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ANOTHER CHAPTER IN THE BATTLE OF FEDERAL VS. STATE SUPREMACY

On January 4, the Los Angeles Daily Journal published an article by Brian Kabateck and Claudia Candelas of Kabateck Brown Kellner on a case now being considered by the U.S. Supreme Court that may have significant ramifications for class action process and for consumer protections. The case, *Smith v. Bayer*, concerns the re-litigation exemption of the Anti-Injunction Act and whether states may protect their own citizens from unsafe products and devices.

"The court's ruling may not only infringe upon a state's right to protect its own citizens, but it may also prevent an absent class member from bringing a class action in state court, where the re-litigation exemption has been employed," Kabateck and Candelas write.