



**Brian Melendez is a veteran litigator with more than two decades of experience in trial and appellate practice, and a former president of the Minnesota State Bar Association. His practice focuses on consumer-credit litigation and business torts. He has defended consumer-financial-services providers in more than 300 cases in over 40 states.**

Brian was named by Minnesota Lawyer magazine in 2002 as one of the Top Ten Attorneys of the Year; he won the award a second time in 2008, only the second person to win twice. He has been named to the Minnesota Super Lawyers list in every year since 2003, and is listed in The Best Lawyers in America.

Brian earned his bachelor's degree with honors from Harvard College in 1986; his J.D. with honors from Harvard Law School in 1991, where he wrote on "Districting a Diverse Society," and a master's degree in Theological Studies from Harvard Divinity School in 1991, concentrating in ethics.

## Trial-Litigation Practice

Brian has defended clients, including several Fortune 100 companies, in litigation ranging from contractual disputes to business torts to sophisticated consumer-protection claims. He has litigated more than 300 cases under federal and state consumer-protection statutes, including the Telephone Consumer Protection Act, the Consumer Credit Protection Act, the Truth in Lending Act, the Fair Credit Reporting Act, the Fair & Accurate Credit Transactions Act, the Fair Debt Collection Practices Act, and the Minnesota Prevention of Consumer Fraud Act. Brian has appeared in more than 30 federal district courts and in state courts in more than 20 states. He serves on the Federal Practice Committee for the U.S. District Court for the District of Minnesota, where he chairs the style committee.

Brian is admitted to the bar in Minnesota and Florida. He is admitted to practice before the U.S. District Courts for the District of Minnesota,

## Brian Melendez

### Partner

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### EDUCATION

Harvard Law School, (J.D.), cum laude,  
1991

Harvard University, (M.T.S.), 1991

Harvard College, (A.B.), cum laude,  
1986

### BAR ADMISSIONS

Florida

Minnesota

### COURT ADMISSIONS

U.S. Supreme Court

Minnesota Supreme Court

Florida Supreme Court

U.S. Court of Appeals for the District of  
Columbia Circuit

U.S. Court of Appeals for the Federal  
Circuit

U.S. Court of Appeals for the First  
Circuit

U.S. Court of Appeals for the Second  
Circuit

U.S. Court of Appeals for the Third  
Circuit

U.S. Court of Appeals for the Fifth  
Circuit

U.S. Court of Appeals for the Sixth  
Circuit

U.S. Court of Appeals for the Seventh  
Circuit

U.S. Court of Appeals for the Eighth  
Circuit

District of Colorado, Middle District of Florida, Southern District of Florida, Eastern District of Michigan, Eastern District of Wisconsin, and Western District of Wisconsin, in addition to the appellate courts listed below.

## Class Action Experience

Brian has defended more than a dozen putative nationwide class actions involving federal consumer-protection statutes, including one of the earliest class-action claims under the Telephone Consumer Protection Act in 2000. Please see the drop-down buttons for Class Action Experience and Consumer Protection Experience.

## Appellate Practice

Brian has argued cases before the U.S. Courts of Appeals for the Seventh, Eighth, and Tenth circuits, and is admitted to practice before the U.S. Supreme Court and 12 of the 14 federal courts of appeals. He has filed amicus briefs in the Supreme Court and nine federal circuits. He represented the lead petitioner in *ACA International v. Federal Communications Commission* (D.C. Cir. 2018), the consolidated challenge to the commission's 2015 ruling on the Telephone Consumer Protection Act (the 2015 TCPA Order).

## Professional Parliamentarian

Brian has served as parliamentarian for more than a dozen organizations, including seven terms for the ABA Young Lawyers Division, and two years on the Committee on Rules & Calendar for the ABA House of Delegates. He chaired the ABA Standing Committee on Constitution & Bylaws, and has written the constitution or bylaws for over two dozen organizations. He has taught seminars on parliamentary law for many bar-association, political, and other groups. He is a contributing editor defining more than 400 parliamentary-law terms for the eighth (2004), ninth (2009), and tenth (2014) editions of *Black's Law Dictionary*. Brian is a member of the American Institute of Parliamentarians and the National Association of Parliamentarians.

Brian has also written and taught about legal writing and drafting. He was a contributor to *The Redbook: A Manual on Legal Style*, published by the West Group; and the second through fourth editions of *Garner's Modern English Usage* by Bryan A. Garner, published by Oxford University Press.

## Professional and Community Involvement

Former president, Minnesota State Bar Association

Former president, Hennepin County Bar Association

Former president, American Bar Association Young Lawyers Division

Former president, Harvard Divinity School Alumni/ae Association

Former three-term state chair, Minnesota Democratic–Farmer–Labor Party

Reporter (for charter-revision project, adopted by Minneapolis voters in 2013), Minneapolis Charter Commission

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Tenth Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. District Court for the District of Colorado

U.S. District Court for the Middle District of Florida

U.S. District Court for the Southern District of Florida

U.S. District Court for the Northern District of Illinois

U.S. District Court for the Eastern District of Michigan

U.S. District Court for the District of Minnesota

U.S. District Court for the Eastern District of Wisconsin

U.S. District Court for the Western District of Wisconsin

## LANGUAGES

English

## PRACTICES

Appeals and Critical Motions

Consumer Class Action Defense

Consumer Financial Services and Litigation

Litigation

## INDUSTRIES

Financial Services

Board member, Central Minnesota Legal Services

Board member, FairVote Minnesota

Board member, Lawyers' Committee for Civil Rights Under Law

Board member, Volunteer Lawyers Network

Elected director, Harvard Alumni Association

## **Honors**

The Best Lawyers in America, 2017-2024

Minnesota Lawyer Power 30, 2021

Minnesota Super Lawyers, 2003-2022

Minnesota Lawyer Top Ten Attorneys of the Year, 2002 and 2008