

Press Coverage | August 20, 2024

Disney Backs Down From Effort to Use Disney+ Agreement to Block Lawsuit

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[Matthew H. Adler](#)

Matthew Adler, a partner in Troutman Pepper's Litigation + Trial Practice Group, was quoted in the August 20, 2024 *New York Times* article, "[Disney Backs Down From Effort to Use Disney+ Agreement to Block Lawsuit](#)."

Matt Adler, a partner at Troutman Pepper who regularly represents clients in arbitration, said that it was very uncommon for a party to withdraw its request for arbitration instead of letting a judge decide. Arbitration agreements are usually upheld, he said, though this one was "a bit of a stretch."

"My guess is that they decided that the harm they were suffering in the public eye was greater than the risk of losing money on this case," said Mr. Adler, who does not represent Disney. "I was surprised."

Mr. Adler added that consumers are party to more arbitration agreements than they might think. Cellphone contracts, brokerage agreements and many other everyday commitments include such clauses, which is why there has been what he called "an explosion of arbitration" over the past 20 years.

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