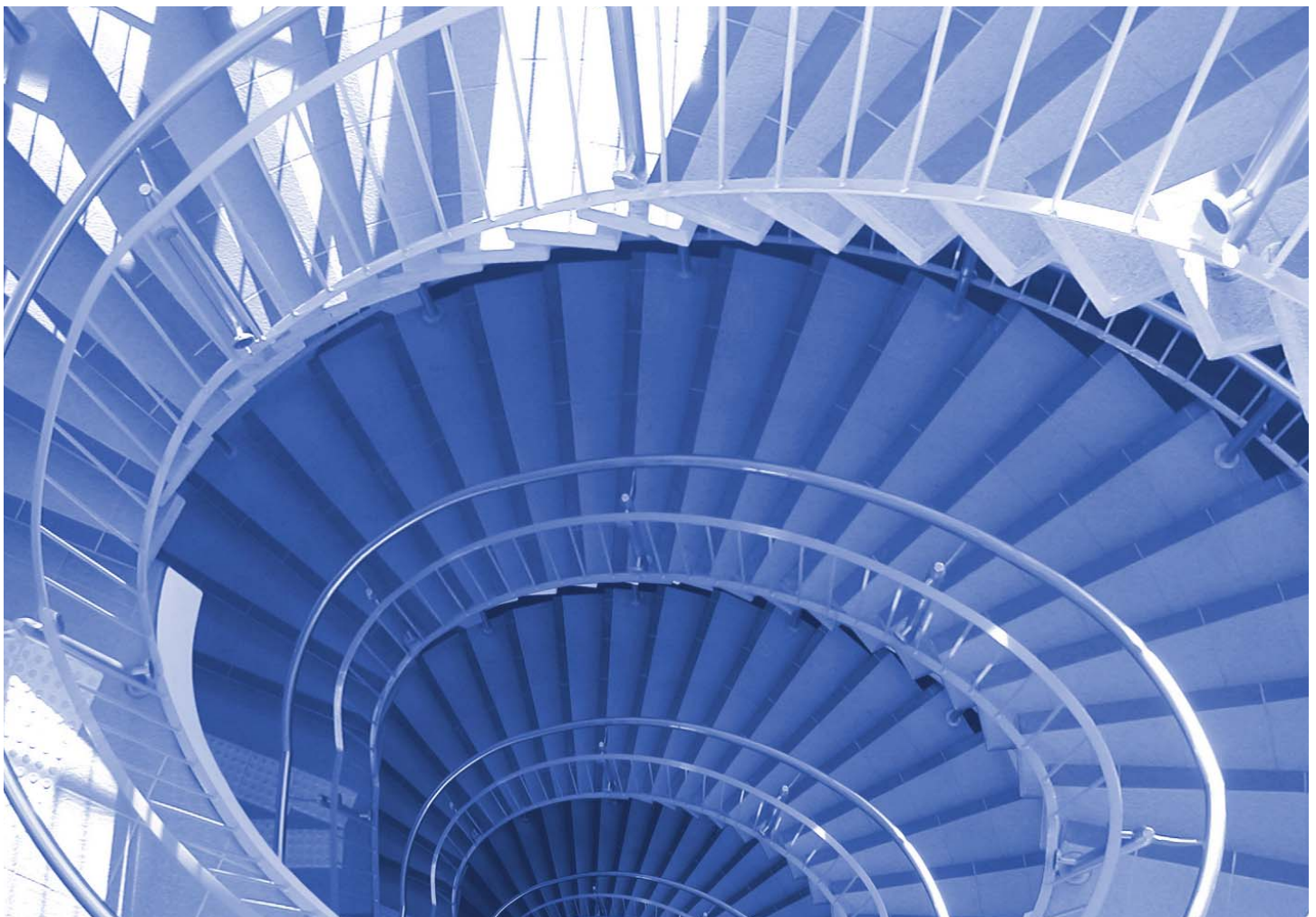


Commercial Class Action Litigation



Class Action Litigation

Class actions pose potentially significant risks to companies in all industries. Daunting in size, scope, and potential damages, class action litigation can adversely impact an entity's finances as well as its business operations and reputation in the marketplace. Given the complex nature of class action litigation, defense counsel must identify and quickly evaluate all potential legal and business ramifications in order to develop and execute an effective defense strategy.

Plaintiffs' lawyers frequently file multiple suits across the country in an attempt to obtain what they perceive to be economic leverage. Seyfarth Shaw's national presence allows us to counteract such tactics by building an integrated, cohesive defense team. Doing so not only minimizes costs, it ensures that a consistent defense strategy will be implemented throughout the country.

