

Denial of Class Certification in TCCWNA/NJ Consumer Fraud Act Cases

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Related People:

David R. Kott

Edward J. Fanning, Jr.

McCarter lawyers David R. Kott and Edward J. Fanning were mentioned in “NJ Justices Trim TGI Friday’s, Carrabba’s Drink Price Suit,” which appeared in Law360. The Supreme Court of New Jersey yesterday denied class certification in *Debra Dugan v. TGI Fridays, Inc.* and *Ernest Bozzi v. OSI Restaurant Partners, LLC*. These cases had both sought to certify classes of consumers based upon alleged violations of New Jersey’s Truth-in-Consumer Contract, Warranty and Notice Act (TCCWNA) and the NJ Consumer Fraud Act. On behalf of amicus curiae the New Jersey Business and Industry Association, we argued that TCCWNA claims should never be certified as class actions. The Court agreed.