



## The American Bar Association

Civil Practice & Procedure Committee

### *Wal-Mart Stores, Inc. v. Dukes* and Antitrust Class Actions

Monday, September 26, 2011  
12:30 PM – 2:00 PM  
Kaye Scholer LLP  
425 Park Avenue  
New York, NY 10022

The U.S. Supreme Court’s recent decision in *Wal-Mart Stores, Inc. v. Dukes* raises significant questions for class action litigation in all areas of law. While decided in the context of an employment discrimination class action for injunctive relief, the sweep of the majority opinion will likely have some effect on antitrust class actions as well. Among other points, the Court disapproved the proposition that a court cannot consider the merits of the underlying case in considering a motion for class certification, closely examined the “commonality” requirement of Rule 23(a), and affirmed the need to scrutinize statistical and anecdotal evidence offered to demonstrate class-wide injury and damages. This panel discussion will examine these and other issues raised by the decision and will provide a variety of perspectives on how the *Dukes* case may impact antitrust class action litigation going forward. Please join us for this exciting live event, which will include a brief question and answer session. Audio conferencing is also available for those who cannot attend live.

Panelists:

Edward D. Cavanagh, Professor of Law, St. John’s University School of Law  
John H. Johnson, President & CEO, Edgeworth Economics  
Brent W. Landau, Partner, Hausfeld LLP  
Jennifer B. Patterson, Partner, Kaye Scholer LLP

Moderator:

Daniel P. Weick, Associate, Wilson Sonsini Goodrich & Rosati, P.C.

*The ABA is not seeking CLE credit for this program.  
You will not receive CLE credit for attending/listening.*



To register for this event. You will receive dial-in information with your registration. Please RSVP to Carol Stavros ([cstavros@wsgr.com](mailto:cstavros@wsgr.com)) if you plan to attend in-person.

Recordings of this program will be posted on the Section website and downloadable in an MPEG-3 format, provided all releases have been obtained. Please visit our [Committee Program Audio page](#) after the program to listen to/download the audio.

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