



## Adam D. Bowser

PARTNER

Adam focuses on complex litigation with a special emphasis on telecommunications and TCPA cases.



### Industries

Sports

### Practices

Communications & Technology  
Complex Litigation  
Privacy, Cybersecurity & Data Protection

### Education

George Mason University School of Law JD, 2008  
University of Michigan, Ross School of Business  
BBA, with distinction, 2003

### Offices

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### Complex Litigation

Adam's practice focuses on complex litigation in federal and state courts, including class action trials and appeals, as well as related advocacy before administrative agencies in rulemaking and enforcement proceedings. He has been recognized as a *Washington, DC Super Lawyers* "Rising Star" in Communications Law every year since 2014 and he has recently won several notable victories for clients brought into class-action litigation arising out of consumer protection and privacy laws, particularly the Telephone Consumer Protection Act (TCPA). As part of his deep expertise in consumer protection laws, Adam regularly advises clients across industries on privacy compliance and risk mitigation strategies.

Adam has successfully defended dozens of TCPA class actions. This experience from the litigation trenches allows Adam to efficiently guide any client engaging consumers by phone, text or email to not only stay compliant, but to adopt the best practices that help avoid litigation before it starts. Adam has represented a wide variety of organizations and brands in these matters, including communications companies, national online retailers, advocacy groups, healthcare organizations, car dealerships, political campaigns, casinos, fashion brands, financial institutions, gym chains, social media apps, lead generators, and many others. Adam is on the frontlines of TCPA class action litigation every day and knows how to help clients avoid it.

### Regulatory Counsel

Adam serves as outside general counsel to CLECs, platform operators, and API providers specializing in the growing VoIP and text messaging markets, and as part of that role, Adam guides companies through the federal and state regulatory process, tax and privacy law, interconnection issues, and negotiates and drafts communications-related contracts. Adam routinely represents these cutting-edge and emerging communications companies before the Federal Communications Commission and the Federal Trade Commission in various rulemaking proceedings. Adam also advises carriers, advanced communications service providers, and equipment manufacturers on regulatory compliance issues concerning telecommunications, Part 15 compliance, and energy-efficiency regulations before the FCC, the FTC, the Department of Energy, and comparable state regulatory agencies.

