



## News

### Akeela White Analyzes in ARM Compliance Digest: Ohio Appellate Court Upholds Debt Buyer's Win in FDCPA Case

September 24, 2025

In the September 23, 2025, issue of the *ARM Compliance Digest*, Hinshaw partner Akeela White analyzes an Ohio appellate court decision upholding summary judgment for a debt buyer in a Fair Debt Collection Practices Act (FDCPA) case.

Akeela explains that debt collection cases often depend on the proper swearing and authentication of affidavits and business records, as unsworn statements are not sufficient documentation for either party.

She also shares key takeaways from the case for both debt collectors and consumers, including the importance of acting quickly to compel arbitration, since extensive participation in litigation may waive that right.

Akeela writes:

This case is an example of how to win (or lose) a debt collection case on summary judgment. Debt buyers need to make sure their affidavits are sworn, their business records are properly authenticated, and that any computer printouts are clearly tied to the account in question. Unsworn expert reports or declarations won't suffice.

On the flip side, consumers can't rely on speculation or unsworn statements to create a genuine dispute of material fact. The ruling also makes clear that if you want to compel arbitration, you need to do it early, as substantial participation in litigation can waive that right. Finally, yelling, and rude language used by an agent do not by themselves violate the FDCPA without being supported by admissible evidence.

Read the full September 23, 2025, edition of the *AccountsRecovery.net ARM Compliance Digest*.

- *ARM Compliance Digest*: "Ohio Appeals Court Upholds Debt Buyer's Win in FDCPA Case" (September 23, 2025)

#### Attorneys

Akeela M. White

#### Service Areas

Consumer Financial Services