GRAYROBINSON
ATTORNEYS | ADVISORS | CONSULTANTS

Class Action Defense Law

GrayRobinson's class action defense lawyers have represented major companies in opposing class action complaints relating to products liability, consumer fraud, unlawful discrimination and retaliation, wage and hour violations, breach of contract, personal injury, federal Real Estate Settlement Procedures Act (RESPA), Truth in Leading Act (TILA), and related real estate claims and federal and state title insurance rate and premium defense and a host of other federal and state law claims. Our class action lawyers have experience helping our clients achieve favorable results at every phase of the class action litigation process, including obtaining dismissals of class action complaints, defeating class certification, winning summary judgment motions, prevailing at trial and on appeal, and, importantly, positioning cases to allow early and favorable settlement agreements.

When handling class action litigation, our class action defense lawyers believe that a business focused approach is best. Throughout the life of a case, our focus remains on reaching a resolution quickly and efficiently. From the outset, we work with our clients to define the issues and present an aggressive and economical defense strategy.

In handling class action cases, we pride ourselves on our ability to work collegially with other defense counsel, utilize past experience and knowledge to manage costs, and successfully navigate issues related to political sensitivities and public perception – all things that can drastically extend the life and overall cost of this type of lawsuit if not handled properly. We also offer proactive business advice to minimize the risk of future class action litigation, including drafting employment agreements, business agreements, consumer disclosures, and proposed legislation.

Representative Experience

- Defended putative consumer class action lawsuits based on allegations of food product mislabeling.
- As trial and appellate counsel, obtained reversal on appeal of a class certification order certifying a class of purchasers and owners of cemetery plots at a cemetery where the burials of the interred decedents allegedly could not be located.
- As trial and appellate counsel, obtained dismissal of $200 million class action lawsuit on the grounds that the class representatives lacked standing to pursue the class action claims because the alleged damages were speculative.
- As trial and appellate counsel, successfully defended a putative $200 million class action lawsuit, including its contested removal from state court to federal court under the Class Action Fairness Act.
- Defended a putative $200 million consumer class action lawsuit.
- Defended a putative $100 million consumer class action lawsuit.
- As trial and appellate counsel, obtained a dismissal of a putative consumer class action lawsuit.
- Defended a certified class action lawsuit filed by smoker flight attendants.
- Defended a certified class action lawsuit filed by Florida smokers.

- Obtained dismissal of a class action against a national title insurance underwriter for alleged violations of RESPA anti-kickback regulations.
- Defended a national title insurance underwriter for alleged multimillion dollar damages arising from improper rate structures.
- Represented Federal National Mortgage Association (FNMA) in a post-Hurricane Andrew damages class action for properties in Homestead, Florida.
- Defended a Fortune 100 corporation and individual Chief Executive Officer in shareholders' securities fraud and Racketeer Influenced and Corrupt Organization Act (RICO) class action arising from global recall of Benlate fungicide.
- Defended a global manufacturer of medical diagnostic tests in false advertising and deceptive trade practices consumer class action associated with home ovulation testing kits.
- Defended the largest real estate brokerage firm in the U.S. in an environmental damage and fraud class action brought by purchasers of homes and condominiums located on the site of a former U.S. Army bombing range.
- Defended a national real estate brokerage firm in a consumer fraud class action arising from the sale of properties located on the site of a former U.S. Army bombing range.
- Defended a national real estate brokerage firm in a fraud and deceptive trade practices class action arising from the sale of townhome units in Las Vegas, Nevada.
- Defended a national real estate developer in a series of fraud and deceptive trade practices class actions in state and federal courts in Las Vegas, Nevada, arising from the sale of a luxury resort condominium project on the Las Vegas Strip.
- Defended a national real estate brokerage firm in fraud and deceptive trade practices class actions arising from the sale of single-family homes in Clark County, Nevada.
- Defending seller, and individual corporate officers of seller, of payment instruments in consumer class action alleging deceptive trade practices and usury associated with alleged "pay day loan" transactions.
- Defended Florida-based homebuilders in damages class actions arising from the use of allegedly defective Chinese-manufactured drywall and gypsum products in homes and condominiums.