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THE FUTURE OF CLASS ACTIONS

The Los Angeles Daily Journal published an article on December 28 by Brian Kabateck and Karen Liao on the future of class actions. Specifically, the articles discusses a case pending before the U.S. Supreme Court, AT&T Mobility v. Concepcion, that will decide whether the Federal Arbitration Act of 1925 preempts California precedent that class action bans contained in arbitration clauses are unconscionable. If AT&T prevails, according to Kabateck and Liao, the rights of consumers to bring class actions will be severely limited.

"Whichever direction the Court decides to go, there is no question that the court's decision will come with broad consequences for class action litigation across the country," Kabateck and Liao write.