Seyfarth Shaw's Class Action Attorneys

Seyfarth Shaw's Class Action Litigation Practice Group has extensive experience defending clients involved in complex, multi-jurisdictional cases, particularly those that deal with consumer fraud, false advertising, privacy, data security, and product liability matters. We approach each case with a comprehensive, organized and cost-effective strategy that takes into account the short- and long-term consequences of potential defense strategies. Our attorneys find ways to mitigate potential risks from the outset, while providing clients with an organized and cost-effective approach to defending class actions.

Class action law is by no means stagnant. To the contrary, most class actions implicate developing laws and procedural rules. Our attorneys work tirelessly to ensure that we stay abreast of the latest procedural and substantive developments.

Strategic Counseling

Our attorneys frequently serve as both business and legal advisors to our clients. We have an insider's grasp of many industries with particular knowledge in the retail, Internet, e-commerce, and technology industries.

Clients frequently call upon us to review, and where appropriate, help them revise, company policies and procedures. Such proactive measures allow our clients to minimize litigation risks and at the same time enhance their business operations.

If a lawsuit is threatened or filed, we draw upon our extensive knowledge and experience to devise an appropriate defense strategy. In doing so we recognize that no two cases or clients are alike. After consultation with the client we implement the agreed upon strategy, taking into account the short- and long-term consequences of the selected approach.

Cost-effective Case Management

Seyfarth Shaw's Class Action Practice Group is comprised of strategic, fast-thinking litigators who argue effectively and persuasively. We understand the need to achieve results in the most cost-effective manner possible. Our firm has made a significant investment in technology that permits us to achieve litigation efficiencies for our clients, and we have broad experience working with litigation support personnel, both inside and outside the firm, so that we can streamline the litigation process and make the most effective use of resources.

Seyfarth Shaw has a national presence with class action attorneys in nine offices across the country. Accordingly, we have the ability to form integrated teams to defend our clients from coast-to-coast—whether that means seamlessly conducting discovery in multiple states or immediately being in a position to defend against “copycat” cases that frequently appear in the wake of initial class action filings.

Most importantly, Seyfarth Shaw's class action attorneys understand that we are here to serve our clients. We understand the importance of being responsive and reliable. We are well aware that longstanding client relationships are built on trust. Throughout the course of litigation the lawyers in our group communicate with our clients effectively, in a timely manner, and with complete candor. We encourage clients to participate in the planning and decision-making processes, and thus, partner with our clients to achieve the best possible result.

About Seyfarth Shaw

Seyfarth Shaw was founded in 1945 by three lawyers and has grown to more than 750 lawyers across ten offices. Our practice spans the United States and, through our international affiliations and European office, we provide our clients with a global presence. We handle issues for our clients in all key areas including commercial litigation, construction, corporate and finance, employee benefits, environmental, government contracts, intellectual property, labor and employment, real estate, securities litigation, trade secrets, trusts and estates, workouts and bankruptcy, among others.

Our success is the result of a constant, unrelenting focus on the needs of our clients. Our commitment to excellence and our belief in the strength of a team-based approach to the delivery of our services offer an atmosphere of creative and innovative thinking.

Our clients are our partners in business and we commit to listen to their needs and to align the skills and abilities of our people to respond to those needs. Our clients span the gamut of the economy, ranging from *Fortune* 100 to midsize companies, and from publicly traded and privately held companies. We represent clients in all industries and in all geographies and we are diligent in providing the same level of commitment to each client.

Success Stories

Seyfarth Shaw's Class Action Practice Group has obtained exceptional results for numerous clients throughout the country. A few examples are highlighted below:

An international retailer was sued for consumer fraud and false advertising. Seyfarth Shaw attorneys responded by:

- ▶ Successfully presenting a motion to dismiss the first action
- ▶ Establishing a nationwide team of attorneys to handle similar matters filed around the country
- ▶ Successfully opposing plaintiff's motion for class certification in a similar action filed in a second state
- ▶ Successfully presenting a motion to dismiss a similar action filed in a third state
- ▶ Working with the client to minimize the risk of future actions

A major Internet service provider was sued in several states for consumer fraud and false advertising. We responded by:

- ▶ Successfully presenting a motion to dismiss the first action
- ▶ Establishing and coordinating efforts of attorneys around the country
- ▶ Successfully opposing plaintiff's motion for class certification in a similar action filed in a second state
- ▶ Ultimately obtaining a dismissal of the second action

A plaintiff filed a purported national class action against a prominent technology company. We protected our client by:

- ▶ Prevailing on significant pre-trial motions
- ▶ Successfully settled case for a de minimus amount

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