Eversheds Sutherland lawyers are experienced in handling would-be class actions successfully and efficiently.

The explosion of class actions is one of the most serious developments businesses have faced in the past 25 years. Eversheds Sutherland has defended more than 200 putative class actions in the last five years alone. Our success lies in mastering the mechanics of class actions and related areas such as removal, arbitration and appeals. Often, pressing for an early decision on the merits, before a class is certified, proves to be the best strategy. Providing the court with a clear understanding of what a class action trial would entail can be critical to defeating class certification.

In defending class actions, our lawyers bring subject-matter experience in a variety of industries and businesses that regularly face class actions, including securities, construction, consumer finance, property, casualty and life insurance and professional services. Our experience also includes defending employment, FLSA and ERISA collective and class actions.

Under the Class Action Fairness Act, many cases are migrating to federal court, raising questions such as issue certification, the ongoing impact of Walmart v. Dukes, the availability of arbitration, and new settlement requirements.

CLASS ACTION REPORT: WHAT A LONG, STRANGE TRIP IT’S BEEN
Eversheds Sutherland (US)’s Analysis of U.S. Supreme Court Jurisprudence Involving Arbitration Provisions and Class Action Waivers

Why Eversheds Sutherland
Industry understanding. The intricacies of class action defense vary from one industry to another, and our attorneys have defended clients in
numerous industries and areas of law. We have impressive records in defending class actions in securities, property and casualty and life insurance, employment, product liability and consumer finance among other areas.

**Track record.** Our practice has defended more than 200 putative class actions in the past five years.

**Venue experience.** Eversheds Sutherland's attorneys regularly appear in class action and MDL cases at the federal and state levels, and they know how to deal with arbitration proceedings as well as administrative hearings. As a result, they understand which venue is likely to be most advantageous in a given situation and have the requisite background to move cases there whenever possible.

**Nuts and Bolts**

Our class action defense practice engages in matters related to:

- Securities
- Consumer finance
- Property and casualty insurance
- Life, health and disability insurance
- Professional liability
- Franchise
- Antitrust
- ERISA and Employee Benefits
- Employment
- Environmental
- FLSA collective actions
- TCPA

A sampling of our recent class action experience includes:

- Bankruptcy discharge and other class actions
- Consumer class actions
  - Unfair Deceptive Trade Practices
  - Truth-in-Lending Act
  - Fair Credit Reporting Act
  - Service Members Civil Relief Act
  - Common Law Fraud
  - Consumer Leasing Act
  - Equal Credit Opportunity Act
  - Uniform Commercial Code
  - Credit Repair Organizations Act
- Telephone Consumer Protection Act
- ERISA and employee benefits
  - Stock drop
  - Pension fund
  - Fiduciary duty
  - IRA plan
  - Revenue sharing
- Franchise and antitrust
  - Robinson-Patman Act
  - Business disposition
  - Antitrust conspiracy
- Insurance
  - Homeowners insurance coverage
  - Automobile insurance coverage
  - Flood insurance
  - Credit insurance
  - Commercial general liability (CGL) insurance
  - Commercial property
  - Gap coverage claims
  - Claims practices
  - Retained asset accounts
  - Sales Practices
- Securities and professional liability
  - Financial restatement
  - Audit practices
  - Reliance
  - Misleading statements
  - Material misrepresentation
  - Fraud
  - Retirement trusts
  - Investor reliance
  - Public stock offering
  - Product liability
  - Ponzi-scheme claims
  - Channel stuffing
  - State attorney general enforcement

Take Action
Eversheds Sutherland focuses on heading off putative class actions early, preventing certification and helping clients avoid protracted and expensive class litigation.
Experience
Defeated a motion for class certification in a putative class action against a consumer financial services company, alleging violations of various California consumer and banking laws.

Won a directed verdict for a national property and casualty insurer in post-Hurricane Katrina litigation involving part of a state-mandated residual “wind pool” – a market of last resort for homeowners insurance on the Mississippi Gulf Coast.

Served as lead counsel for the nation’s largest auto lender in a series of fair lending class actions, including the only such case to be tried.