

Law360 Quotes Partner Lauri A. Mazzuchetti on The Supreme Court's Ruling In Spokeo Class Action Case

May 16, 2016

Class Action Litigation Partner [Lauri A. Mazzuchetti](#) was quoted in the *Law360* article, "Attorneys React To Supreme Court's Spokeo Ruling," regarding the court's decision that a consumer could not sue online people-search company Spokeo Inc. for technical violations of the Fair Credit Reporting Act. The court found that there was no evidence of actual harm as a result of inaccurate information provided by the company and the Ninth Circuit used an incomplete analysis when it concluded plaintiffs can sue companies without alleging actual injuries. Ms. Mazzuchetti, who has years of experience representing consumer-facing businesses in class action defense, commented:

"Many claims brought under statutes like the TCPA and the Video Privacy Protection Act assert the kind of purely procedural violations that Spokeo held not to confer Article III standing. The failure to obtain express written consent for an action, for example, no longer states a federal claim if the plaintiff actually wanted the action to occur and provided oral consent. Then, even where the named plaintiff in a class action under one of these statutes can allege the concrete and particularized damages Spokeo requires, she may have to do so in ways that highlight the unsuitability of the case for class treatment. The case was not the clear death blow to 'no damage' privacy class actions for which the defense bar had been hoping, but it provides defendants with a wide range of arguments against these cases, particularly when it comes to issues of class certification."

To read the full article, please click [here](#). Access may require subscription.