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Food & Consumer Packaged Goods Litigation

"Predominance" in Food Class Actions

A recent decision by the Third Circuit in an auto defect case could have significant impact on the 'predominance' of claims analysis in food class actions. The Court of Appeals reversed the district court's order granting certification of six statewide classes, and remanded for further hearings in this putative class action alleging that Volvo sold vehicles with defective sunroofs. Overturning the lower court's ruling, the Court of Appeals held that a more rigorous 'predominance' analysis of plaintiffs' state-specific obligations must be performed when multiple statewide classes are certified and the relevant state laws differ from one another. [Order.](#)

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