



## Lauri A. Mazzuchetti

Partner

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### About

Lauri Mazzuchetti's practice focuses on commercial litigation and consumer-oriented class action defense, representing clients in FTC and state attorneys general investigations and other litigation. She is a member of Kelley Drye's Executive Committee and the former managing partner of the firm's New Jersey office.

Lauri advises consumer-facing businesses, including telecommunications carriers, retailers, food companies and emerging technology companies in complex class action cases in federal and state courts in a multitude of jurisdictions. She represents clients in commercial litigation in federal and state courts at the trial and appellate levels, as well as in arbitration and mediation fora. She regularly provides guidance to clients facing complex legal challenges and resolves such matters as quickly and inexpensively as possible. Lauri is also experienced in litigating and guiding companies on Lanham Act false advertising suits, as well as false advertising class actions brought under various state and federal consumer fraud laws throughout the country.

As cofounder of the firm's Telephone Consumer Protection Act (TCPA) practice, Lauri has defended dozens of TCPA cases and government-plaintiff suits nationally, and she routinely counsels some of the nation's largest companies on an array of regulatory and commercial issues related to the TCPA and telemarketing issues. Most recently, Lauri won summary judgment for a multinational corporation in a multi-district TCPA class action in federal court that addressed the substantive law regarding TCPA third-party liability claims. *Law360* profiled Lauri's recent wins in TCPA and consumer fraud cases as part of their 2017 "Consumer Protection Practice Group of the Year" awards, which recognized several Kelley Drye litigation wins that resonated throughout the legal industry in the past year. In the 2017 edition of *Legal 500*, Lauri is noted as 'highly rated' and the firm's class action team is recommended as an "excellent group exceling in class actions and mass tort litigation, with a particular niche in Telephone Consumer Protection Act (TCPA) cases."

Lauri's reputation as both defense and plaintiff counsel for high-stakes claims allows her to serve not only as a formidable advocate in litigation, but also as an effective negotiator and consensus builder when swift action or settlement is preferred.

Included among the premier attorneys listed in the Privacy and Data Security, Marketing and Advertising, and Cyber Law sections of the *U.S. Legal 500*, noted as a Recognized Practitioner in *Chambers* New Jersey Litigation sector, and listed among New Jersey's *Super Lawyers*, Lauri is

dedicated to winning for her clients.

A frequent commentator on national television regarding a variety of legal issues, Lauri speaks and writes extensively on the risks and liabilities in the consumer products industry.

## Experience

### Consumer Class Actions

Defending numerous clients in putative class actions alleging claims under the TCPA. Most recently, Lauri won summary judgment in a multi-district TCPA class action in federal court, which addressed the substantive law regarding TCPA third-party liability claims.

Representing a major satellite communications provider in a case brought in the United States District Court for the Central District of Illinois on behalf of the Federal Trade Commission and several state attorneys general alleging violations of the Telemarketing Sales Rule, the TCPA and various state claims.

Successfully defeated class certification on behalf of a financial institution regarding alleged violations of the fax provisions of the TCPA. In an unprecedented decision, the Court applied a ruling by the Federal Communications Commission to first conclude that putative class members who received a fax on an online fax service do not have a claim under the TCPA, which rendered the claims unsuitable for class treatment.

Obtained full dismissal with prejudice of consumer class action claims alleging deceptive pricing by major national retailer. In 2017, the First Circuit affirmed the dismissal of the suit.

Obtained dismissal with prejudice of all class claims in consumer class action alleging deceptive pricing by emerging online retailer with a multibillion-dollar valuation.

Represented a major wireless carrier in a nationwide class action in the United States District Court for the District of New Jersey. The case settled numerous pending cases around the country and included an All Writs Act injunction staying certain of those pending cases.

Obtained prediscovery dismissal of a putative class action brought against a retailer under New Jersey's Truth-in-Consumer Contract, Warranty and Notice Act.

Represented a cosmetic consumer product manufacturer in a class action lawsuit. The suit claimed that the company's marketing was misleading and asserted claims of unjust enrichment, breach of contract and violation of the New Jersey Consumer Fraud Act. Negotiated a favorable settlement, which was upheld during a fairness hearing over a vehement challenge by an objector.

Represents one of the nation's leading wireless carriers in various class action suits alleging consumer fraud claims.

Represented a defendant in a class action pending in the United States District Court for the Northern District of Illinois by a consumer under the Illinois Consumer Fraud law. Obtained a dismissal that was affirmed by the Seventh Circuit; certiorari was denied by the U.S. Supreme Court.

Represented a defendant in a Washington state court consumer fraud class action. Obtained an emergency stay pending the appeal of an order authorizing a class notice; the case settled on favorable terms for the client.

Obtained a denial of class certification in a consumer class action brought in Illinois state court.

