



## David Standa

*Partner*

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Phone: (773) 395-1562

david.standa@gmlaw.com

10 S. Riverside Plaza, Suite 875, Chicago, IL, 60606

David Standa is a partner in the Cannabis Law practice group at Greenspoon Marder. He currently focuses on the rapidly evolving cannabis industry and how recently passed legislation, like state-level legalization statutes and many pending federal regulations, impact companies with marijuana, hemp and CBD products.

Mr. Standa advises cannabis clients throughout the Midwest on topics ranging from state-level licensing issues, compliance with seed-to-sale tracking requirements, tax issues, and litigation. Mr. Standa is a frequent speaker on cannabis issues, including the FDA's regulation of CBD products, the potential liability arising out of CBD and edible marijuana products, packaging and labeling, and navigating Illinois' Cannabis Regulation and Tax Act.

Additionally, Mr. Standa has extensive experience in business and consumer finance litigation as well as corporate transactions, securities and regulatory matters, food and beverage compliance and litigation, and healthcare litigation. He has defended several alcoholic beverage industry clients in class actions alleging deceptive labeling and marketing practices, and has assisted industry clients with compliance in the development of product labels.

Mr. Standa is also engaged in health insurance reimbursement disputes. He has represented insurers and hospital systems in litigation and arbitration involving insurance and healthcare disputes and arbitrations, including complex issues surrounding the business of insurance, insurance regulatory matters, Medicare/Medicaid disputes and False Claims Act litigation. At his previous firm, Mr. Standa advised a national health insurance provider on a series of joint ventures with regional hospital systems involving the creation of new insurance networks, and provided regulatory guidance about potential statutory exposure to an insurance holding company.

Mr. Standa's litigation and arbitration cases have included various individual and class action lawsuits concerning claims under the Truth in Lending Act (TILA), Home Affordable Modification Program (HAMP), Telephone Consumer Protection Act (TCPA), Equal Credit Opportunity Act (ECOA), Fair Credit Reporting Act (FCRA) and Fair Debt Collection Practices Act (FDCPA) as well as claims for fraud, breach of contract, and breach of fiduciary duty.

Mr. Standa represents banks and other institutions in commercial and industrial foreclosures, replevin actions and injunction proceedings to recover outstanding collateral. His experience includes handling asset-based and real

estate loan workouts, negotiating forbearance agreements, restructuring loans and liquidating collateral, including sales pursuant to the Uniform Commercial Code (UCC).

Additionally, Mr. Standa assists clients with compliance and regulatory advice. This includes advice regarding state and federal statutory and regulatory requirements for forward and reverse-mortgage products as well as advice regarding debt collection efforts. He is extensively familiar with relevant statutes and regulations, including the FDCPA/Regulation F, TILA/Regulation Z, RESPA/Regulation X, and state statutes and regulations governing consumer debt collection and consumer lending products.

## Court Admissions

- U.S. District Court for the Northern District of Illinois
- U.S. Bankruptcy Court for the Northern District of Illinois
- U.S. District Court for the Southern District of Illinois
- U.S. Bankruptcy Court for the Southern District of Illinois
- U.S. District Court for the Northern District of Indiana
- U.S. District Court for the Southern District of Indiana
- U.S. District Court for the District of Colorado

## Bar Admission

- Illinois

## Education

- J.D., *cum laude*, University of Notre Dame Law School, 2009
- B.S., Finance, Indiana University, 2004

## Practice Areas

- Licensing & Compliance
- Litigation

## Representative Experience

- Represented health plan in litigation involving Medicare/Medicaid insurance disputes
- Represented international medical insurance association in action asserting claims under the False Claims Act for bribery and kickback scheme involving medical device manufacturers
- Represented Aetna, Inc., in its joint venture with Texas Health Resources
- Represented a whiskey manufacturer in a class action involving allegations of deceptive marketing practices based on information contained on the products label
- Assisted trade association with submission of petition to the FCC for clarification and declaratory ruling on the TCPA's "Established Business Relationship" exception
- Advising clients on developing vigorous TCPA compliance programs for direct marketing, marketing through independent agents and lead vendors
- Assisted venture capital firm with due diligence review of target company's TCPA compliance efforts and potential TCPA exposure
- Represented captive insurance corporation in trade secret litigation over the improper use of

