

July 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.

Featured Posts

[First Post-Facebook Appeal Makes Its Way to Supreme Court](#)

More than two years after the Supreme Court released its ruling in *Facebook v. Duguid*, confirming the meaning of automatic telephone dialing systems (ATDS) under the Telephone Consumer Protection Act (TCPA), a plaintiff has filed a [petition](#) for a writ of certiorari to the Supreme Court to challenge the Ninth Circuit's application of the *Facebook* decision. The *Facebook* ruling effectively closed the door on one of the broadest classes of TCPA-related litigation; since then, plaintiff-side advocates have worked ceaselessly, though largely unsuccessfully, to chip away at the ruling. If the Supreme Court accepts the appeal, this will represent a significant development in the ongoing saga of ATDS litigation.

[Read more](#)

[Ohio Federal Court Finds Plaintiff Has Standing in TCPA Case Over Messages Left With Wrong Recipient](#)

On June 28, a magistrate judge in the U.S. District Court for the Southern District of Ohio issued a report recommending that the defendant's motion to dismiss be denied because the plaintiff had standing under the Telephone Consumer Protection Act (TCPA) even though the calls in question were not intended for the plaintiff.

[Read more](#)

[Ninth Circuit Holds Phone Owner Suffers Concrete Injury From Unsolicited Telemarketing Texts Even if Not “Actual User” of the Phone or “Actual Recipient” of the Texts](#)

On June 30, the Ninth Circuit Court of Appeals [held](#) that the plaintiff's claims that she received five text messages to a cell number that she had placed on the National Do-Not-Call Registry satisfied the demands of Article III even though the actual user of the phone was her thirteen-year-old son.

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