



Consumer Law/Trade Regulation Practice Group – Consumer Class Action Defense

The Consumer Law/Trade Regulation Practice Group has the experience in class action litigation, and the expertise in consumer law, to expertly handle any type of consumer class action. The Group regularly defends clients in federal and state court consumer class actions across the United States. We also work closely with our clients to evaluate business practices to minimize the risk of a consumer class action being brought in the first place. When a consumer class action is brought, the members of the Consumer Law/Trade Regulation Practice Group have an established record of early dismissal, denial of class certification, enforcement of arbitration clauses, favorable settlements, and success at trial and on appeal.

The Group's attorneys have defended numerous nationwide and statewide consumer class actions involving allegations of: false advertising and unfair trade practices; false product, nutrition and health claims; incorrect truth in lending disclosures; false price and savings claims; improper "free" claims; unlawful sweepstakes, prize and gift promotions; unfair in-home sales practices; unlawful contract provisions; improperly disclosed refund and rebate policies; deceptive coupon disclosures; breach of written and implied warranties; improper collection of sales tax; and illegal mortgage lending, debt collection, and credit reporting practices. The Group has extensive knowledge of the Truth in Lending Act (TILA), the Fair Credit Reporting Act (FCRA), the Home Ownership Equity Protection Act (HOEPA), the Fair Housing Act (FHA), the Equal Credit Opportunity Act (ECOA), the Real Estate Settlement Procedures Act (RESPA), the Fair Debt Collection Practices Act (FDCPA), and the Unfair Deceptive and Trade Practices Act (UDTPA).

Representative Class Action Engagements

- Representing a retailer in connection with a class action in California alleging that credit disclosures made for private label credit card violated the Truth in Lending Act.
- Representing a textile rental company in numerous state and federal class actions brought on behalf of customers seeking recovery of environmental surcharges.
- Successfully defending an insurance company in class action brought under Florida's Valued Policy Law on behalf of all Florida policyholders.
- Defeating class certification in three class actions alleging RICO and fraud claims against a telecommunications carrier in connection with its marketing practices in the sale of telecommunications services.
- Representing a consumer finance company in four nationwide class actions challenging the sale of non-filing insurance, a credit insurance product.
- Representing an automobile finance company in case involving alleged violations of ECOA and FCRA.



- Representing a national title insurance company in case involving alleged violations of RESPA and unfair trade practices.
- Representing a national timeshare company in case involving alleged violations of RICO, FLSA, and common law claims.
- Representing an insurance company in case involving allegedly fraudulent practices in the sale of life insurance policies.
- Representing defendant in case involving alleged improprieties in the sale of personal property credit insurance.
- Representing a national mortgage services company in case involving allegations of improper broker payments and RESPA violations.
- Representing defendant in a case involving allegations of improper payment processing on credit card accounts.
- Representing a mortgage lending company in a case involving claims of usury and violations of Georgia's Industrial Loan Act.
- Representing defendant in a case involving allegations of violation of Ohio Retail Installment Sales Act.
- Representing a national retail chain in case involving allegations of fraud and RICO with respect to credit insurance.
- Representing an insurance company in a case involving allegations of improprieties in the sale of credit life and credit accident and health insurance.
- Representing defendant in case involving allegations of excessive finance charges in retail installment sales under Alabama law.
- Representing an insurance company in a case involving allegations of racial discrimination in the selling of industrial life policies.
- Representing a snack food company in related class actions filed in New York, New Jersey, California, and Florida alleging that the company misrepresented the fat and caloric content of its products.
- Representing an in-home seller in class actions in California alleging unfair and deceptive selling practices, illegal contract terms, false "savings" and "free" claims, bait and switch advertising, and Truth-in-Lending violations.
- Representing defendant in coordinated class actions brought in five states challenging the defendant's collection of sales tax.
- Representing a provider of warranty service in a class action claiming breach of warranty.
- Representing a national retail chain in a class action brought in New York alleging deceptive trade practices, fraud and breach of contract in connection with defendant's discount coupons.



- Representing a furniture seller in a ten-state class action alleging unconscionable sales practices directed at the elderly.
- Representing a furniture seller in a multi-state class action challenging “custom made” advertising claims.