

# January 2023 Class Action Blog Summary

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What are the most significant judicial decisions affecting class action litigation, and how might they impact your business?

Our attorneys tackle these questions, and more, in our blog, [Consumer Financial Services Law Monitor](#). The following overview provides summaries of our most recent posts, which include case summaries, key takeaways, and practical insights affecting class action litigation.

Do you have a question or comment about the information presented in our posts? Please contact [Scott Kelly](#) and [Mary Zinsner](#), partners in our financial services litigation practice.

## About Our Class Action Practice

Troutman Pepper's national class action litigation team defends bet-the-company class actions across the U.S. We have successfully defended class actions in more than 35 states, including California, Florida, Illinois, and West Virginia.

We have a long track record of resolving class actions for clients in diverse industries and affecting a wide range of legal and business concerns. Our team includes attorneys whose practices are dedicated to sectors such as financial services, insurance, hospitals and health care, pharmaceuticals and medical devices, retail, higher education, and more. We offer a deep bench of experienced attorneys in areas such as debt collection practices, data breach, privacy, products liability, securities, mass tort, unfair business practices, labor and employment, environmental, ERISA, and antitrust.

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## Featured Posts

### [Ramirez Case Reaches Final Approval of Class Settlement](#)

On December 15, 2022, the parties in *TransUnion LLC v. Ramirez* — a case that went all the way to the Supreme Court in 2021 to resolve questions of Article III standing — obtained final approval of their class settlement agreement. The settlement resolved claims brought under the Fair Credit Reporting Act (FCRA) alleging that TransUnion inaccurately appended an alert to each class member's consumer report indicating that they were a "potential match" to a name on the Office of Foreign Asset Control's Specially Designated Nationals and Blocked Persons List.

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### [California Federal Court Denies Class Certification for Inadequate Plaintiff](#)

The district court for the Northern District of California recently granted a motion to deny class certification in an action brought under the Telephone Consumer Protection Act (TCPA) based on the plaintiff's inability to vigorously represent the class.

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### [Ninth Circuit Remand of \\$925M TCPA Class Award Offers Possible Ceiling on Damages](#)

Allowable statutory damages under the Telephone Consumer Protection Act (TCPA) have a floor of \$500 and, generally speaking, determining total damages is a simple math calculation. In the class action scenario, however, this damages number can become very significant very quickly. But a recent decision by the Ninth Circuit suggests that, in some circumstances, an award can be so large as to be deemed out of bounds. In *Wakefield v. ViSalus, Inc.*, the Ninth Circuit remanded a \$925M verdict in a TCPA class action back to the Oregon district court to assess whether the verdict was "so severe and oppressive that it violates ViSalus's due process rights" and whether it should be reduced accordingly.

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