

M.C. Sungaila, Marco Pulido Author Legal Opinion Letter in Washington Legal Foundation: *Spokeo v. Robins* and the Wrinkle of Standing Under State Law

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PRACTICES Litigation

Partner M.C. Sungaila filed an amicus curiae brief in the U.S. Supreme Court in Spokeo v. Robins, and she has also briefed post-Spokeo standing issues in Eric B. Fromer Chiropractic Inc. v. Molina Healthcare of California.

Since the U.S. Supreme Court's decision in *Spokeo v. Robins*, it is not enough for a plaintiff suing in federal court "to allege that a defendant has violated a right created by a statute." Rather, to determine whether a plaintiff has standing to sue under Article III, a federal court must further "ascertain whether the plaintiff suffered a concrete injury-in-fact due to the violation."

This Legal Opinion Letter discusses two developing post-*Spokeo* trends: (1) litigation of federal statutory claims in state courts, where standing requirements may differ from those under Article III; and (2) the application of *Spokeo* to dismiss state-law statutory claims in federal court.

Excerpted from a Washington Legal Foundation Legal Opinion Letter. To read the full letter, click [here](#).