

NJ Supreme Court Rules Consumer Contract Lawsuits Must Show Actual Harm Done to Be Valid

04.17.2018

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A New Jersey Business Today report on the Supreme Court's decision in *Spade v. Select Comfort Corp* discusses the role McCarter attorneys David Kott and Ed Fanning, Jr. played in the much anticipated ruling which protects New Jersey businesses from the frequent abuse of the Truth-in-Consumer Contract Warranty and Notice Act (TCCWNA). Noting the amicus curiae brief McCarter filed on behalf of the New Jersey Business & Industry Association, the article quotes from David Kott's oral argument before the court last November which supported the position that the statute does not apply in situations where plaintiffs have not suffered actual adverse consequences.

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