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Center for Class Action Fairness

The Center for Class Action Fairness (CCAF) at the Hamilton-Lincoln Law Institute represents class members against unfair class action procedures and settlements. Originally founded by Ted Frank in 2009, CCAF has won millions of dollars for consumers and shareholders, and won landmark precedents that safeguard investors, courts, and the general public.

Unfair settlements generally serve self-interested lawyers and third parties at the expense of absent class members, the group of people whose rights are traded away to settle a class action. Lawyers have an interest in their fees, defendants have an interest in cheaply disposing of a lawsuit, and the class' interests can take a back seat in the process. CCAF seeks to solve these problems by representing such class members pro bono and presenting judges with the other side of the argument. When CCAF prevails, lawyers get less, class members get more, and the rule of law is strengthened.

The New York Times says CCAF's Ted Frank is "the leading critic of abusive class action settlements," while *Reuters* called him a "class action maverick" and "among class action lawyers' most feared objectors."

Ongoing Litigation

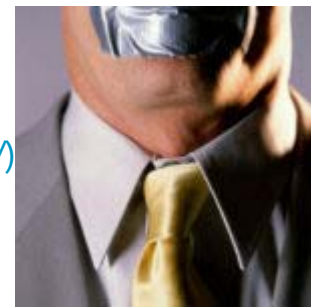
- [Hyland v. Navient Corp. \(https://hlli.org/hyland-v-navient-corp/\)](https://hlli.org/hyland-v-navient-corp/)



[\(https://hlli.org/hyland-v-navient-corp/\)](https://hlli.org/hyland-v-navient-corp/)

Class member William Yeatman objects to a settlement that provides no direct benefit to class members but instead pays \$1.75 million as "cy pres" to fund the creation of a new non-profit.

- *Greenberg v. Haggerty* (<https://hlli.org/greenberg-v-haggerty/>)



(<https://hlli.org/greenberg-v-haggerty/>)

HLLI filed a civil rights suit against the Disciplinary Board of the Supreme Court of Pennsylvania to block implementation of a rule that would limit speech by Pennsylvania-licensed attorneys.

- *Meland v. Padilla* (<https://hlli.org/meland-v-padilla/>)



(<https://hlli.org/meland-v-padilla/>)

HLLI filed an amicus brief in support of a shareholder challenging California's discriminatory quota requiring the election of a minimum number of women to the boards of directors of publicly-traded companies.

- *Rael v. The Children's Place, Inc.* (<https://hlli.org/rael-v-the-childrens-place-inc/>)



(<https://hlli.org/rael-v-the-childrens-place-inc/>)

HLLI attorney Anna St. John objected to a settlement with The Children's Place because it would pay attorneys over \$1 million in fees while leaving class members with only small \$6 coupons that few class members will use.

- *Gold v. Lumber Liquidators, Inc.* (<https://hlli.org/gold-v-lumber-liquidators/>)



(<https://hlli.org/gold-v-lumber-liquidators/>)

CCAF's objector contends that only 25% of the cash fund should be awarded to the attorneys until the actual redemption rate of coupons is known. Attorneys should not be able to walk away with most of the cash while leaving their clients with coupons few class members are likely to redeem.

- *In re Google LLC Street View Electronic Communications Litigation* (<https://hlli.org/wi-spy/>)

spy/)



(<https://hlli.org/wi-spy/>)

Much like the Google referrer case that CCAF argued before the Supreme Court, plaintiffs' attorneys have achieved a settlement worth a fraction of pennies-on-the-dollar, then argued that the modest recovery excuses them from actually having to benefit class members. Class member David Lowery objects.

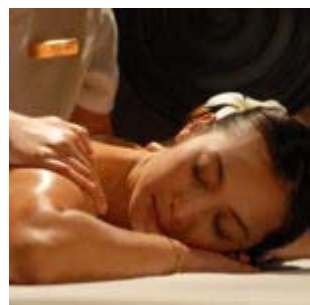
- *In re Equifax Inc. Consumer Data Security Breach Litigation* (<https://hlli.org/equifax/>)



(<https://hlli.org/equifax/>)

The Center for Class Action Fairness objected on behalf of two class members to the infamous Equifax data breach class action settlement. The settlement is rooted in a fundamental failure to adequately represent the class.