its proprietary tax planning services

- Represented individual in dispute involving his First Amendment right to protected internet speech
- Representing multiple mortgage servicers in actions alleging FDCPA and FCRA violations based on credit reporting taking place after the borrower surrendered the property in bankruptcy and received a bankruptcy discharge
- Represented a commercial landlord in a dispute with a Chapter 7 bankruptcy trustee over the trustee's right to postpone his obligation to accept or reject the debtor's lease
- Representing institutions in TCPA class actions alleging that defendants skip trace cell phone numbers and then call the numbers with an auto-dialer without obtaining consent
- Represented national financial institution in various real estate transactions related to REO property
- Defended financial institution against claims asserting violations of ECOA and Section 1983 of the Civil Rights Act
- Represented mortgage servicer in multiple actions involving HUD's interpretation of "branch office" as set out in its servicing requirements for FHA insured loans
- Represented mortgage servicer in putative class action alleging TILA, RESPA and FDCPA violations based on alleged violations related to the transfer of servicing and ownership rights of mortgage loans
- Represented multiple mortgage servicers in actions involving the Illinois Appellate Court's decision in First Mortgage Company v. Dina, 2014 IL App (2d) 130567
- Represented consumer products manufacturer in AAA arbitration based on the unmerchantability of products and purported violations of the Illinois Consumer Fraud and Deceptive Business Practices Act
- Represented national financial institution in putative class action related to debit card overdraft fee litigation
- Represented national financial institution in putative class action alleging unauthorized HELOC reductions based on regional property valuations
- Represented mortgage servicer in putative class action alleging violation of the FDCPA based on allegedly fraudulent activity in an underlying foreclosure action
- Represented individuals in FINRA arbitration actions involving securities litigation
- Represented landlords in both commercial and residential eviction proceedings
- Represented loan servicers in connection with litigation involving HAMP and loan modification disputes
- Represented secured creditors in bankruptcy proceedings

## **Professional and Community Involvement**

- American Bar Association, Member
- Chicago Volunteer Legal Services, Volunteer

## **Speaking Engagements**

- Speaker, "Delta-8 THC: What is it and Where is it Legal?", Illinois Women in Cannabis, June 23, 2021
- Speaker, "The Regulatory Side of Transferring a Cannabis License," Grown In: Cannabis & Capital Summit, June 16, 2021
- Speaker, "HR Legislation in the Stoned Age: Marijuana Legalization," Sterling Webinar, October 8, 2019
- Speaker, "The Land of Lincoln (and Weed): An Analysis of Illinois's Recreational Marijuana

Law, Celesq AttorneysEd Center Webinar, July 23, 2019

- Speaker, “Products Liability & Dram Shop Liability,” Emerging Legal Trends in the Cannabis Industry Conference, June 27, 2019
- Speaker, “What’s Next for CBD? FDA Speaks,” Celesq AttorneysEdCenter Webinar, June 10, 2019
- Speaker, “Emerging Legal Trends,” Cannabis Industry Conference, June 27, 2019
- Speaker, “Foodservice Legal 101,” IFMA Presidents Conference, Phoenix, November 5, 2018
- Speaker, “ADA Website Accessibility Requirements,” Colorado Mortgage Lenders Association (CMLA) Operational and Compliance Forum, August 15, 2018
- Speaker, “Website Content & the Americans with Disabilities Act,” Utah Mortgage Bankers Association Operational and Compliance Forum, Sandy, UT, January 9, 2018
- Speaker, “Website Content & the Americans with Disabilities Act,” Utah Mortgage Bankers Association Operational and Compliance Forum, January 9, 2018
- Speaker, “The Recent & Future Trends for Food & Distilled Beverage Manufacturers,” Food & Beverage Litigation Conference: A Look at Hospitality, Liquor and Food Liability, Chicago, October 25, 2017
- Speaker, “Data Points: Key Issues in Cybersecurity & Data Privacy Litigation,” Chicago Bar Association Consumer Credit Meeting, October 4, 2017

## Publications

- Author, “SD Ruling Threatens Marijuana Legalization Momentum,” *Law360*, February 15, 2021
- Co-Author, “Supreme Court Denies Review of ADA Website Accessibility Lawsuit, Highlighting Litigation Risks to Website and App Operators,” *The Computer & Internet Lawyer*, January 2020
- Author, “4 Recreational Marijuana Tax Revenue Takeaways For States,” *Law360*, October 23, 2019

## In the News

- Quoted, “After felony convictions, Elgin man now has chance to become a marijuana craft grower,” *Daily Herald*, January 20, 2020
- Quoted, “How much can IL expect from taxes, fees on legal marijuana? Tough to tell, attorney says,” *Cook County Record*, November 13, 2019

