

Overview

Class actions—litigation in which one plaintiff or a handful of plaintiffs represent an entire group—can result in jaw-dropping verdicts and settlements. Steptoe & Johnson’s class action litigators use their experience in defending class actions to keep our clients from becoming tomorrow’s headlines.

Areas of Focus

We have developed this experience in defending class actions in practically all areas in which they’re brought, including:

- Consumer protection
- Banking and credit
- Employment
- Privacy
- Insurance
- Energy (royalties, drilling, pipelines)

Representative Experience

- Defended numerous purported class actions in the areas of consumer protection, consumer privacy, and consumer pricing
- Defended medical record service provider in multiple overlapping class actions regarding the cost of medical record copies, including successful appeal to the West Virginia Supreme Court of Appeals based on lack of standing of a named plaintiff
- Defeated certification in action seeking to establish class of network doctors to pursue claims against health insurer for allegedly wrongful recoveries of overpayments
- Extensive experience litigating wage payment class actions (opt-out) and FLSA collective actions (opt-in)
- Obtained defense verdict in a nationwide FLSA collective action
- Extensive experience with related multi-district litigation in federal courts, including coordinating nationwide removal and transfer strategy for hundreds of related cases
- Represented mutual fund company in class action based on allegedly misleading prospectus
- Experience with class actions and multi-district litigation as long-time judicial clerk in federal district and appellate courts

- Serving as assistant national coordinating defense counsel in toxic tort litigation for a world-wide product manufacturer
- Defended numerous purported class actions claiming breach of contract related to alleged natural gas royalty underpayments
- Defended purported class actions and mass actions claiming negligence, nuisance, and/or trespass related to gas pipelines and/or drilling operations
- Obtained summary judgment in mass action claiming fraudulent inducement and seeking rescission of leases of mineral rights
- Represented pharmaceutical company in class actions and multi-district litigation panel proceedings arising from allegations of antitrust violations
- Represented broker-dealer in class certification motions in action arising from alleged insider trading
- National coordinating counsel for a pharmaceutical company in actions involving failure to warn
- In a high stakes product liability class action, successfully argued to the Fifth Circuit Court of Appeals that class counsel's \$4.3 million attorney fee award from the District Court in the Eastern District of Texas was grossly inflated, resulting in remand to the District Court. On remand, the District Court reduced class counsel's original attorney fee award by 55 percent.
- Defended porcelain sanitaryware manufacturer in product liability class action involving manufacturing defect alleged to have caused cracking in toilet tanks, with resulting class settlements constituting 0.0056% of damage models presented by class counsel

Highlights

- Using the Class Action Fairness Act to remove to federal court cases filed in state court
- Using motions to dismiss to knock out the claims of named plaintiffs, ending cases early
- In the right circumstances, reaching pre-certification class settlements to avoid the uncertainties of litigation and avoid potentially ruinous verdicts
- Defeating class certification motions and stopping purported class actions in their tracks
- When necessary, taking cases to trial



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