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TCPA QUICK HITTER: Another Court Finds Text Message ATDS Allegations Insufficient Because Safest Channel

Article By:

Eric J. Troutman

As I've been saying, text messages are the safest channel of communication post *Facebook*.

Here's another example. Guy talks to company. Company sends texts. Guy sends no consent. Court says—doesn't matter.

In *Hunsinger v. Alpha Cash Buyers, LLC*, Civil Action No. 3:21-CV-1598-D, 2021 U.S. Dist. LEXIS 209119 (N.D. Tex. October 29, 2021) the Court found the fact that the text messages were received after Hunsinger had spoken with an Alpha Cash agent several times by telephone was pretty much dispositive. The system could not have been an ATDS since it was sending targeted texts, not texts generated using a RoSNG.

Sounds about right.

Keep in mind, however, the Plaintiff in this case didn't have a lawyer and not FN7 arguments were raised.

Still, though. Safest channel. ([Except in Florida.](#))

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