



Becca J. Wahlquist

Partner

bwahlquist@kelleydrye.com

Los Angeles
(213) 547-4900

About

An accomplished trial lawyer, appellate advocate, and leading and respected practitioner on consumer protection matters, Becca Wahlquist has a wide-ranging litigation practice defending *Fortune* 100 and *Fortune* 500 business in federal and state courts nationwide. Becca is the managing partner of the Los Angeles, California office.

Complementing her consumer class action defense work with robust commercial litigation experience, Becca provides her clients with efficient and effective representation designed to protect their bottom lines.

Becca is nationally recognized for defending cases brought under the Telephone Consumer Protection Act (TCPA), the Fair Credit Reporting Act (FCRA), the California Invasion of Privacy Act (CIPA), state Unfair Competition Laws (UCLs) and False Advertising Laws (FALs), and other consumer protection statutes.

In consumer class actions, Becca has amassed an impressive record of defeating class certifications, resulting in early resolutions that spare her clients from the costs and disruption of protracted litigation.

In her consumer class action defense practice, Becca represents clients from a broad spectrum of industries, including banking and finance, manufacturing, satellite and cable, insurance and mortgage, franchising, restaurant and hospitality, telecommunications, retail and service, automotive, and real estate.

The preparation, persuasiveness, and persistence that have facilitated Becca's success at the trial court level have also been instrumental in her effectiveness before appellate panels and in commercial arbitrations and business tort disputes. Her courtroom acumen earned Becca a 2008 California Lawyer of the Year (CLAY) award for her complex commercial arbitration work.

She also consults with major U.S. companies about compliance with laws pertaining to advertising and communications.

Becca values her pro bono work, including the 12 years she headed the appeals for an Alabama death row inmate. After her final oral argument before the Alabama Supreme Court led to a 7-2 order finding that her client was entitled to a new trial, her client was released from prison in June

2019.

A frequent commentator on various legal issues, Becca was invited by the Senate Commerce Committee in May 2016 and by a House Judiciary subcommittee in June 2017 to provide testimony about the TCPA's impact on American businesses. She has also spoken on behalf of the U.S. Chamber of Commerce on consumer protection matters.

Representative Matters

Won summary judgment for many clients on TCPA claims, including for a worldwide manufacturer in multi-district litigation in West Virginia federal court, which order was affirmed after argument before the Fourth Circuit. See "[UTC Unit Escapes TCPA Suit Over Resellers' Marketing Calls](#)," *Law360*, May 19, 2015; see "[4th Circuit Says Honeywell, UTC Not Liable for Sellers' Calls](#)," *Law360*, March 14, 2018. Another summary judgment won for a national bank when the plaintiff was found to be outside the zone of interest of the TCPA. See [Garcia v. Credit One Bank](#), 2020 WL 4431679 (D. Nev. Jul. 31, 2020).

Won denials of class certification for many clients, including for a national bank where the Nevada district court found common issues did not predominate, [Bridge v. Credit One Fin., Corp.](#), 294 F. Supp. 3d 1019 (D. Nev. 2018), and for a national manufacturing company where the Connecticut district court found the same. [Gorss Motels, Inc. v. Otis Elevator Co.](#), 2019 WL 1490102 (D. Conn. Apr. 4, 2019). Won decertification of certified nationwide class with finding by Florida Court of Appeals that Florida laws prevented non-injured Plaintiff's standing to sue. [Pet Supermarket, Inc. v. Troy Eldridge](#), 360 So.3d 1201 (Fla. Dist. Ct. App. 2023).

Won dismissals of litigations for various reasons including lack of personal jurisdiction, [Boger v. General Auto. Ins. Servs. Inc.](#), 2020 WL 42713 (D. Az. Jan 3, 2020), failure to state viable cause of action, [DeClements v. RE/MAX LLC](#), 2020 WL 3078365 (D. Colo. Jun. 10, 2020), existence of a valid arbitration provision, [Thompson v. Isagenix Int'l., LLC](#), 2020 WL 1432840 (D. Az. Mar. 24, 2020), and [Pizarro v. QuinStreet, Inc.](#), 2022 WL 3357838 (N.D. Cal. Aug. 15, 2022).

Oversaw nationwide settlements of consumer class actions when advantageous to client to do so, including for a national mortgage company that successfully settled claims with over 2 million consumers and an insurance company settling claims involving over 10 million allegedly illegal faxes. See "[Mortgage Lender Inks \\$6.3M Deal To End TCPA Class Action](#)," *Law360*, February 7, 2020; "[Illinois Appeals Court Oks \\$23M MetLife Fax Case Settlement](#)," *Law360*, March 24, 2016.

