

PARTNER

Nick Whisler

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Nick focuses his practice on helping clients understand and comply with federal and state telemarketing, advertising, privacy and other consumer protection laws and regulations. He regularly works with in-house counsel, compliance professionals, executive leadership, and marketing and sales personnel to identify and mitigate internal and external sources of regulatory compliance risks. This includes working with clients in all verticals to create and implement compliance programs, conduct regulatory compliance audits, resolve complex compliance issues, and provide guidance in the form of legal opinions and fifty state surveys.

An influential voice on regulatory compliance matters, Nick frequently speaks at industry conferences and has been called upon to advocate before federal and state regulatory agencies. In particular, he brings a significant depth of experience related to Telephone Consumer Protection Act (TCPA) compliance and has written and presented extensively on its complex set of regulations and interpretations.

Nick serves as Associate General Counsel to the Professional Association for Customer Engagement (PACE) and is a member of the IAPP. He is both CIPP/US and CECP certified. Previously, he served as Legislative Chair on the PACE Ohio Valley Chapter Board of Directors.

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

Representative Experience

- 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