



# CLASS ACTION LITIGATION PRACTICE

## Introduction

Riker Danzig Scherer Hyland & Perretti LLP has been a leader in the bar throughout its 135-year history. We continue that tradition today with a reputation for legal excellence in numerous practice areas, including complex commercial litigation and class action representations in federal and state courts throughout the United States. As one of the largest firms in New Jersey, Riker Danzig has the ability to bring together a deep bench and terrific team of professionals from several key practice groups to all of its cases.

## Professional Experience and Capabilities

Riker Danzig has a long and successful history of representing a broad variety of clients in class action litigation and complex commercial litigation in the federal and state courts, including numerous cases involving allegations of consumer fraud and product defects, as well as cases in the insurance, banking and securities, and employment contexts. We serve as primary or New Jersey counsel for major drug, electronic, chemical and tobacco manufacturers, defending wrongful death and personal injury claims in both individual and “mass tort” settings. We also represent foreign manufacturers in class actions brought before U.S. courts, and have successfully argued class certification issues in several federal and state courts.

## Representative Cases:

- We successfully represented LG Electronics in connection with a putative nationwide class action involving several hundred thousand allegedly defective refrigerator units, which were also the subject of a Consumer Products Safety Commission investigation. The lawsuit, which involved alleged violations of the New Jersey Consumer Fraud Act (CFA), misrepresentations, and breach of implied warranty relating to the sale of the refrigerators, was settled favorably.
- We prevailed on a motion to dismiss a putative class action against Lumber Liquidators, Inc., a national hardwood flooring distributor, alleging that it violated New Jersey’s CFA and Truth-in-Consumer Contract, Warranty and Notice Act (TCCWNA), which result was fully affirmed by New Jersey Appellate Division.
- We serve as national defense counsel to Sharp Electronics in putative class action lawsuits pending in five

federal jurisdictions in the United States, arising from plaintiffs' allegations that a consumer electronics product manufactured by Sharp suffers from manufacturing and design defects. In addition to product liability claims, the plaintiffs assert violations of express and implied warranties as well as violations of various state consumer protection statutes.

- We serve as joint coordinating counsel in the pelvic mesh litigation representing medical device manufacturer Ethicon, Inc. and its parent company, Johnson & Johnson. To date there are over 8,500 claims pending in the pelvic mesh Multi-County Litigation in New Jersey, over 35,000 claims pending in the Multi-District Litigation in the Southern District of West Virginia, a centralized litigation in the Philadelphia Court of Common Pleas, as well as claims filed in other state and federal courts. Mesh litigation is one of the largest mass tort cases in the history of U.S. litigation, second only to asbestos. As co-coordinating counsel. Riker Danzig has participated in mesh trials at every level, from trial counsel to motion preparation and argument, negotiation of witness video cuts, preparation of live witnesses, and at the appellate level, both as lead appellate counsel and as appellate support counsel.
- We defended Nature's Way and Whole Foods Market in defense of a putative class action lawsuit brought by a consumer alleging that packaging on a calcium dietary supplement manufactured by Nature's Way and sold by Whole Foods was deceptive and misleading in conveying the number of tablets that the consumer must take to ingest the daily recommended intake of calcium.
- We successfully represented major trucking companies and their parent company in a class action that asserted claims for violations of the Federal Motor Carrier Act and its Truth in Leasing regulations, breach of contract and conversion. After obtaining summary judgment from the federal court in favor of the parent company as to the statutory, contract and conversion claims, and in favor of the trucking companies' as to the conversion claim, the matter settled favorably as to the remaining claims.
- We presently represent numerous school districts and municipalities as plaintiffs in a nationwide class action litigation concerning claims for defective fields and deceptive marketing practices against artificial turf manufacturer FieldTurf USA, Inc. and affiliates. This dispute involves approximately 1,500 FieldTurf artificial turf athletic fields (valued at over \$500,000 each) containing defective fibers that degrade prematurely, requiring expensive repairs and field replacement.
- We have represented a pharmaceutical company in a class action alleging consumer fraud in the pricing of prescription medicine.
- We have handled two class actions involving the manufacture of allegedly defective tires by major tire manufacturers.
- We have represented a leading tobacco company in class actions involving cigarette pricing and product liability theories.
- We have represented a manufacturer of steering wheel locks in a national consumer fraud class action.
- We have represented eleven significant computer companies in two large consumer fraud class action

lawsuits.

- We have represented a major manufacturer of electronic equipment in a class action for alleged violation of the Consumer Fraud Act related to obtaining Underwriters Laboratory certification.
- We represented a New Jersey municipality against plaintiffs seeking to certify a medical monitoring class of over 80,000 residents who consumed municipality water between 1974 and 1988.
- We have represented as New Jersey Counsel a manufacturer of mammography equipment in a putative class action alleging defects in such equipment.
- We have also represented a variety of clients in defense of class action claims brought in the insurance, banking, securities, and employment contexts as well.