

Successfully Defended Auto Dealership Against Class Action Lawsuit

SmithAmundsen defended an auto dealership against a class action lawsuit alleging that it sent unsolicited text messages to customers in violation of the Telephone Consumer Protection Act. At the outset of the case, SmithAmundsen was able to force the plaintiff's attorneys to substitute out the case by showing the existence of a conflict between plaintiff and the proposed class. Then, SmithAmundsen bifurcated discovery so that discovery on plaintiff's individual claims preceded costly class action discovery. On the eve of the deadline for the defendant to file its summary judgment motion seeking judgment against plaintiff, the parties resolved the plaintiff's individual claim by agreement.

PROFESSIONALS

Eric L. Samore
Partner

John Ochoa
Partner

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