



Class Actions

Individual plaintiffs and their lawyers frequently seek to aggregate their claims with others to sue a target business as a group to challenge some perceived wrong. Whether the perceived wrong relates to a business's product, policy or practice, a class action presents high-stakes and sometimes bet-the-company exposure that cannot be taken lightly.

An effective defense of a class action requires careful management of each stage of the case. The battle often begins with testing the legitimacy of the complaint through motion practice. If the case survives, the battle turns to class discovery in which a representative plaintiff inevitably seeks to dig deep into a business's paper and electronic archives to find support for their claim. If not managed carefully, class discovery can quickly turn into a time and resource-sapping morass. Class discovery then leads to the class certification hearing, where most class actions are effectively won or lost. If the class is certified, the battle continues through potential dispositive motions, trial and appeal. When appropriate, a business may consider a class-wide settlement along the way to prevent endless litigation and to place a reasonable cap on potential liabilities.

Class actions thus require the experienced and steady hand of lawyers who not only understand the underlying substantive areas of law, but also the many procedural challenges unique to class actions. For over 40 years, our lawyers have successfully defended businesses in class actions throughout the country in such varied and diverse areas of the law as:

- ADA compliance
- antitrust
- banking
- consumer liability
- electronic payment processing
- Fair Debt Collection Practices Act (FDCPA)
- healthcare
- insurance
- labor and employment

Practice Contacts

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Related Practices

Antitrust
Commercial Litigation
Labor and Employment
Product Liability

Practice Highlights

- Our group is a leader in battling class certification and, where appropriate, negotiating creative class-wide settlements on behalf of our clients.
- Our experience in this field encompasses virtually every area of law.

- pharmaceutical and medical devices
- products liability
- RICO
- securities
- toxic torts

Representative Matters

- Successfully defeated class action of consumers suing a California law firm for alleged violations of the Fair Debt Collections Practices Act
- Secured favorable class action settlement on behalf of automobile insurer for the alleged failure to pay interest on overdue personal injury protection benefits
- Obtained defense verdict on behalf of a chemical manufacturer for residents' alleged exposure to PCBs from a Pennsylvania railyard
- Defeated class certification of medical providers who alleged consistent underpayment of charges against Philadelphia prison system administrator
- Defeated class certification of consumers who alleged improper substitution of polymer burial containers for concrete burial containers against national funeral home product company
- Awarded summary judgment of claims of class of New Jersey automobile insurance policyholders who sought to reform their uninsured/underinsured motorists coverage due to an alleged defect in issuing and renewing coverage
- Awarded summary judgment on behalf of a chemical manufacturer of a \$4 billion class of all Massachusetts school districts having buildings with elevated airborne PCB levels
- Defeated class certification of a class of inmates at the Worcester County Jail who had been shot by correctional officers with client's "less-than-lethal" crowd control weapon
- Secured dismissal of a securities class action complaint against a financial services company alleging violations of the 1933 Securities Act and the 1934 Securities Exchange Act
- Defeated class certification of a worldwide class of marine engine owners in a \$50 million breach-of-warranty class action
- Negotiated favorable settlement of claims of an 85,000 member class seeking compensation for property damage and medical monitoring related to manufacture of Agent Orange
- Obtained dismissal of a statewide class against a national title insurance company
- Defeated class certification of class of nursing home residents who sued nursing home for alleged substandard care related to inadequate staffing and wound care

- Negotiated a favorable settlement with SEC for a banking client charged with alleged violations of Section 17(a) of the Securities Act of 1933
- Obtained summary judgment on behalf of a chemical manufacturer of a national property damage class action on behalf of all schools that have florescent light fixtures containing PCB ballasts

- Obtained dismissal of a statewide class action alleging overcharges against one of the largest pharmacy benefits managers
- Negotiated favorable settlement on behalf of automobile insurer of class of New Jersey automobile insurance policyholders who sought to reform their personal injury protection coverage due to an alleged defect in issuing and renewing coverage
- Secured favorable class settlement in favor of a biopharmaceutical company sued for securities fraud
- Secured a class action jury verdict in a vertical price-fixing case
- Secured favorable results for the City of New York in complex class action lawsuits challenging the provision of various types of public benefits to class members
- Defended against securities fraud class actions brought against companies including leading bio-pharma company, mid-sized software firm and regional financial institution
- Represented individual directors, officers and employees subject to subpoenas in SEC investigations

News

Chambers USA 2020 Ranks White and Williams as a Leading Law Firm
April 23, 2020

Congratulations 2019 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
October 17, 2019

Chambers USA 2019 Ranks White and Williams as a Leading Law Firm
April 26, 2019

Congratulations 2018 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
October 18, 2018

David Marion Recognized by *Best Lawyers* as "Lawyer of the Year"
August 15, 2018

Chambers USA 2018 Ranks White and Williams as a Leading Law Firm
May 10, 2018

Congratulations 2017 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
November 11, 2017

Chambers USA 2017 Ranks White and Williams as a Leading Law Firm
May 26, 2017

Coverage College Celebrates Its 10th Anniversary
September 22, 2016

Prominent Trial Attorney David Marion Joins White and Williams
September 6, 2016

Richard Campbell Joins White and Williams in Boston
June 7, 2016

The Ninth Annual Coverage College Features True-to-Life Case Study
October 8, 2015

Congratulations 2014 DE, MA, NJ, NY and PA Super Lawyers and Rising Stars
October 22, 2014

Publications

Revised Federal Rule Regarding Class-Wide Settlements
Class Actions Alert | March 18, 2019

Employment Agreement Class Action Waiver Deemed Unenforceable by Delaware Court
Labor and Employment Alert | October 13, 2016

Permissive Intervention Granted To Void Two-Year Old Settlement Entered In Favor Of Legally Invalid Class Action
Class Actions Alert | June 24, 2014

Cases & Deals

Litigation Team Secures Dismissal of Claims Alleging Health Coverage Plan Creates Unfair Business Advantage
September 14, 2017

Coverage Team Successfully Defends Insurer In Medical Product Class Action
March 31, 2017