2014 Class Action CLEs:
Recent Trends and Enhanced Strategies for Your Business
Introduction

Alston & Bird’s Class Action Team offers a variety of complimentary CLEs covering class actions and other complex proceedings. Our programs go well beyond technical legal issues. We focus on practical implications and strategies for corporations and their legal departments—from reputational defense and crisis management to coordination of parallel proceedings and investigations. A diverse team of subject matter experts develop and present our CLEs. Our combined perspectives and experiences provide a more comprehensive look at the constantly evolving legal landscape that impacts your business.

Our team will present the CLE program at your place of business. We can tailor the program to fit into a lunch-and-learn or provide an all-day CLE opportunity. Our programs are either pre-approved for CLE credit with specific state bars or we will seek approval in advance of the program. Professionalism and ethics offerings are also available. Working with you, we can customize programs to address the litigation risks you face.

Sample Program Offerings

- **Ethics and Professionalism in Class Actions**
  Examines professional and ethical issues unique to class actions, including the ethics of and strategic advantages to communicating with absent class members and the professional obligations of corporate defendants and their counsel in class settlement negotiations

- **Recent Developments in Class Action Settlements**
  Addresses trends in objections to and other collateral attacks on class settlements, including increased scrutiny of *cy pres* provisions and attorneys’ fee awards, to assist corporate defendants in structuring class settlements that will withstand judicial scrutiny

- **Article III Standing and Rule 23(b)(3) Predominance**
  Examines the circuit split regarding whether a class can be certified if it includes absent class members who have suffered no Article III injury-in-fact and defense strategies for establishing predominance of individual issues where a liability-only class is sought
- **Unique Challenges in MDL’s and Defending Consolidated Class Actions**
  Explores the efficient and effective defense of class actions consolidated into multidistrict litigation, including discovery, scheduling, and case management strategies unique to consolidated proceedings

- **Comcast v. Behrend: The Increasing Emphasis on Class Certification Experts**
  Examines defendants’ enhanced prospects for defeating class certification through expert opinions and reviews the early returns from courts’ interpretations of Comcast

- **Removal to Federal Court Under the Class Action Fairness Act**
  Identifies recent significant CAFA decisions by the Supreme Court and lower federal courts and examines strategies for removing class actions under CAFA

- **Early Offensive Strategies to Defeat Class Actions Before They Begin**
  Addresses a variety of strategies available to corporate defendants, including but not limited to Rule 68 offers of judgment, motions to compel arbitration, prudential mootness and motions to strike class allegations

- **Enhanced Strategies to Defeat Class Certification**
  Explores the latest trends and developments in Rule 23 case law and offers practical advice on successfully narrowing the class, limiting the scope of liability and defeating class certification, including but not limited to strategic motions to dismiss; choice-of-law arguments; developing a robust factual record to support motions for summary judgment and strengthen expert reports; prosecuting and defending Daubert motions targeting class experts; and advancing constitutional and due process arguments against certification

- **Effectively Managing Discovery in Large Class Actions**
  Examines strategies and considerations for efficiently managing large-volume electronic discovery in class actions, from preservation to production, to use in depositions and trial, and also addresses technology assisted reviews, document depositories, discovery staging techniques, and other management and practice innovation techniques

- **A Class Has Been Certified: Now What…**
  Addresses potential defense strategies post-certification and pre-trial, including petitions for Rule 23(f) appeal, motions for summary judgment, and motions to de-certify and for reconsideration
- **The Next Wave of Consumer Class Actions**
  Identifies the latest tactics, strategies and target industries of the plaintiffs’ bar, and examines pre- and post-litigation strategies and best practices for corporate defendants to implement in response

- **Class Litigation Strategies for California’s Consumer Protection Statutes**
  Identifies innovative strategies and defenses against class actions asserting violations of California’s Consumer Legal Remedies Act, Unfair Competition Law, and False Advertising Law

- **Corporate Reputational Defense and Crisis Management**
  Examines crisis management when corporations face significant litigation, including the development of communications plans that advance clients’ litigation and business objectives as well as strategies for minimizing the potentially adverse impact litigation may have on the corporate brand

- **Civil Litigation and the Coordination of Parallel Regulatory Proceedings or Related Governmental Investigations**
  Explores the challenges of coordinating multiple proceedings, including regulatory and government investigations, in addition to class, mass, or consolidated civil litigation, and provides suggested best practices for efficiently and cost-effectively managing multiple matters

### Your Faculty

Alston & Bird’s Class Action Team has represented clients in some of the largest and most complex class action cases throughout the United States, including multidistrict litigation (MDL) proceedings. From obtaining dismissals at the outset of litigation, to defeating class certification, to winning for clients before the United States Supreme Court, Alston & Bird’s Class Action Team is on the leading edge of class action defense. The team leverages its experience, client focus and winning results across the spectrum of class actions, including:

- antitrust and unfair competition;
- consumer protection, deceptive trade practices and fraud;
- breach of contract and warranty claims;
- employment and FLSA actions;
- environmental;
- ERISA;
- false advertising;
- privacy;
- products liability;
- securities; and
- toxic tort

**Contact Us**

To learn more about our Class Action CLE programs, please contact:

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To view additional Class Action Team publications, please click [here](#) to visit our web page.