

## Sam Bragg

Senior Associate

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Sam Bragg is a senior associate with Alston & Bird’s Litigation & Trial Practice Group. Before joining Alston & Bird, Sam clerked for the Honorable Jane J. Boyle in the U.S. District Court for the Northern District of Texas, where he worked on significant cases involving ERISA, SEC enforcement, intellectual property disputes, bankruptcy matters, class actions, and complex procedural issues.

Sam earned his J.D., magna cum laude, from Southern Methodist University. While in law school, Sam was comment editor for the *SMU Law Review*, served as a student attorney in the SMU Criminal Justice Clinic, and won multiple awards for oral and written advocacy at national advocacy competitions. He received his B.S. in mathematics, cum laude, from the University of Texas at Dallas.

### ***Representative Experience***

#### ***Critical Motions and Appeals***

- Won a challenge to personal jurisdiction in Texas state court on behalf of an Australian power company, resulting in dismissal and voiding of a default judgment that awarded relief equivalent to approximately \$200 million.
- Represented a major wireless telecommunications provider before the Fifth Circuit on an issue of first impression regarding 911 services liability. Obtained affirmance of dismissal based on a ruling that the client was entitled to 911 service provider immunity.
- Obtained rare interlocutory review and reversal of district court order denying motion to dismiss before the Fifth Circuit based on an “Erie guess” concerning a contested question of Texas law.
- Utilized “snap removal” strategy to remove and defend removal to federal court in multimillion-dollar wrongful death action.

#### ***Financial Services Litigation and Enforcement***

- Served as appellate counsel to residential mortgage originator and servicer before the Fifth Circuit in alleged violations of federal and state reverse mortgage regulations.
- Served as counsel for consumer financial products and services providers in investigations conducted by the Consumer Financial Protection Bureau (CFPB) and the Department of Housing and Urban Development (HUD).
- Represented the administrator of \$12 billion student loan securitizations in multiple litigations and regulatory proceedings.
- Represented mezzanine lenders in litigation filed by mezzanine borrowers to enjoin a UCC foreclosure sale of mezzanine collateral based on non-monetary defaults and in connection with parallel criminal proceedings.

#### ***Crisis Management and Regulatory Compliance***

- Served as crisis management counsel and crafted pre-litigation strategy for a Fortune 500 company in preparation for potential agency investigations and consumer class actions.
- Advised financial institutions on the pre- and post-Dodd–Frank Act rules of federal preemption of state consumer finance laws and surveying applicable state law requirements.
- Counseled clients on compliance with state and federal laws affecting lending and servicing activities, including the Real Estate Settlement Procedures Act (RESPA), Truth in Lending Act (TILA), Home Mortgage Disclosure Act (HMDA), Equal Credit Opportunity Act (ECOA), Fair Credit Reporting Act (FCRA), and Fair Debt Collection Practices Act (FDCPA).

## ***Publications & Presentations***

### ***Publications***

- “How Retailers May Limit Holiday Legal Risks Amid COVID-19,” *Law360*, December 15, 2020.
- “Sustainability in the Boardroom: Reconsidering Fiduciary Duty Under *Revlon* in the Wake of Public Benefit Corporation Legislation,” *Virginia Law & Business Review*, Vol. 8, No. 1, Winter 2014.

### ***Education***

- Southern Methodist University (J.D., 2015)
- University of Texas at Dallas (B.S., 2011)

### ***Admitted to Practice***

- Texas

### ***Related Services***

Litigation | Financial Services Litigation | Appellate