- *McKinney-Drobnis v. Massage Envy Franchising LLC* (<https://hlli.org/massage-envy/>)



(<https://hlli.org/massage-envy/>)

The Hamilton Lincoln Law Institute represents an objector to the settlement of *McKinney-Drobnis v. Massage Envy Franchising LLC*, which provides only coupons to class members, including those who no longer subscribe to Massage Envy, while earmarking \$3.3 million for attorneys' fees in cash.

- *In re Conagra Foods, Inc.* (<https://hlli.org/in-re-conagra-foods-inc/>)



(<https://hlli.org/in-re-conagra-foods-inc/>)

CCAF represents Prof. Todd Henderson, who objects to a settlement that provides him \$4.50 and all class members put together less than one seventh of the \$6.85 million attorneys' fee request, premised on a "\$27 million" injunction that does nothing.

- *In re Wells Fargo & Co. Shareholder Derivative Litigation* ([https://hlli.org/in-re-wells-](https://hlli.org/in-re-wells-fargo-co-shareholder-derivative-litigation/)

[fargo-co-shareholder-derivative-litigation/](https://hlli.org/in-re-wells-fargo-co-shareholder-derivative-litigation/))



([https://hlli.org/in-re-](https://hlli.org/in-re-wells-fargo-co-shareholder-derivative-litigation/)

[wells-fargo-co-shareholder-derivative-litigation/](https://hlli.org/in-re-wells-fargo-co-shareholder-derivative-litigation/))

CCAF filed an objection on July 11, 2019 arguing that because this is a megafund settlement, any fee award should be significantly less than the 25% benchmark. Plaintiffs' counsel also drastically overstate their lodestar with millions of dollars of work by contract attorneys billed at excessive rates.

- *In re Stericycle Securities Litigation* ([https://hlli.org/in-re-stericycle-securities-](https://hlli.org/in-re-stericycle-securities-litigation/)

[litigation/](https://hlli.org/in-re-stericycle-securities-litigation/))



(<https://hlli.org/in-re-stericycle-securities-litigation/>)

The Hamilton Lincoln Law Institute represents an objector in Stericycle Securities Litigation, where all of the attorneys are supporters of Mississippi Attorney General Jim Hood, who has sole control over one of the named plaintiffs. The objector seeks discovery to prove that the named plaintiffs are inadequate to protect the class from an excessive fee ...

- *In re Samsung Top-Load Washing Machine Marketing Sales Practices* (<https://hlli.org>

[/samsung-top-load-mdl/](https://hlli.org/samsung-top-load-mdl/)



[\(https://hlli.org/samsung-top-load-mdl/\)](https://hlli.org/samsung-top-load-mdl/)

Samsung sold top-loading washing machines that sometimes violently vibrate and “explode,” but the settlement provides mostly mail-in rebates to class members. Attorneys should not be able to guarantee a generous fee award for themselves while class members are stuck at best with rebate coupons that require them to buy again from the allegedly negligent defendant.

- [Littlejohn v. Ferrara Candy Co. \(https://hlli.org/littlejohn-v-ferrara-candy-co/\)](https://hlli.org/littlejohn-v-ferrara-candy-co/)



[\(https://hlli.org/littlejohn-v-ferrara-candy-co/\)](https://hlli.org/littlejohn-v-ferrara-candy-co/)

The Hamilton Lincoln Law Institute represents an objector to the settlement of Littlejohn v. Ferrara Candy Co., which pays attorneys \$600 to \$1170/hour, but provides absolutely nothing to class members in exchange for waiving their monetary claims.

- [In re Domestic Airline Travel Antitrust Litigation \(https://hlli.org/domestic-air/\)](https://hlli.org/domestic-air/)



[\(https://hlli.org/domestic-air/\)](https://hlli.org/domestic-air/)

CCAF attorneys object to settlements with two airlines because the settlements do not explain how class members will be compensated, and the money might be diverted to third party cy pres beneficiaries.

