

Client Marriott Secures Second Interlocutory Appeal of Class Certification in Multi-District Litigation Regarding Data Security Incident

News

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Jenner & Block has once again secured review by the US Court of Appeals for the Fourth Circuit for client Marriott International's interlocutory appeal of class certification in multi-district litigation regarding a data security incident. This is the second time the Fourth Circuit will hear the interlocutory appeal. In August 2023 the appellate court vacated class certification and ruled that the district court erred in not considering the applicability of a waiver at the certification stage.

Yet just last month, the district court once again certified the damage classes. If the district court's ruling is allowed to stand, the recertification order would have enormous implications for class litigation, multidistrict litigation, and class-action waivers.

Partner Matt Hellman said, "We are pleased the Fourth Circuit has again granted review. We believe the recertification order should be vacated, just as the last one was."

In addition to Matt and Partner Lindsay Harrison, the Jenner & Block team includes Partners Elizabeth Deutsch and Michelle Kallen and Associates Leslie Bruce, Mary Marshall.

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