

Michael Goodman comments for Law360 on Dish Network TCPA violation case

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As reported in a June 7 *Law360* article, the Fourth Circuit dealt the final blow to Dish Network's challenge to a \$61 million jury verdict in a Telephone Consumer Protection Act (TCPA) class action by holding the company vicariously liable for telemarketing calls by its authorized dealer, Satellite Systems Network (SSN), to numbers that were on the Do Not Call Registry. According to the Fourth Circuit, the Do Not Call registry that resulted from telemarketing regulations has been a "model of clarity." Hudson Cook partner [Michael Goodman](#) helped to launch the registry during his time at the Federal Trade Commission (FTC) in the early 2000s.

According to the article, the Fourth Circuit pointed to several factors that made them liable for SSN's missteps, including contractual language that broadly handed Dish authority over what technology it used, what records it retained and other aspects of SSN's business; that SSN was authorized to use Dish's name and logo in carrying out its work; and that Dish received numerous complaints about the calls but failed to address them.

Michael pointed to consumer complaints as "the best warning that a company is going to get that something is wrong. . . . Hopefully for companies that use third-party call centers, this provides a teachable moment that will prompt them to evaluate how they use service providers and put enough protections in place to be able to react aggressively to consumer complaints."

Subscribers to *Law360* may [click here](#) to read the article.

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