

## Consumer Brands

The challenges raised by current market dynamics and increased regulatory activity mean that consumer brands are at a high risk for class action lawsuits, investigations, and regulatory and enforcement actions. Jenner & Block represents many of the world's largest and most respected consumer brands in the food and beverage, home and personal care, technology, and deferred-interest credit card sectors. We are especially known for successfully defending clients in consumer class action litigation and investigations and have extensive experience in regulatory law and enforcement actions.

### **Unmatched Experience in Defending Class Actions**

A litigation leader for more than a century, few firms can match our experience as national counsel and skill in managing multijurisdictional class actions. We defend global brands and their business customers against all potential consumer and commercial claims, including business interruption, lost profits, and brand damages.

Our deep trial experience and innovative advocacy prevail in federal and state courts across the US. We emphasize early strategic thinking and know how to succeed long before trial through motions to dismiss or compel arbitration, challenges to class certification, and summary judgment motions. If a trial becomes necessary, we are fearsome opponents.

### **Foreseeing Trends and Future Threats**

Years of experience protecting consumer brands and helping them achieve their goals enables us to identify trends early and limit risk by flagging potential issues before they arise. We understand how regulators think and the approach they will likely take because we have extensive experience in government agencies and a lengthy background in government investigations and enforcement actions. Our team includes many former government regulators and others who have worked at state Attorney General offices.

Close collaboration with the firm's other award-winning practices brings unrivaled efficiency and proficiency to every matter, positioning us to deliver results that exceed expectations.

### **Counseling and Defense Across a Range of Issues**

We advise on the panoply of regulations and defend consumer brands across a vast range of issues, from false advertising claims and product recalls to consumer privacy and cybersecurity. Clients also rely on us to defend them in state Attorney General, Department of Justice, Consumer Financial

Protection Bureau, the Federal Trade Commission, the Commodities Futures Trading Commission, and other agency investigations and enforcement actions and to represent them in litigation.

Our lawyers also are experienced in handling international arbitrations under the ICC, AAA/ICDR, LCIA, and SCC, among others, and have participated in ad hoc arbitrations conducted under the UNCITRAL rules, as well as before all major US institutional providers.

## **Experience**

- Represented food industry clients in more than 150 consumer class action lawsuits in the last four years, bringing unique legal and factual knowledge to matters involving claims related to contaminants in products such as PFAS, heavy metals, phthalates, benzene, as well as many food borne pathogens, such as salmonella and listeria and a myriad of GMO-related issues.
- Represent clients against false advertising claims, unfair business practices, and consumer fraud in district courts and appellate courts across the country.
- Counsel and represent clients in regulatory issues regarding consumer finance litigation, including those brought by the CFPB.
- Represent clients in TCPA class action cases, including multidistrict litigation, on issues involving autodialed calls and unsolicited faxes, among others.
- Represent clients in supplier/vendor disputes, including breach of contract, warranty, and indemnity claims, as well as represent clients in seeking insurance coverage arising from damage to products or manufacturing facilities.

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## Related Capabilities

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Corporate

Culture Risk and Sensitive Investigations

Data Privacy and Cybersecurity

ERISA

ESG: Environmental, Social, and Governance

Food and Beverage

Human Rights and Global Strategy

International Arbitration

Investigations, Compliance, and Defense

Investor and Securities Litigation

Life Sciences

Mergers and Acquisitions

National Security and Crisis

Patent Litigation and Counseling

Post-*Chevron* Task Force

Real Estate Transactions

Real Estate and Hospitality

Reproductive Health Task Force

Sports and Gaming

State Attorneys General

Technology

Trade Secrets and Restrictive Covenants

Trademark, Advertising, and Unfair Competition