

Class Actions

Our dedicated team has extensive experience representing clients in class actions and other aggregate litigation. We have an outstanding record of success defending some of the most significant class actions in courts across the country by employing strategies grounded in deep knowledge of consumer protection statutes and Rule 23.

We work together with our clients to devise effective exit strategies early on in litigation. We repeatedly obtain early dismissals with no payments to plaintiffs and, where appropriate, successfully move to compel individual arbitration, transfer venue, dismiss actions on the pleadings and, at summary judgment, strike class allegations, and defeat certification. We pursue thoughtful and creative approaches aimed at prevailing on the merits, eliminating class exposure, and avoiding protracted and costly litigation. Our skill, experience, and professionalism have been cited by our peers, adversaries, and judges. We successfully defend cases prosecuted by the most formidable opponents in the most plaintiff-friendly jurisdictions in cases that challenge key business practices. And we do so while carefully managing public relations considerations and brand protection and minimizing disruption to our clients' operations.

We represent leading companies across industries — including retail and fashion, hospitality, food and beverage, technology, communications, health care, pharmaceuticals/life sciences, insurance, gaming, energy, and higher education — in class actions and other consumer litigation.

These cases involve complex legal and regulatory issues pertaining to privacy, advertising, marketing, pricing, labeling, environmental, product performance and efficacy, customer communications, informational and marketing calls and text messages, credit reporting, and consumer protection. While we often appear in the hotbeds for class actions, including federal and state courts in California, Illinois, Florida, New Jersey, New York, and Massachusetts, we have litigated in virtually every jurisdiction. We go wherever our clients are sued.

The plaintiffs' class action bar is particularly active in California. With our offices in San Francisco, Los Angeles, Santa Monica, and San Diego, our team has boots on the ground and relationships with the bench, bar, and government across the state. We routinely defend actions and address compliance related to the California statutes including the Unfair Competition Law, Consumers Legal Remedies Act, False Advertising Law, Song-Beverly Credit Card Act, California Invasion of Privacy Act, Shine the Light Law and the California Consumer Privacy Act. We coordinate with our colleagues who address inquiries and actions by the California Attorney General, District Attorneys, and state agencies, as there are often overlapping issues in private litigation. Our team also represents businesses in class actions challenging policies and practices related to the COVID-19 pandemic.

Our team is also a voice for the business community in seeking to combat class actions abuse. We represent leading industry groups in class action-related proceedings before regulatory bodies and in district and appellate courts, including the U.S. Supreme Court. Our efforts have helped shape meaningful developments for industry, including with respect to the Telephone Consumer Protection Act (TCPA) and the Truth-in-Consumer Contract, Warranty and Notice Act (TCCWNA). Our litigators are often called upon to speak and write on issues pertaining to class actions practice and have been recognized with numerous awards and accolades.

We have a unique focus on class action risk mitigation. We identify and assess areas of emerging risk for our clients so they can see around the corner. By identifying the next waves of class action litigation we are able to effectively guide our clients through practical — and often simple — solutions to deter litigation and ensure strong defenses to future claims. We help craft, interpose and enforce consumer-facing policies and disclosures, including terms and conditions, terms of use, privacy



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Industry Sectors

- Hospitality

policies, and arbitration agreements with class action waivers, and review and revise agreements with third-party vendors to maximize contractual protections. We are trusted partners to our clients, and work hand-in-hand with in-house counsel and internal stakeholders to ensure that areas of potential risk are appropriately addressed.

We work closely with our colleagues across complementary practice groups, including our State Attorneys General Practice, Institutional Response Group, Technology, Privacy & Data Security Group, and Public Strategies group.