

**WILL PERDUE V. KENNY HAVE ANY IMPACT ON  
COMMON-FUND CLASS ACTIONS?**

On Nov. 17, the Westlaw Journal - Class Action, published an article by Richard Kellner of Los Angeles' Kabateck Brown Kellner, which discussed the recent U.S. Supreme Court decision in *Perdue v. Kenny*. The decision included strong language on limitations to fees awarded in class actions. The question, Kellner said, is whether the decision is a harbinger for future reductions in fees or whether it was simply a restatement of existing rules. Kellner argues that it appears the decision "will not be applied to non-statutory fee-shifting class actions, and the multiplier will be readily available to district court judges when determining fees for class counsel in those cases."