

Omitted Drink Prices Flouted Consumer Law, NJ Justices Told

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“There’s a real dispute between the plaintiffs’ bar and defense bar as to what ‘aggrieved’ means,” said Mr. Kott. There would be “nothing fair” about the certification of this class, in which the plaintiffs are “only suing for the statutory penalty” of \$100. The business community contends that TCCWNA suits harm both small business owners and large corporations alike. Seeming swayed by Mr. Kott’s argument, Justice Barry T. Albin said, “It doesn’t seem the legislature considered the vastly different circumstances that could arise under this statute.” Justice Anne M. Patterson also questioned the law, asking at one point whether every single person who entered a restaurant where drink menus with no prices were displayed should receive \$100. She also asked if someone who didn’t care about the drink prices would be a member of the affected class.