

Rising Star: Latham & Watkins' Andrew Prins

By Kelcee Griffis

Law360 (October 4, 2019, 4:10 PM EDT) -- Latham & Watkins LLP partner Andrew Prins has made a name for himself as a corporate defender against extraneous Telephone Consumer Protection Act lawsuits, earning him a spot as one of three telecommunications law practitioners under age 40 honored by Law360.

THE BIGGEST CASE OF HIS CAREER:

In August, Prins helped secure a class certification denial in a TCPA case against Time Warner Cable in the Southern District of New York. The ruling shot down claims by a group of customers who alleged the company reached them with “wrong-number” phone calls that were intended for their lines’ previous owners.

“We built a very extensive factual record demonstrating that it’s essentially impossible to determine whether a call at any given time was placed to a wrong number,” Prins said.

The case is emblematic of a trend Prins has observed in his practice: More and more companies that use phone calls and texts to connect with customers are getting swept up in litigation claiming the recipients didn't solicit the contact.

“What you’ve seen over the past few years is that the scope of targets for the plaintiffs’ lawyers has really increased now to the point that many extremely careful and well-intentioned companies are sued just as a byproduct of their ordinary business operations,” he said.

OTHER NOTABLE MATTERS HE'S WORKED ON:

Prins works with a group of Latham attorneys pushing back on what they see as overreach in the language and application of the Telephone Consumer Protection Act. He and his colleagues have advanced arguments that parts of the TCPA contain content-based speech restrictions in violation of the First Amendment, and he said that defense to TCPA claims has been picked up in other cases.

**RISING
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STAR**



Andrew Prins
Latham & Watkins

Age: 37

Home base: Washington, D.C.

Position: Partner

Law school: Duke University School of Law

First job after law school: Law clerk for Eleventh Circuit Judge J.L. Edmondson

“It’s been rewarding to see that issue, which we were kind of at the very forefront of developing, make its way across the whole court system,” he said. “It’s an issue that I would be very surprised if the Supreme Court didn’t someday decide.”

WHY HE IS A COMMUNICATIONS LITIGATOR:

Through his practice, Prins said he’s been able to combine his lifelong interest in cutting-edge technology with his later-discovered passion for litigation. Prins went from a child who spent his free time programming computers to a young adult who worked in the field of network architecture and engineering. He originally saw law school as a basic way to further his education, but he found law clerking rewarding and developed a knack for steering court cases.

“This is a second career for me. I’m a little unusual in that way,” he said. “For most of my life, it was unthinkable that I would ever do anything else other than be in that technology industry.”

HOW THE COMMUNICATIONS INDUSTRY WILL CHANGE IN THE NEXT 10 YEARS:

While Prins said his legal background makes him wary of trying to read the tea leaves for any industry, he’s been struck by the upheaval in traditional and emerging TV programming markets. Consumers are flocking away from bundled cable packages and turning to a la carte streaming services, but even the market for those services is now splintering as broadcasters and other content providers launch their own web platforms, he said.

“I’m a litigator so I’m naturally very reluctant to make any predictions about the future. But on a high level, I don’t think that, speaking of the telecommunications space generally, we’ve seen the end of the changes occurring from the growth of over-the-top services,” Prins said.

— *As told to Kelcee Griffis*

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2019 Rising Stars winners after reviewing more than 1,300 submissions. Attorneys had to be under 40 years old as of April 30, 2019, in order to be considered for this year's award. This interview has been edited and condensed.