

CLASS ACTIONS & MULTI-DISTRICT LITIGATION

Class action litigation conducted both in defense of class actions and as a plaintiff in class actions is familiar territory to this litigation group. Members of the group working in class action and MDL litigation have successfully defended class actions on the merits and in challenges to issues such as commonality and typicality of claims. The firm also has experience in the use of the class action device to secure the objectives of the firm's clients. Recently we represented a client that brought a defendant class action against its union retirees and the union to secure a judgment confirming its rights to modify and amend health benefits plans.

It is more and more often true that a dispute gives rise to proceedings in a multitude of forums, including federal and state courts, arbitration, and civil regulatory or criminal forums. The firm has experience in dealing with the complex litigation permutations, whether it be in addressing a series of cases pending in several United States district courts across the country or in balancing arbitrations pending against some parties to a dispute while litigation is pending against other parties to the dispute. We understand that the decision made on these issues can have an outsized impact on the resolution of the dispute for our clients and tend to these issues carefully. We understand the connections between the class action device and regulatory issues, including [environmental](#) and [securities matters](#).

Recent matters include:

- Prosecuting and defending four simultaneous class action lawsuits in three federal circuits under ERISA.
- Managing arbitration for our client in coordination with federal civil cases and federal civil and criminal contempt proceedings.
- Defending lender liability litigation while simultaneously defending a civil regulatory investigation.

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- Securing removal of a securities fraud class action brought in state court to federal court and securing the dismissal of the case in federal court.
- Defending clients in a series of MDL asbestos and silica cases now pending in the Eastern District of Pennsylvania.
- Lead defense counsel for oil companies defending a putative class action seeking to have MTBE banned in NC, to have the oil companies test approximately 900,000 wells in the state for contamination, and cleanup any contamination that was found. Class certification was defeated.