

Class + Collective Action Litigation

Our class action defense practice works as part of a complex litigation practice, providing aggressive representation from experienced litigators. We defend corporations faced with class action claims pertaining to their products, services, practices or employees. Our first goal is to defeat class certification; if a class is certified, we'll work to minimize exposure, explore settlement options and present the case at trial.

Our Services

Our class action litigation experience serves a broad array of industries and claims, including customer and consumer claims, employee claims, franchisee claims, shareholder claims, ERISA beneficiary claims and defined benefit pension plan participating employer claims. Our comprehensive representation in this area includes:

- + **Class certification:** positioning to maximize opportunities to defeat class certification
- + **Class action defense:** vigorous representation when faced with the complexity of discovery and trial of a class action lawsuit
- + **Class action claims resolution:** exploration of appropriate resolution options during the pre- and post-class certification phases of litigation
- + **Class action settlement challenges:** representation of corporate claimants to maximize payout in large class action settlements; challenging allocation
- + **Collective action claims:** defending employers against Fair Labor Standards Act and other collective action claims

Our Clients

Our clients include corporations, trade and business associations, and pension plans and their trustees.

- + **Corporations:** retail consumer sales; provision of consumer services; sale of warranties; sale of franchises
- + **Pension plans and employee stock ownership plan (ESOP) trustees:** class action litigation involving ERISA claims; multi-employer pension plan withdrawal liability; employee stock ownership plans (ESOPs)
- + **Franchisors:** class action claims brought by consumers and franchisees

We have successfully defended a number of clients in class action litigation cases, including:

- + **A national defined benefit pension plan and its trustees:** successful trial defense of class action claims pertaining to multi-employer pension plan withdrawal liability

- + **A regional physical fitness center operator:** defense of employee class action claims
- + **An international retail store operator and franchisor:** defense of various putative class actions brought by employees, customers and franchisees, including a successful track record of preventing class certification in all cases
- + **A multi-location franchisee of international fast-food restaurant franchisor:** successful defense of FLSA collective action claims, including de-certification of collective action
- + **A national automotive warranty provider:** defense of consumer class action claims involving extended automobile warranties, including a successful outcome in the United States Court of Appeals for the Sixth Circuit and corresponding resolution of actions by state enforcement authorities

Contact Us

For more information on our class and collective action litigation services, please contact Robert Cohen.

Our Team

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