




## Craig Heidemann's Legal Cases

4 total

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### Andrew Tyler Foster, et al v. L-3 Communications — \$61.0 Million

**Practice Area:**

Class action

**Date:**

Jul 07, 2017

**Outcome:**

Settlement - \$61 Million

**Description:**

Under the terms of a recent settlement negotiated by a group of Missouri attorneys, L-3 Communications, one of the largest defense contractors in the United States, owners of EOTech gun sights will receive over \$51,000,000 in class benefits. In December, 2015, Craig R. Heidemann and Nathan A. Duncan of Douglas, Haun & Heidemann, P.C. filed their class action complaint against L-3 Communications alleging violations of Missouri's Merchandising Practices Act and of other states' consumer protection statutes together with violations of the Magnuson-Moss Warranty Act. The federal complaint also included other federal and state causes of action. Tim Dollar, together with co-counsel from Oregon and New York filed a similar suit later that month. A third action against L-3 Communication was filed in Michigan. All three cases were consolidated before Judge Brian C. Wimes in the United States District Court, Western District of Missouri. The consolidated action sought reimbursement of amounts paid by thousands of L-3 Communications customers who purchased EOTech brand holographic weapon sights between 2004 and present. Plaintiffs alleged that Defendant's marketing was deceptive in that the sights did not perform as Defendant advertised and that Defendant concealed the defects from its customers. The alleged defects included (1) thermal drift, (2) reticle fade, (3) moisture incursion, and (4) parallax. Defendant denied the existence of these alleged defects and denied liability. Pursuant the Court's mediation order, the parties participated in mediation with Rodney Max. After four different mediation sessions spanning several months, the parties reached an agreement in principal that would make it possible for class members to return their sights to L-3 for a full refund plus an additional voucher. Class members also had the option of retaining the sight and receiving a cash payment. Judge Wimes preliminarily approved the class settlement on February 15, 2017. He entered his order finally approving the settlement on July 7, 2017. Class members returned more than 78,300 sights at an approximate total value of \$51,025,761.00. L-3 also agreed to pay attorney fees separate from any class benefits in the amount of \$10,000,000. In sum, L-3 will have paid in excess of \$61,000,000.00 to resolve this litigation.