

Update on Wave of CEMA Lawsuits

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A growing wave of class actions under Washington’s Commercial Electronic Mail Act is putting marketers on notice. In this episode, we break down the surge of more than 60 lawsuits challenging allegedly misleading email subject lines, the recent court rulings rejecting CAN-SPAM preemption and dormant commerce clause defenses, and the proposed Washington legislation that could narrow liability and limit remedies — even retroactively. For legal, compliance, and marketing teams, it’s a timely reminder that promotional email copy can create significant litigation risk and that now is the time to revisit subject-line review practices.

Hosted by Simone Roach. Based on a blog post by [Gonzalo E. Mon](#).