

Class Actions

Class action lawsuits often present unique challenges and potentially major commercial and crisis management consequences. We have hundreds of litigation hours under our belts, and call upon rich and varied resources to successfully defend against a broad range of issues. We approach each case with a comprehensive, well-organized and cost-effective strategy, which has earned us a reputation for aggressive and efficient representation. There is no other law firm like us in San Diego, and after 70 years of community involvement, we are still as passionate as ever about the law and equally committed to solving our clients' most important business and legal issues. We are large enough to provide a deep bench of experienced litigators and we get to know you, and your business, personally.

Our Services

We have litigated and negotiated an array of class actions including:

- Toxic Tort
- Banking
- Management Company
- Manufacturer/Distributor
- Telecommunications
- Wage and Hour

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Select Representative Matters

Below are highlights of several of our class action lawsuits and settlements, many of which were high profile with extensive media coverage and are kept confidential by request.

Toxic Tort

- Consumer class action. Federal complaint alleged that client's resort was "infested with mold." Amid negative media publicity, our team eviscerated the case by defeating class certification. Client praised us for "the strong legal work, intellectual power, persistence and tenacity that led to this tremendous outcome!"

- Representation of a chemical site facility in California. A suit was filed by a group of employees who worked across the street from a superfund site. More than 200 other companies had stored toxic chemicals at this site. The chemicals leaked into the soil and groundwater under the site, which the plaintiffs alleged caused their health issues and the birth defects of their children. The case settled during discovery.

Banking Class Actions

- Plaintiffs v. Client (lending institution) – Defended against claims including Unfair Business Practices Act and the Consumer Legal Remedies Act (CLRA). Defeated class action allegations at the pleading stage (judgment on the pleadings).
- Plaintiffs v. Client (federally chartered credit union) – Defended against class action claims including breach of contract and Unfair Business Practices (UBP) arising from client’s form terms and conditions relative to overdraft fees. Defeated class certification motion.
- Plaintiffs v. Client (major national lending institution) – Defended against claims that a client violated consumer lending laws.
- Plaintiffs v. Client (national wholesale lender) – Defended against claims involving thousands of borrowers that alleged violations of the Truth in Lending Act, Unfair Business Practices Act and consumer fraud. After initial motions and discovery, the class action allegations were dismissed before motion for certification was filed.

Management Company Class Actions

- Plaintiffs v. Client (property management company) - Defended against claims including consumer fraud, unfair competition, Consumer Legal Remedies Act (CLRA) and Cal. Bus. and Prof. Code 17200 Unfair Business Practices Act (UBPA) class action with thousands of putative class members regarding rental deposits. Defeated motion for class certification.
- Plaintiffs v. Client (property management company) – Defended against claims including UBPA, CLRA, fraud and failure to disclose hazardous condition. Defeated class action allegations at the pleading stage (Demurrer).
- Plaintiffs v. Client (property management company) – Defended against class claims alleging that its ratio utility billing system was unlawful and discriminatory. Based on research and background investigation, case settled for a nominal sum prior to class certification motion.



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Manufacturer/Distributor Class Actions

- Plaintiffs v. Client (major toy manufacturer) – Defended the world's largest plush toy manufacturer against three separate class actions lawsuits alleging violations of Lanham Act, UBP and related false advertising claims. Class was certified, but settled after discovery for less than \$150,000 in a negotiated coupon settlement.
- Plaintiffs v. Client (bottled water company) – Defended a consumer class action alleging false and unfair advertising. Case settled favorably.

Telecommunications Class Actions

- Plaintiffs v. Client (large telecommunications company) – Defended against claims alleging violations of the California wage and hour laws and UBPA. Class was initially certified, but settled after discovery and prior to ruling on the motion for decertification. The court indicated the decertification motion was likely to be granted.

Wage and Hour Class Actions

- Plaintiffs v. Clients (multiple related restaurants) – Defended claims asserted by hundreds of employees against California Labor Code (CLC) violations and unlawful business practices. Case settled favorably on a reversionary “claims made” basis, releasing four years of liability.
- Plaintiffs v. Clients (construction company) - Defended claims asserting CLC violations and unlawful business practices. Case settled favorably.
- Plaintiffs v. Client (auto dealer) – Defended claims asserting violations of the Consumer Legal Remedies Act (CLRA); Automobile Sales Finance Act (ASFA) and UBP. Class action dismissed while motion to compel arbitration was pending.
- Fair Labor Standards Act collective class action - Secured a global settlement of the case involving the consenting plaintiffs for a fraction of the defense costs in the wake of winning a case-changing motion to compel arbitration.
- California wage and hour class action - Implemented an aggressive “gut the class” defense strategy resulting in a stunning settlement of .05 percent the original demand.

