

PARTNER

Nick Whisler

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Leading the firm's Compliance practice area, Nick brings more than a decade of experience helping M&S clients understand and comply with federal and state privacy, advertising, and telemarketing laws and regulations. He works closely with in-house counsel, compliance professionals, executive management, and marketing personnel to identify and address both internal and external sources of regulatory compliance risk – before they develop into serious and costly issues.

Nick is a problem solver. Clients cite his depth of experience, actionable advice, and unfailing responsiveness as key to addressing their most pressing compliance challenges. From entrepreneurial startups to Fortune 500 companies, his comprehensive counsel includes creating and implementing compliance programs, conducting regulatory compliance audits, resolving complex legal issues, and providing guidance in the form of legal opinions and fifty state surveys.

An influential voice on consumer protection matters, Nick frequently speaks at industry conferences and is called upon to advocate before federal and state regulatory agencies. He has written and presented extensively on complex regulations including the Telephone Consumer Protection Act (TCPA) and Telemarketing Sales Rule (TSR), as well as emerging ones such as the California Consumer Privacy Act of 2018 (CCPA).

Practice Areas

- Advertising & Marketing
- Attorney General & Multistate Investigations
- Association Representation
- Federal Regulatory Compliance
- Privacy and Data Security
- Regulatory Compliance Audits & Programs
- State Registrations & Licensing
- Teleservices

Bar & Court Admissions

- Ohio
- U.S. District Court, Southern District of Ohio

Education

- Juris Doctorate, Capital University Law School, 2008
- Bachelor of Science in Business Administration, The Ohio State University, 2002

Honors & Awards

- PACE 2014 & 2017 Chairman's Award for Distinguished Leadership and Service
- Ohio Super Lawyers® Rising Star, 2018

Nick serves as Associate General Counsel to the Professional Association for Customer Engagement (PACE). He is accredited as both a Certified Information Privacy Professional (CIPP/US) through the international Association of Privacy Professionals (IAPP) and a Customer Engagement Compliance Professional (CECP) through PACE.

Representative Experience

- Working with several national companies to implement CCPA compliance programs.
- Conducted a privacy assessment and compliance training for an automobile manufacturer.
- Conducted an enterprise-wide teleservices compliance assessment for a multinational healthcare company.
- Created and implemented a comprehensive regulatory compliance and vendor due diligence program for a national home security provider.
- Drafted corporate text message policy and conducted a 50 state telemarketing survey for a Fortune 100 insurer.
- Conducted comprehensive telemarketing compliance assessment for a national home services provider and its local branches.
- Conducted marketing and privacy training for national publisher of children's magazines and books.
- Drafted numerous legal opinions covering various aspects of regulatory compliance, including applicability of the TCPA to clients' telephone systems and text message platforms.
- Compiled 50 state surveys for clients in varied industries, covering regulatory practices and matters related to telemarketing, privacy, data breach, debt collection, and other consumer protection laws.
- Filed petitions and comments with the FTC, FCC and CFPB on behalf of trade association and corporate clients.
- Engaged by private equity management firm to conduct regulatory compliance due diligence on investment targets.
- Provide ongoing regulatory compliance services to sellers, contact centers, and vendors.

Professional Associations

- PACE, Associate General Counsel
- International Association of Privacy Professionals
- Ohio State Bar Association
- American Bar Association
- Columbus Bar Association