

CLASS ACTION DEFENSE AND COMPLEX LITIGATION

Transportation companies have experienced an increase in the number of class and collective action lawsuits filed against them, and that trend is likely to continue. Those claims have included assertions that carriers have violated federal and state wage and hour laws to misclassifying owner-operators as independent contractors. Plaintiffs have used the regulatory requirements and have misconstrued practical realities that exist in the transportation industry to support claims that motor carriers, freight forwarders and brokers have violated the rights of the individuals and companies with whom they do business.

The Scopelitis Firm has defended hundreds of class and collective actions against the transportation industry—even being recognized in BTI Consulting’s ranking is among the top 20 class action defense practices in the nation. These cases seek millions of dollars in damages under federal and state wage and hour laws, including claims for minimum wage and overtime, meal and rest break violations, and employee expense reimbursement. Scopelitis attorneys are often involved in defending these “bet the company” cases because our clients understand that The Scopelitis Firm is and has always been dedicated to defending and serving one industry. This singular focus provides us with unparalleled depth of transportation industry and law knowledge, and the Scopelitis class action defense team brings the full breadth of that knowledge to defend these claims. Unlike other firms, the Scopelitis class action defense team does not have to learn the nuances of the transportation industry. Moreover, our team approach and experience in defending a host of similar claims facilitates the sharing of litigation ideas, research, and legal briefs among the various defense team members and promotes efficiencies and savings for clients facing these types of cases. We have even developed cutting-edge cost savings approaches to reduce the defense fee impact to our clients.

While many class actions resolve before trial, our team is prepared to and has tried certified class actions to verdict. Scopelitis attorneys understand that there is no “one size fits all” approach to class action defense and that not all clients have the same goals. We work with each client to create an approach that best serves that client’s needs and goals, including preparing litigation budgets and communicating frequently with clients to avoid surprises. Our goal in all aspects of class-action defense, as in the rest of our litigation practice, is to work creatively and boldly, but also efficiently, to accomplish our client’s business goals.

Class and collective actions are not the only multi-faceted litigation risks facing transportation companies. That’s why Scopelitis litigators are well-versed in the prosecution and defense of complex, high-stakes commercial and governmental litigation involving a wide range of transportation issues. Whether it’s a high-dollar, multi-party cargo claim, a nuanced insurance-coverage dispute, a contract dispute over unmet performance metrics for a large logistics project, an audit and substantial fine regarding compliance with laws, regulations and rules or the theft of trade secrets and breach of non-compete covenants, Scopelitis attorneys have litigated—and when appropriate taken to verdict—virtually every type of commercial dispute a transportation company might face. All the benefits that flow from the Scopelitis Firm’s nationwide reach and deep bench apply equally to Scopelitis litigators’ dogged approach to advocating their clients’ positions in commercial litigation as they do in class action litigation. The Scopelitis Firm’s services are cost-competitive with larger firms and laser-focused from the

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start given our in-depth knowledge of the transportation industry. That knowledge of the regulatory complexity overlaying claims against transportation companies allows us to identify the pressure points for the opposition to help reach a resolution of cases quickly.