencies 21st Annual Conference, 2014
- Speaker, The Association For Student Loan Relief 2013 Inaugural Student Loan Relief Conference, December 12-13, 2013
- Presenter, "State Of The Credit Repair Business: The Next Generation Of A Maturing Profession," Ninth Bi-Annual Credit Boot Camp, October 17, 2013.
- Presenter, "Student Loan Consolidation and Compliance: Safe and Sound Ways to Protect Consumers and Be Profitable," American Fair Credit Council Annual Conference, October 4, 2013
- Speaker, American Fair Credit Council Annual Conference, 2013
- Speaker, "State Of The Credit Repair Business: The Next Generation Of A Maturing Profession," The 9th Bi-Annual Credit Boot Camp, 2013
- Speaker, The Association For Student Loan Relief, 2013 Inaugural Student Loan Relief Conference, 2013
- Panelist, Credit and Collections Risk Conference, 2010
- Keynote Speaker, Debt Settlement Leadership Conference, 2010
- Speaker, The Association of Credit Counseling Professionals, 2009, 2010
- Speaker, United States Association of Bankruptcy Alternatives, 2006-2010
- Panelist and Speaker, National Association of Attorney Generals, 2009
- Speaker, National Association of Collections Agency Regulators, 2009
- Speaker, American Association of Debt Management Professionals, 2006-2009

## Recognitions

- *American Fair Credit Council*, "The Robert Linderman Debt Resolution Service Award," 2023
- *South Florida Legal Guide*, "Top Lawyers," 2014-2015, 2020-2021
- *Super Lawyers* magazine, Florida "Rising Stars," Business/Corporate, 2012-2014
- *South Florida Business & Wealth* magazine, "Leaders In Law" Award, Finalist, Governmental Law, 2014
- *South Florida Business Journal*, "40 Under 40," 2012
- *South Florida Legal Guide*, "Top Up & Comers," 2009-2011
- *Daily Business Review*, "Most Effective Lawyers," 2009-2010
- *South Florida Business Journal*, "Up & Comers," 2006
- Co-Author, "Updates to the Florida Telemarketing Act and Florida Do Not Call Act" *GM Client Alert*, June 8, 2021
- Co-Author, "Sounding Off on the Soundboard: FTC Considerations," *Call Center Times*, September 23, 2016
- Co-Author, "Heeding the Lessons of the FTC Case Against DirecTV," *Daily Business Review*, May 25, 2015

## In the News

- Featured, "Federal Bureau, Credit Repair Group Launch Legal Fight," *South Florida Business & Wealth*, May 26, 2020
- Quoted, "New Study Attributes \$1.6 Billion in Annual Consumer Savings to Debt Settlement Industry," *Business Wire*, September 9, 2019

- Quoted, "Survey Finds Consumers Overwhelmingly Opposed to the Credit Bureaus' Attempt To Exempt Themselves From Federal Regulation," *PRNewswire*, Oct 19, 2016
- Quoted, "Fraudulent Student Debt Relief Firm Shut Down by Consumer Bureau," *The New York Times*, April 1, 2016
- Quoted, "What Should I Do If My Student Loan Relief Company is Not Delivering Results?," The Huffington Post, December 6, 2014
- Client Alert: Updates to the Florida Telemarketing Act and Florida Do Not Call Act
- Client Alert: Warning: This Is Not An April Fool's Joke—Scotus Says That To Be An "ATDS" Under The Telephone Consumer Protection Act There Must Be Capacity To Use A Random Or Sequential Number Generator
- "Heeding the Lessons of the FTC Case Against DirecTV" By: Robby Birnbaum and David Schnobrick

## News

- Greenspoon Marder Partner Robby Birnbaum to Participate in American Association for Debt Resolution 2023 Fall Conference as Keynote Speaker
- Greenspoon Marder Partner Robby Birnbaum Presented with The Robert Linderman Debt Resolution Service Award at American Fair Credit Council 2023 Spring Conference
- Greenspoon Marder Regulatory Compliance Team Achieves First-Ever Virginia License for Debt Relief Provider
- Greenspoon Marder Regulatory Compliance Team Leads in Advancing Applications for Consumer Debt Counseling and Relief Providers in Virginia
- Client Alert: Updates to the Florida Telemarketing Act and Florida Do Not Call Act
- Greenspoon Marder Attorneys Recognized By The South Florida Legal Guide As "Top Lawyers" And "Top Up & Comers" For 2021
- Client Alert: Warning: This Is Not An April Fool's Joke—Scotus Says That To Be An "ATDS" Under The Telephone Consumer Protection Act There Must Be Capacity To Use A Random Or Sequential Number Generator
- Greenspoon Marder Client DRIPS Celebrates "Drips Day" In Honor Of Deloitte Technology Fast 500 Ranking
- Greenspoon Marder Seeks Declaratory Judgment Against CFPB On Behalf of Client National Association of Credit Service Organizations
- Greenspoon Marder Partner Robby Birnbaum Featured Speaker at the American Fair Credit Council 2018 Fall Conference
- Greenspoon Marder Partner Robby Birnbaum Featured Speaker at the American Fair Credit Council 2018 Spring Conference
- Greenspoon Marder Hosts Association For Student Loan Relief Florida Workshop
- Greenspoon Marder's Robby Birnbaum to speak at the Vehicle Protection Association's Annual Conference
- Robby Birnbaum to speak at the Credit Repair Boot Camp
- Robby Birnbaum speaks at the AICCA's 21st Annual Meeting
- Robby H. Birnbaum elected President of the National Association of Credit Service Organizations
- Robby Birnbaum Partner of the Regulatory Compliance and Defense group at Greenspoon Marder, has been selected to speak at the Association of Independent Consumer Credit Counseling Agencies 21st Annual Conference
- Greenspoon Marder Partner Robby H. Birnbaum Elected President of the National Association of Credit Service Organizations
- Greenspoon Marder Attorneys Selected as Finalists for Lifestyle Media Group's Leaders In Law Award
- Twenty One Attorneys Ranked as "Top Lawyers" and Greenspoon Marder Listed as a "Top Law Firm" in the 2014 South Florida Legal Guide
- Robby Birnbaum to Speak at The Association For Student Loan Relief 2013 Inaugural Student Loan Relief Conference
- Robby Birnbaum to Speak at the American Fair Credit Council Annual Conference
- Greenspoon Marder Settles Second Landmark Investigation and Lawsuit with The Consumer Financial Protection Bureau
- Greenspoon Marder Shareholder Honored at South Florida Business Journal's 2012 40 Under 40 Awards
- Greenspoon Marder Named as Top Law Firm 2012

## Videos

- Urgent Update on New Mexico Insurance Regulation



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