



We frequently act as counsel in class actions in both state and federal court. Our attorneys defend clients in all aspects of class action litigation, including class certification, forum issues, dispositive motions, opt-out and objector issues, settlement and fee issues. We have represented clients against class action claims arising from a variety of issues, such as antitrust and trade regulation, employment, insurance, products liability, and personal injury.

REPRESENTATIVE EXPERIENCE

- Currently represent an international clinical laboratory in a class action asserting claims for consumer protection and fraud, among others, on behalf of a putative nationwide class.
- Currently represent a town in North Carolina in a class action seeking repayment of disputed taxes for all town residents over an eight-year period.
- Served as national defense counsel for a major insurance broker in class action lawsuits asserting claims for consumer protection, fraud, civil conspiracy, and civil RICO, among others, and pending in more than 10 jurisdictions. The matters were globally resolved on terms favorable to our client.
- Defended national putative class action lawsuit in federal court asserting claims under the Fair Credit Reporting Act by successfully compelling individual arbitration.
- Represented a defendant corporation in an antitrust price-fixing case in the racing merchandise industry in Tennessee. The trial court denied class certification and granted summary judgment for defendants, which was affirmed on appeal.
- Successfully defended a financial institution and its officers and directors in a putative class action lawsuit in federal court in South Carolina asserting breach of fiduciary duty claims and violations of the securities laws.
- Represented a major workers' compensation insurer in a class action case in North Carolina in which the N.C. Supreme Court affirmed dismissal of the case before class certification and adopted the federal filed rate doctrine as a matter of state antitrust law. That doctrine holds that antitrust damages may not be obtained where rates are filed by competitors with an administrative agency and become the lawful rates. In our case, the N.C. Supreme Court rejected the plaintiffs' claims that the actions of the defendants related to certain fees or otherwise were not related to rates themselves.
- Represented a defendant in the federal court for the Middle District of North Carolina in a WARN Act case regarding notice of layoffs. The matter was favorably resolved for our client.
- Obtained a dismissal with prejudice of Rule 10b-5 securities claims asserted in a putative class action against a "Big Four" accounting firm.



- Represented a major insurance company in South Carolina state court in an action alleging price fixing of workers' compensation rates. The matter was settled and a related action in North Carolina state court was dismissed on the basis of the filed rate doctrine before class certification.
- Represented a defendant in the federal court for the Eastern District of North Carolina in an action alleging that domestic and foreign airlines conspired to fix travel agency commissions.
- Defended a corporation in North Carolina state court in a consumer class action, which was a follow-on to a Federal Trade Commission (FTC) claim against our client. The plaintiff voluntarily dismissed its case (prior to certification) after we took the proposed representatives' depositions and exposed the lack of evidence to support the substance of the claims and the right to class action status.
- Represented national insurer in class action claiming that companies offering workers' compensation insurance combined with their rating organizations to raise fees paid those that wrote policies in the assigned risk pool with the alleged result that employers paid higher rates. The N.C. Supreme Court ordered dismissal of the case and, in doing so, adopted the filed rate policy as a matter of North Carolina state antitrust law.
- Defended manufacturer of medical X-ray film in indirect purchaser class action claiming price fixing. A class was certified in connection with settlement of the case.
- Defeated class certification for a Fortune 500 company in a class action age discrimination case and obtained summary judgment on 38 individual claims.