



# Consumer Fraud Class Actions

Consumer fraud class actions have become a multibillion-dollar headache for consumer brands and have increased exponentially for the last five years across all jurisdictions. Consumer fraud allegations pose the risk of enormous financial damages, injury to brand reputation, and loss of key business relationships and assets; they also divert valuable time, management focus, and resources away from core business objectives.

## WHAT SETS US APART

**Understanding Your Legal Demands and Business Needs.** Seyfarth has developed deep subject-matter skill to ensure our clients receive not only excellent litigators, but also a firm that understands its client's business and can provide strategic insight. Our attorneys have handled hundreds of cases defending consumer fraud class actions in myriad consumer fraud litigation in both state and federal courts.

**Industry Know-How.** It is essential to have proactive counsel and a multidisciplinary team on your side. We represent businesses in state and federal consumer class actions, spanning all industries, including retail, food service, grocery & convenience stores, shipping & logistics, data analytics, automotive, health care & pharmaceutical, travel, hospitality & entertainment, consumer financial, and legal & professional services, among others.

**Innovative Delivery.** Our attorneys support clients with strategic case control from the beginning of the suit to the end. We defend industry clients nationally against putative class and single-plaintiff consumer fraud actions involving advertising and labeling claims, deceptive trade practices, data collection, pricing practices, telemarketing, rebate policies and e-mail marketing campaigns. We have a proven track record of quickly digging into the facts and creating a comprehensive defense strategy to successfully defeat or resolve these matters in the best interest of our clients. Our innovative approach is a key metric of our success.

**Commitment to Excellence.** We are strategic, fast-acting litigators who argue effectively and persuasively. We understand the need to achieve results in the most practical and effective manner possible. Seyfarth continues to make a significant investment in our advanced delivery platforms, which enable us to achieve litigation efficiencies for our clients. We also have broad experience working with litigation support personnel, both inside and outside the firm, in order to streamline the litigation process and make the most effective use of resources.

Our attorneys regularly speak and publish on developments in consumer fraud class actions, and counsel clients on regulatory compliance and litigation avoidance strategies. Visit Seyfarth's **Consumer Class Defense Blog**, which provides perspectives and timely developments on consumer fraud litigation and regulatory activity.

## OUR SERVICES

**Best-in Class Litigation and Trusted Advice.** We offer a full range of legal services that cover all facets of consumer fraud matters including:

- State consumer fraud and deceptive practices acts
- Breach of warranty
- Magnuson-Moss Warranty Act
- Breach of contract
- Unfair competition
- False advertising
- False labeling
- Fair and Accurate Credit Transactions Act
- Fair Debt Collection Practices Act
- Fair Credit Reporting Act
- Telephone Consumer Protection Act
- Song-Beverly Consumer Warranty Act
- Privacy statutes
- Business torts
- Regulatory and government investigations
- Cybersecurity litigation

## OUR EXPERIENCE

We have extensive experience counseling and defending clients against consumer class actions in a variety of industries and in state and federal courts across the nation, including Illinois, California, Ohio, New York, Florida, Michigan, New Jersey, Texas, Missouri, Massachusetts, and Wisconsin.

We have substantial experience representing companies and health care systems in federal privacy and breach investigations and state attorney general investigations, as well as privacy class action litigation in federal and state courts.

Representative experience includes:

- Defending major retailer of household appliances against class action alleging latent defects in products, consumer fraud and breach of warranty.
- Defending University against class action complaint alleging breach of contract and entitlement to tuition refund.
- Providing counsel to a consumer products company for infants and toddlers with an alleged class action involving false advertising.
- Defended a company in the automotive industry against class action complaint alleging consumer fraud claims related to data privacy. Case settled on individual terms favorable to defense.
- Defended four pharmaceutical industry clients in a putative class action against claims alleging that they falsely claimed that their cosmeceuticals were patented and could instantly and dramatically eliminate the appearance of wrinkles. Plaintiffs voluntarily dismissed their complaint in its entirety.
- Represented sporting good company in a fraud class action involving the false labeling on cans of tennis balls as containing the same balls used by professional players at the US Open. Case was removed from Los Angeles Superior Court.
- Defended a US automotive company in a national class action alleging consumer fraud in nearly 50 states, breach of warranty, and violation of Magnuson-Moss Warranty Act. The trial court granted defendant's motion to dismiss and dismissal was upheld by the 6th Circuit.
- Defended a national retailer in a class action alleging false advertising and consumer fraud. The trial court granted defendant's motion for judgment on the pleadings.
- Represented a waste management company in a class action alleging violation of the Illinois Consumer Fraud and Deceptive Business Practices Act. The trial court granted defendant's motion to dismiss.
- Defended a food services company against a class action alleging violations of the Telephone Consumer Protection Act and Illinois Uniform Deceptive Trade Practices Act.
- Defended a retailer against several national class actions alleging unfair business practices and false and misleading advertisements
- Represented a national automotive products and services company in a class action alleging violation of the Florida Deceptive and Unfair Trade Practices Act.

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## KEY CONTACT



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