National Class Actions

Carlton Fields's dedicated national class action practice team consists of more than 70 lawyers. Our team handles complex class actions throughout the country, at every state and federal court level, including the United States Supreme Court. We have defended hundreds of high-exposure class actions across a range of substantive areas, including financial services, insurance, consumer fraud, health care, real estate, antitrust, securities, products liability, toxic tort, telecommunications, tax, construction, and employment. In recently published *U.S. News/Best Lawyers* rankings for 2017, we are ranked nationally in Tier 1 in several practices including Mass Tort Litigation/Class Actions.

Our breadth of experience enables us to anticipate issues and to lead and innovate, not simply react. We are familiar with virtually every issue class actions present, including, of course, the standards for class certification and strategies for defeating it, challenges to standing, jurisdiction and venue, removal, dismissal, summary judgment, arbitration, settlement administration, MDL proceedings, and joinder of parties. Our firm also has a deep understanding of the legal doctrines and laws that have particular impact on the financial services and insurance industries, including the filed-rate and form doctrines, primary jurisdiction, the McCarran-Ferguson Act, the Private Securities Litigation Reform Act, and the Securities Litigation Uniform Standards Act. Additionally, we regularly litigate removal and settlement issues related to the Class Action Fairness Act.

Tailored Strategies

Our clients' varied needs and preferences dictate our approach to their class action matters. For some, a vigorous challenge to class certification is critical. Others prefer strategic settlement. Still others wish us to try their cases and, if necessary, pursue appeals. In each situation, our skills and resources make us effective advocates. As our representative matters demonstrate, we help clients achieve their business objectives and litigation goals whether that means defeating class certification or winning at trial or on appeal. Indeed, our firm was one of the lead counsel in *Engel v. R.J. Reynolds Tobacco Company*, the largest and longest class action trial in U.S. history. We also participated in the industry appeal, which resulted in reversal of class certification. In *Mooney v. Allianz Life Ins. Co.*, we obtained a defense jury verdict and judgment in the largest nationwide consumer class action involving agent, brokerage, and bank sales of annuity and related insurance products.

Case Management

Increasingly, plaintiffs' firms bring multiple class actions in states that have unusual substantive fraud or consumer protection laws, punitive damages standards, and local procedural rules. We are frequently retained to manage or coordinate a client's overall

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related professionals

related practices

- Antitrust and Trade Regulation
- Construction Litigation
- Consumer Finance and Banking
- Labor and Employment
- National Trial Practice
- Pharmaceutical and Medical Device
- Products and Toxic Tort Liability
- Real Estate and Commercial Finance
- Real Property Litigation
- Securities and Derivative Litigation
- Telephone Consumer Protection Act
- Title Insurance Litigation

related industries

- Commercial Finance

institutional response to multiple jurisdiction, parallel class actions, or multidistrict litigation. The skills of our class action team are supplemented by our firsthand knowledge of the risks peculiar to various jurisdictions and our significant experience in selecting and teaming with local trial counsel as appropriate.

Firmwide Resources

Our national class action defense practice team has ready access to firm colleagues who focus on particular issues that arise in class action lawsuit defense. They collaborate with the firm's e-discovery team to formulate cutting-edge strategies that address the growing challenges raised by electronically stored information. They receive crucial support from the firm's dedicated appellate lawyers, who work alongside them before and during trial to develop the best possible record, and, if necessary, to prevail on appeal.

Thought Leadership

We write and speak frequently on issues and trends related to class action defense and have presented to clients and counsel across North America. Our notable publications include the class actions chapter in *Successful Partnering Between Inside and Outside Counsel*, a leading treatise, which we co-authored with the general counsel of our client Ford Motor Company. Additionally, the firm's class action lawyers contribute frequent posts to our nationally recognized blog, "Classified," which features case summaries and links to class actions-related news.

The firm conducts and publishes a National Class Action Survey, which details best practices for reducing class action costs and managing their risks. Our survey draws on more than 300 in-depth interviews each year with general counsel and senior legal officers at leading companies of every size. We make our survey information accessible in a variety of forms. These have included a webinar and symposium.

resources and tools

Articles

Northstar v. Schwab: The Ninth Circuit's End Run Around Derivative Lawsuits in the Mutual Fund Context

Clear principles about standing become murkier.

Companies Defending Class Actions More Strategically

The challenges of defending class action lawsuits have intensified, affecting companies across industries and touching on nearly all practice areas. But in-house legal departments have responded by taking an increasingly strategic approach to these matters.

Resources

The Telephone Consumer Protection Act: Deep Dive: Details, Class Actions, Regulations, and Defense Strategies

TCPA Webinar by Carlton Fields.

Construction

Consumer Finance and Banking

Food, Beverage, Dietary Supplement, and Personal Care Products

Insurance

Manufacturing and Raw Materials

Pharmaceutical and Medical Device

Real Estate

Securities & Investment Companies

Title Insurance

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related business solutions

Cost Control

Resources

The Telephone Consumer Protection Act: Basics, Targeted Industries, and Trends

TCPA Webinar by Carlton Fields.

news, events & publications

News

Carlton Fields Recognized as a Top Firm for Class Actions and Insurance Industry by JD Supra's Readers' Choice Awards

Class Action Defense Spending Increases for Second Consecutive Year

Challenges to Corps Waters Findings Still a Trickle After Ruling

Publications

Surprising Findings On The Latest Class Action Litigation Trends

Florida Supreme Court Rejects Daubert Statute to the Extent It Is "Procedural"

Are Class Action Waivers Enforceable?

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