Experience

Becca has over twenty years of experience defending companies facing putative class action litigations, defending lawsuits putting tens of millions to billions of dollars of statutory damages at issue under statutes such as the Telephone Consumer Protection Act (TCPA), American Disabilities Act (ADA), Fair Credit Reporting Act (FCRA), Fair Debt Collection Practices Act (FDCPA), and California's Consumer Legal Remedies Act (CLRA) and Unfair Competition Law (UCL). She also has an extensive history with general commercial litigation defense, appellate matters, arbitration and appellate arbitration, and soft IP. Further, Becca counsels major companies on regulatory compliance.

Significant Litigation Representations

TCPA

Represented major American corporations as lead counsel in defending against individual and putative classwide Telephone Consumer Protection Act (TCPA) claims, including nationwide businesses in the following industries:

- banking and finance
- manufacturing
- satellite and cable
- insurance and mortgage
- franchising
- restaurant
- telecommunications
- retail and service
- automotive
- real estate

ADA, FCRA, and FDCPA

Represented companies facing class action allegations asserting violations of federal law, most often American Disabilities Act (ADA), Fair Credit Reporting Act (FCRA), and Fair Debt Collection Practices Act (FDCPA). Clients include businesses in the following industries:

- banking and finance
- satellite and cable
- insurance and mortgage
- medical
- retail and service

CLRA and UCL

Represented pharmaceutical company and various manufacturers of beverages, foods, and clothing in federal and state court putative class actions involving claims of false advertising and deceptive labeling, often involving claims under California's Legal Remedies Act and Unfair Competition Law.

Business Law

Various breach of contract litigations, including a representation of a satellite company that led to a jury trial and verdict for the client of over \$62 million.

Soft IP

Represented companies both defending and pursuing claims of trade dress infringement.

Appellate

Represented clients in appeals to federal circuit courts stemming from nationwide class action litigations.

Achieved a significant victory for a retail business in Florida's Third District Court of Appeal, in which a 2-1 appellate panel reversed a nationwide class certification order.

Other Representations

Arbitration

Represented clients in complex business arbitrations and consumer arbitrations, as well as in appellate arbitrations and in post-arbitration litigation challenges.

Compliance

Advised companies regarding consumer and business-to-business advertising; communications with current, former, and prospective customers; and compliance documents and policies.

Regulatory

Represent clients in regulatory investigations helmed by state Attorneys General and the Federal Trade Commission (FTC); represent clients in matters before the Federal Communications Commission (FCC).

Pro Bono

Various individual representations in wide-ranging matters, including:

- **Death Penalty.** Represented on a pro bono basis an inmate on Alabama death row in his post-habeas challenges: secured ruling from the original trial court judge that the trial was riddled with prejudicial ineffective assistance of counsel (IAC), and was unconstitutional on that basis (March 2010); after years of challenges before the Alabama Criminal Court of Appeal, secured order from the Alabama Supreme Court (January 2019) affirming the trial court's finding of prejudicial IAC.
- **Prisoner Rights.** Represented on a pro bono basis a California inmate alleging civil rights and constitutional claims against prison guards who had kept him shackled in a 2-foot by 2-foot by 6-foot holding cage for 19 hours, denying him access to food, water, adequate clothing, restroom facilities, or mental health assessments. Jury in Central District of California found that nine defendants violated the inmate's constitutional rights.

Honors

The Best Lawyers in America® (Woodward/White, Inc.), Commercial Litigation, 2024.

Recommended in *US Legal 500* for her work in the area of Product Liability, Mass Tort and Class Action: Consumer Products, 2022-2023.

Received the California Lawyer of the Year Award (CLAY) for her work in the field of Arbitration, 2008.

Related Services

ADA Website Accessibility
Advertising and Marketing

California Consumer Privacy Act (CCPA)
Commercial Litigation
Consumer Class Action Defense
Litigation
Telephone Consumer Protection Act (TCPA) Defense
Privacy and Information Security

Education

New York University School of Law, J.D.

- cum laude
- Review of Law and Social Change, senior articles editor

UCLA, M.A.

- Literature

Brigham Young University, M.A.

- Literature

Brigham Young University, B.A.

- cum laude
- with University Honors, English

Admissions

California

Courts

Supreme Court of California
U.S. Court of Appeals–Second Circuit
U.S. Court of Appeals–Fourth Circuit
U.S. Court of Appeals–Eighth Circuit
U.S. Court of Appeals–Ninth Circuit
U.S. District Court–Central District of California
U.S. District Court–Eastern District of California
U.S. District Court–Southern District of California
U.S. District Court–Northern District of California
U.S. District Court–District of Colorado