

M.C. Sungaila and Martin Ellison in Law360: Chamber, CEOs Back P&G In Class Cert. Protest At High Court

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PRACTICES Appellate

The U.S. Chamber of Commerce, a group of CEOs and a civil defense attorney organization have submitted amicus briefs supporting Procter & Gamble's petition that the U.S. Supreme Court overturn a Sixth Circuit decision allegedly certifying a class of probiotic supplement customers without proving a classwide injury.

In two separate briefs, the Chamber of Commerce and Business Roundtable, filing together, and the International Association of Defense Counsel, filing alone, told the high court on Jan. 29 that the Sixth Circuit's decision improperly postpones proof of classwide harm to after class certification...

"This lawsuit provides a boilerplate for dissatisfied consumers of virtually any product, each of whom could certify a class in a false advertising action without proof and regardless of the evidence against them," the International Association of Defense Counsel said. "Future plaintiffs can simply insert their product and state name into the plaintiffs' remarkably broad class definition."

...The IADC is represented by Mary-Christine Sungaila and Martin M. Ellison of Haynes Boone LLP.

Excerpted from *Law360*. To read the full article, click [here](#) (subscription required).