Our Attorneys

[Berni v. Barilla](https://hlli.org/berni-v-barilla/) (<https://hlli.org/berni-v-barilla/>)

Theodore H. Frank (<https://hlli.org/ted-frank>)

Melissa Holyoak (<https://hlli.org/melissa-holyoak>)

Anna St. John (<https://hlli.org/anna-st-john>)

Adam Schulman (<https://hlli.org/adam-schulman>)

Frank Sedranz (<https://hlli.org/frank-sedranz>)



(<https://hlli.org>)

Class member and CGAF attorney Adam Schulman objected to a slack fill settlement that provides class members with worthless labeling changes.

Frank v. Gaos: CEI Fighting to Protect Consumers from Greedy Attorneys



Objectionable Practices

- *Cy pres* settlements
- Coupon settlements
- Claims-made settlements
- Illusory relief
- Kicker and clear sailing
- Abusive appeal bonds
- Objector blackmail

Op-Eds and Articles

- AUDIO: Ted Frank Discusses Class Action Lawsuits on Lawsuit Watch (<https://hlli.org/ted-frank-on-lawsuit-watch/>)
 - *WSJ*: For Some Class-Action Lawyers, Charity Begins and Ends at Home (<https://hlli.org/for-some-class-action-lawyers-charity-begins-and-ends-at-home/>)
 - *WSJ*: Where Was CFPB While Wells Fargo Plundered? (<https://hlli.org/where-was-cfpb/>)
 - Posner Leaves ‘Enormous Imprint’ on Class Actions (<https://hlli.org/posner-leaves-enormous-imprint-on-class-actions/>)
 - *WSJ*: Congress Can Rescind the CFPB’s Gift to Trial Lawyers (<https://hlli.org/wsj-congress-can-rescind-the-cfpbs-gift-to-trial-lawyers/>)
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Recent Citations

- 7th Circ. Says Class Objectors Must Repay Side Deals (<https://hlli.org/7th-circ-says-class-objectors-must-repay-side-deals/>)
 - Equifax judge orders disclosure of class counsel’s draft ‘opinion’ (<https://hlli.org/equifax-judge-orders-disclosure-of-class-counsels-draft-opinion/>)
 - Ted Frank wants to see class counsel’s ex parte draft opinion in Equifax case (<https://hlli.org/ted-frank-wants-to-see-class-counsels-ex-parte-draft-opinion-in-equifax-case/>)
 - Judge orders Boston law firm to repay millions in inflated legal fees (<https://hlli.org/judge-orders-boston-law-firm-to-repay-millions-in-inflated-legal-fees/>)
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- Class action watchdog Ted Frank files objection to Equifax deal (<https://hlli.org/class-action-watchdog-ted-frank-files-objection-to-equifax-deal/>)

Recent Blog Posts

- VIDEO: *Frank v. Gaos*: Fighting to Protect Consumers from Greedy Attorneys (<https://hlli.org/video-frank-v-gaos/>)
 - Kavanaugh's View of Judicial Power: Could It Be Tested at Supreme Court in *Frank v. Gaos*? (<https://hlli.org/kavanaughs-view-of-judicial-power-could-it-be-tested-at-supreme-court-in-frank-v-gaos/>)
 - CCAF Appeal May Be the *Cy Pres* Case Supreme Court is Looking For (<https://hlli.org/ccaf-appeal-may-be-the-cy-pres-case-supreme-court-is-looking-for/>)
 - Court Appoints Special Master to Investigate Overbilling in Anthem Class Action (<https://hlli.org/court-appoints-special-master-to-investigate-overbilling-in-anthem-class-action/>)
 - Google Settlement: How Class Action Abuse Gives Money to Attorneys and Third Parties, Leaving Consumers with Nothing (<https://hlli.org/google-settlement-how-class-action-abuse-gives-money-to-attorneys/>)
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