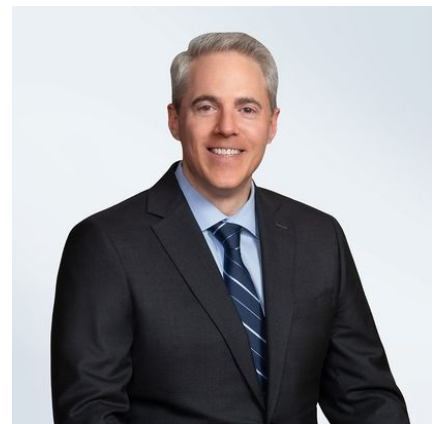


Won a unanimous Seventh Circuit victory in a fee dispute for Whirlpool and Sears arising out of a certified federal class action lawsuit that we favorably settled after winning a defense verdict in the bellwether trial of related claims.

2017

After negotiating a favorable settlement in protracted class action litigation (*Butler v. Sears*), WTO helped Whirlpool and Sears significantly reduce an excessive attorneys' fee award—nearly five times the amount class members were expected to recover from the settlement. The Seventh Circuit agreed with Whirlpool and Sears, finding that the trial court improperly awarded a multiplier of 1.75 times the plaintiffs' attorneys' fees. The Seventh Circuit rejected the notion that novelty and complexity of the case justify a multiplier. Novelty and complexity, the Seventh Circuit wrote, are already reflected in plaintiffs' attorneys' hourly fees and, accordingly, there is no reason to award additional money on top of that. The Seventh Circuit's ruling sends a strong deterrent to the plaintiffs' bar seeking to enrich itself on excessive and abusive fees.

Related Professionals



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