Represented a defendant in numerous class action matters brought by consumers under state and federal consumer fraud laws, including a current matter involving a multi-district litigation (MDL) in the United States District Court for the District of Nevada over allegedly improper sales practices. Obtained dismissal of all cases in the MDL, as well as obtaining an opinion from the Court of Appeals for the Ninth Circuit upholding the dismissal of the vast majority of the claims.

Represented a magazine subscriptions services company in a putative class action alleging consumer fraud, breach of contract, fraud and unjust enrichment, defeating the class certification motion.

Represented one of the nation's leading diagnostic laboratory testing providers in a putative class action alleging negligence, consumer fraud and common law fraud, and obtained a pre-answer dismissal of the plaintiffs' claims.

## Commercial Litigation

Represented numerous telecommunications carriers in litigations throughout the United States involving national and international telecommunications issues.

Represented companies in several industries, including technology, manufacturing, telecommunications, consumer goods and retail in suits alleging false advertising claims under the Lanham Act and similar state laws.

Represented a major wireless carrier in a case brought by the Minnesota Attorney General regarding sales and marketing practices. The case was resolved via settlement.

Handled numerous civil investigative demands made by various state attorneys general.

Represented a commercial landlord in multimillion-dollar lease litigation, including in a trial that resulted in the piercing of the veil of a limited liability company and its guarantor to impose personal liability on two shareholders.

Represented a national retailer/tenant as lease assignor in multiple lease default cases.

Represented a public corporation in a federal court action and obtained summary judgment dismissing the plaintiff's wrongful discharge and discrimination claims. Successfully defended our client on appeal to the U.S. Court of Appeals for the Third Circuit.

Represented a major manufacturer of medical devices in employment discrimination suits brought in the United States District Court for the District of New Jersey. Obtained summary judgment dismissing all of the plaintiffs' claims in both actions and prevailed on an appeal to the Third Circuit.

## Honors

Lauri was selected for inclusion in 2017-2023 as a leading practitioner in the Litigation: General Commercial area by *Chambers USA*. A description of the selection methodology can be found at [chambers.com/about-us/methodology](https://chambers.com/about-us/methodology).

She was selected in 2022-2024 for inclusion in the Commercial Litigation area as one of *The Best Lawyers in America*® (Woodward/White, Inc.). A description of the selection methodology can be found at <http://www.bestlawyers.com/methodology>.

Lauri was featured as a local litigation start in *Benchmark Litigation* 2023. A description of the selection methodology can be found at <https://benchmarklitigation.com/Methodology/UnitedStates>.

In 2014, she was listed in the Data Protection and Privacy area, 2014 and 2019-2023 in the Marketing and Advertising Litigation area, 2017-2023 in the Product Liability, Mass Tort and Class Action: Consumer Products area, and 2018 and 2020-2023 in the Cyber Law – Data Protection and Privacy area by *US Legal 500*, a Legalease Publication. A description of the selection methodology can be found at [www.legal500.com/assets/pages/about-us/how-it-works.html#rank](http://www.legal500.com/assets/pages/about-us/how-it-works.html#rank).

Lauri was selected for inclusion in the 2006–2014 New Jersey *Super Lawyers*’ Rising Stars lists, issued by Thomson Reuters. A description of the selection methodology can be found at [www.superlawyers.com/about/selection\\_process.html](http://www.superlawyers.com/about/selection_process.html).

She was also selected in 2009 for inclusion in the *New Jersey Law Journal*’s “40 Under 40” list. A description of the selection methodology can be found at [www.njlawjournal.com/id=1202432890579/40-Under-40?slreturn=20160502095302](http://www.njlawjournal.com/id=1202432890579/40-Under-40?slreturn=20160502095302).

*No aspect of these advertisements have been approved by the Supreme Court of New Jersey.*

## Affiliations

*New Jersey Law Journal* Young Lawyers Advisory Board (2014–2016), past chair

## Community

1,000 Women for Mentoring

### Related Services

Advertising and Marketing  
Advertising Technology  
Consumer Class Action Defense  
Cybersecurity Counseling and Compliance  
e-Discovery  
Litigation  
Manufacturing  
Technology  
Telephone Consumer Protection Act (TCPA) Defense  
The Illinois Biometric Information Privacy Act (BIPA)  
Privacy and Information Security

### Education

Seton Hall University School of Law, J.D., 1999  
Rutgers, The State University of New Jersey, B.A., 1996

### Admissions

New Jersey, 2000

### Courts

U.S. Supreme Court  
U.S. Court of Appeals–First Circuit  
U.S. Court of Appeals–Second Circuit  
U.S. Court of Appeals–Third Circuit  
U.S. Court of Appeals–Fourth Circuit

U.S. Court of Appeals–Seventh Circuit  
U.S. Court of Appeals–Eighth Circuit  
U.S. Court of Appeals–Ninth Circuit  
U.S. Court of Appeals–Eleventh Circuit  
U.S. District Court–District of New Jersey  
U.S. District Court–Northern District of Illinois  
U.S. District Court–Central District of Illinois  
U.S. District Court–Eastern District of Michigan  
U.S. District Court–District of Colorado