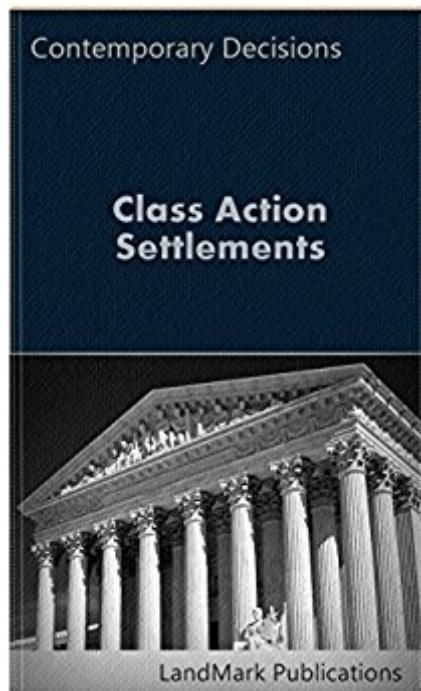


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Class Action Settlements (Litigator Series)



Synopsis

THIS CASEBOOK contains a selection of 28 U. S. Court of Appeals decisions that analyze and discuss issues surrounding class action settlements. The selection of decisions spans from January 2010 to the date of publication. When a class action settlement agreement is submitted for approval, "[t]he initial decision to approve or reject a settlement proposal is committed to the sound discretion of the trial judge." Officers for Justice v. Civil Serv. Comm'n, 688 F.2d 615, 625 (9th Cir.1982). The district court judge must determine whether the settlement is "fundamentally fair, adequate and reasonable." Id. Laguna v. Coverall North America, Inc., 753 F. 3d 918 (9th Cir. 2014) Federal Rule of Civil Procedure 23(e)(2) provides that a court may approve a class action settlement only if it is "fair, reasonable, and adequate." Fed.R.Civ.P. 23(e)(2). The court must review the negotiating process leading up to the settlement for procedural fairness, to ensure that the settlement resulted from an arm's-length, good faith negotiation between experienced and skilled litigators. [Citations omitted.] Charron v. Wiener, 731 F. 3d 241 (2nd Cir. 2013) A district court looks to seven factors in determining whether a class action settlement is fair, reasonable, and adequate: "(1) the risk of fraud or collusion; (2) the complexity, expense and likely duration of the litigation; (3) the amount of discovery engaged in by the parties; (4) the likelihood of success on the merits; (5) the opinions of class counsel and class representatives; (6) the reaction of absent class members; and (7) the public interest." citing UAW v. Gen. Motors Corp., 497 F.3d 615, 631 (6th Cir.2007) . Vassalle v. Midland Funding LLC, 708 F. 3d 747 (6th Cir. 2013)

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