

Emerging Trends and Targets in U.S. Class Action Litigation

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The filing of class action lawsuits in the United States Federal Courts continues to rise in number and in the total value of potential claims.

While some common targets remain the same, such as pharmaceutical and medical device companies, new targets are emerging; spanning all industries, from food and supplement manufacturers to fast food restaurants, energy companies, internet and technology companies. As will be discussed in this paper, class actions filed in the United States federal courts have continued to be filed in historic numbers in the first half of 2012. However the targets of litigation have been changing.

The past twelve months have also proved to be an active year for clarification of class action precedent by the United States Supreme Court in that a number of rulings have been handed down, that, as discussed herein, are likely to have widespread and long-lasting effects on how class actions are litigated in U.S. federal courts, and to a lesser extent, in the state courts. Likewise, pending before the United States Supreme Court are the cases of *Amgen v. Connecticut Retirement Plans*, 11-1085 and *Standard Fire Insurance Co., v. Knowles*, 11-01450 (hereinafter referred to as "*Standard Fire*"), both of which address issues that impact class action litigation.

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