

Adweek Quotes Partner John E. Villafranco on Relationship Between Advertising Self-Regulation and Litigation

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Partner [John Villafranco](#) was quoted in the *Adweek* article "Study: Marketers Have Nothing to Fear From Advertising Self-Regulation." The article reports that some advertisers are hesitant to participate in the advertising industry's self-regulatory program at the Advertising Self Regulatory Council's National Advertising Division for fear that it makes them easy prey for legal action from attorneys bringing class action lawsuits. However, in a study presented at the NAD Annual Conference on September 30, 2013, John found little correlation between class action lawsuits and decisions rendered by the NAD.

In his analysis, John found 63 cases since 2009 that were filed against companies that were mentioned in an NAD decision. Analyzing each one, and eliminating duplicate cases against the same product, only three cases were filed within six months of an NAD decision and referenced NAD language.

"The fear, however, that NAD provides a roadmap for plaintiff attorneys, is real," said John. "You go through this tortuous NAD process, and along come these plaintiff attorneys and it makes your life miserable."