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Marron Lawyers Defeat CAFA, Force Plaintiffs to Minimize Misclassification Class Action Allegations

In a major class action alleging misclassification of independent contractors, Paul Marron and Steven C. Rice, of Marron Lawyers engineered a strategy that resulted in the successful removal of the case from California's notoriously labor-friendly courts to Federal Court. Plaintiffs' subsequent attempt to remand the case back to State Court was decisively defeated. The firm's victory left the plaintiffs' lawyers with little choice but to amend their Complaint, drastically reducing the class action allegations.

Although the Firm's client operates almost exclusively in California, Marron Lawyers seized on the fact that the putative class representative resided out of state when the action was filed, as well as on the expansive nature of the alleged class and damages, to remove the case to Federal Court in Los Angeles under the auspices of the Class Action Fairness Act of 2005 (CAFA).

Plaintiffs asserted vigorous "common sense" arguments claiming that over two-thirds of the potential class of al-

legedly misclassified workers resided in California, based on the fact that they worked for a California business. However, Marron Lawyers successfully argued that Plaintiffs failed to meet the strict evidentiary burden required to remand. After taking the case under submission, the Federal judge denied the motion to remand, meaning that the matter will not be sent back to the California Lower Court.

Seeing the writing on the wall, Plaintiffs' counsel proceeded to significantly cut their class action allegations, dramatically reducing the issues and scope of the matter. Marron Lawyers' quick action to remove the case and put pressure on plaintiffs' attorneys demonstrates the benefits of aggressive lawyering and years of class action defense experience.

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