



Terance A. Gonsalves

Partner

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Related Services

Litigation ■ White Collar, Government & Internal Investigations ■ False Claims Act ■ Commercial ■ Class Action & Multidistrict Litigation ■ TCPA Counseling & Litigation ■ Education ■ Contingent Risk Insurance

Tery Gonsalves is a partner in the Litigation & Trial Practice Group and chair of Alston & Bird's Education Team. He is a seasoned trial lawyer having tried more than 20 cases to verdict. He represents public and private schools, colleges, and universities, as well as clients across other industries, in a variety of matters, including complex litigation, government and internal investigations, and regulatory and compliance counseling.

Tery has a comprehensive understanding of the federal, state, and accreditation issues facing education institutions. He previously served as Deputy General Counsel at a publicly traded proprietary education corporation, where he counseled clients in all aspects of the highly regulated education ecosystem. His clients include nonprofit and for-profit institutions he counsels on a myriad of issues.

Additionally, Tery has extensive experience defending claims arising under the False Claims Act (FCA) and high-stakes consumer class actions, including claims of consumer fraud, false and deceptive advertising, and unfair business and trade practices. He also has a nationwide practice defending class actions and individual claims alleging violations of various state and federal telemarketing laws, including the Telephone Consumer Protection Act (TCPA).

Tery also represents clients in front of multiple federal and state agencies, including the Department of Justice, Federal Trade Commission, Department of Education, U.S. Attorneys' Offices, state attorneys general, and various state higher-education agencies and accrediting bodies.

Representative Experience

Commercial Litigation

- Tried and won a complete defense verdict of a certified class action on behalf of a nonprofit preschool wherein the class alleged the preschool violated various health and safety regulations, giving rise to liability under California's Unfair Competition Law.
- Tried and won several consumer fraud arbitrations asserting false advertising claims.
- Represented a publicly traded education company in multiple state and federal jurisdictions in nationwide consumer fraud class actions, securities fraud class actions, and derivative litigation arising from alleged advertising misrepresentations.
- Served as national TCPA litigation counsel for a publicly traded proprietary education company defending numerous putative class actions, individual lawsuits, and pre-litigation claims.

- Represented a financial services company in a state FCA action alleging manipulation of municipal bond pricing.
- Represented a small business loan originator in a TCPA putative class action.

Government & Internal Investigations

- Represented a publicly traded education company facing consumer fraud claims before the Department of Justice and various state attorneys general.
- Represented a manufacturing company in a federal FCA investigation related to a National Science Foundation research grant.
- Represented a proprietary education company in connection with an investigation by the FTC alleging false and deceptive advertising.
- Represented a publicly traded proprietary education company in multiple federal FCA actions alleging violations of Title IV regulations.
- Conducted internal investigations for colleges and universities related to alleged compliance violations, whistleblower complaints, employee theft, and other company concerns, including investigations involving senior management.

Regulatory & Compliance

- Providing ongoing counsel to a nonprofit education system regarding regulatory and compliance matters, corporate governance, accreditation, Title IV, and commercial transactions.
- Counseling institutions on issues related to incentive compensation, marketing, advertising and telemarketing, and best practices for internal investigations.

Publications & Presentations

Publications

- “What Comes Next After Responding to Your Institution’s BDR Applications,” *Career Education Review*, Winter 2023.
- “Federal Communications Commission Issues Notice of Proposed Rulemaking That Will Impact Consent Under the Telephone Consumer Protection Act,” *The Journal of Federal Agency Action*, January-February 2024.

Presentations

- “Telephone Consumer Protection Act 101 (2023 Edition),” myLawCLE, Federal Bar Association, webinar, October 26, 2023.
- “The Risk May Be Real: A Refresh on DOJ’s Corporate Compliance Policies and Their Application to Institutions of Higher Education,” SCCE Virtual Higher Education Conference, webinar, October 25, 2023.
- “Sea Change: Diversity, Equity and Inclusion in Higher Education After the Supreme Court Strikes Down Affirmative Action,” Northwest Commission on Colleges and Universities (NWCCU), webinar, October 13, 2023.
- “A Refresh on DOJ’s Corporate Compliance Policies,” PACE ACX 2023, Charlotte, NC, October 10 – 12, 2023.
- “Responding to Student Borrower Defense to Repayment (BDR) Claims,” National Association of College and University Attorneys (NACUA), webinar, September 21, 2023.
- “The Risk May Be Real: A Refresh on DOJ’s Corporate Compliance Policies and Their Application to Institutions of Higher Education,” SCCE Higher Education Compliance Conference, Phoenix, AZ, June 11-13, 2023.
- “Compliance Officers Forum,” PACE Summit DC 2023, Washington, D.C., May 21-23, 2023.

- “Investigations vs Monitoring: Strengthening Your Monitoring Program in the Pursuit of Less Investigations,” LegalWeek New York 2023, New York, NY, March 21, 2023.
- “How Can Growth & New Compliance Initiatives Coexist?” LeadsCon 2023, Las Vegas, NV, March 15, 2023.
- “Balancing Compliance & Data Privacy Issues With Your Growth Goals,” Leadscon’s Consent Summit, webinar, October 25, 2022.
- “Borrower Defense to Repayment: What You Need to Know Now,” 2022 Career Education Convention, Career Education Colleges and Universities, Las Vegas, NV, June 2, 2022.

Professional & Community Engagement

- National Association of College and University Attorneys
- Leadership Council on Legal Diversity, Fellow

Court Admissions

- U.S. Court of Appeals for the Seventh Circuit
- U.S. District Court for the District of Colorado
- U.S. District Court for the Northern District of Georgia
- 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 Western District of Texas

Education

- DePaul University (J.D., 2000)
- University of Illinois Urbana–Champaign (B.A., 1991)

Admitted to Practice

- Illinois
- Georgia