## Client Work

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### TCPA Litigation

- *Davis v. Post University, Inc.*, 9:18-cv-81004-RKA (S.D. Fla. 2018) (currently defending University client in potential \$200 million do-not-call TCPA class action lawsuit)
- *Larson v. Harman Harman-Management Corp.*, No. 1:16-cv-00219-DAD-SKO (E.D. Cal. 2019) (client voluntarily dismissed from TCPA autodialer class action after filing motion for summary judgment)
- *Klueh v. Paul Vallas for All Chicago*, 1:19-cv-00249 (N.D. Ill. 2019) (defending campaign committee and technology company against claims they sent unsolicited autodialed text messages)
- *Green v. Chicago Athletic Clubs, LLC*, 1:19-cv-02129 (N.D. Ill. 2019) (defended gym chain against unsolicited autodialed telemarketing claims)
- *Maltman v. Chicago Athletic Clubs, LLC*, 1:19-cv-01872 (N.D. Ill. 2019) (same)
- *Rivero v. Greenbrook Sports & Fitness, LLC*, 3:18-cv-10329-BRM-LHG (D.N.J. 2019) (quickly resolved putative TCPA class action lawsuit against New Jersey gym chain)
- *Bezdekian v. Valley Gym Corp.*, No. 3:18-cv-4372 (N.D. Cal. 2018) (Plaintiff voluntarily dismissed client rather than respond to motions for sanctions in autodialer case)
- *Frank v. South Aiken Fitness, Inc.*, No. 1:18-cv-02452 (D.S.C. 2019) (same)
- *Weisberg v. Stripe, Inc.*, No. 3:16-cv-00584-JST (N.D. Cal. July 25, 2016) (obtained dismissal of autodialer claims on motion to dismiss for payment processing company because texts were specifically targeted to plaintiff)
- *Mendez v. C-Two Group, Inc.*, Case No. 13-cv-5914-HSG, (N.D. Cal. Apr. 21, 2014) (won motion to dismiss against TCPA autodialer claims)
- *Rinky Dink, Inc. v. Elec. Merch. Sys.*, Civ. No. 13-1347-JCC, 2015 WL 778065 (W.D. Wash. Feb. 24, 2015) (won complete victory for client on summary judgment)
- *Rutherford v. Zoom Tan, Inc.*, No. 2:12-cv-509-FtM-29DNF, 2013 WL 4001343 (M.D. Fla., Aug. 5, 2013) (won motion to dismiss for text messaging platform operator on grounds that no personal jurisdiction existed based on customer's decision to send texts to residents of state)
- *Payton v. Kale Realty, LLC*, 164 F. Supp. 3d 1050, 1058 (N.D. Ill. 2016) (same)
- *Kauffman v. CallFire, Inc.*, 141 F. Supp. 3d 1044 (S.D. Cal. Oct. 8, 2015) (same)
- *Smith v. Securus*, CIV No. 15-550-SRN-HB, 2015 WL 4636696, \*8 (D. Minn. Aug. 4, 2015) (same)
- *Sloan v. Securus Technologies, Inc.*, No. 1:16-cv-2874 (S.D. Ind.) (voluntarily dismissed client after serving Plaintiff's counsel with Rule 11 motion)
- *Glauser v. GroupMe.*, No. 4:11-cv-2584 (N.D. Cal. Apr. 22, 2014) (negotiated voluntarily dismissal of client)
- *Luna v. Shac, LLC*, 122 F. Supp. 3d 936, 941 (N.D. Cal. Aug. 19, 2015) (client was voluntarily dismissed after establishing that client was not providing its users an autodialer)
- *Ryan v. Jersey Mike's Franchise Systems*, No. 13-cv-1427 (S. D. Cal.) (plaintiff voluntarily dismissed case)
- *Shay v. CallFire, Inc.*, No. 14-cv-1257 (S.D. Cal.) (case was voluntarily dismissed)
- *Couser v. Pre-Paid Legal Services*, No. 3:12-cv-2575 (S.D. Cal.) (same)
- *Salcedo v. Diamond*, No. 14-cv-6291 (S.D. Fla.) (same)
- *Malik v. F-19 Holdings, LLC*, No. 5:15-cv-130 (E.D.Ky. Nov. 16, 2015) (after filing a motion to dismiss establishing that client could not be liable and that plaintiff's claims were frivolous, plaintiff voluntarily dismissed case rather than respond to motion to dismiss)
- *Bitings v. Tele-Town Hall, LLC*, No. 1:16-cv-9519 (D.N.J. Jan. 19, 2017) (client voluntarily dismissed before needing to file answer)

## Telecommunications Litigation

- *United States v. Touch-Tel USA, LLC* (S.D. Tex.) (settled litigation threatened by Department of Justice to enforce \$5 million forfeiture order issued against telecommunications carrier before complaint was filed and for settlement payment under \$100,000)
- *United States v. Preferred Long-Distance, Inc.* (C.D. Cal.) (resolved complaint filed by Department of Justice against telecommunications service provider to enforce \$1.4 million forfeiture order)

## Previous Work

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Prior to joining Arent Fox, Adam practiced at a large regional law firm, focusing on general business litigation and telecommunications law.

## Life Beyond the Law

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Adam enjoys designing and building furniture in his free time, but is still searching for a power tool that makes more noise than his three girls. After running a lumber mill out of his townhouse garage in the DC suburbs, Adam's former neighbors were happy to see him move out to the Virginia countryside, where he is in the process of growing a small orchard and vineyard, but mostly weeds.

## Bar Admissions

District of Columbia  
Virginia

## Court Admissions

US Court of Appeals, District of Columbia Circuit