



TYCKO & ZAVAREEI^{LLP}

**Class Actions 101:
Everything You Need to Know About Filing
or Joining a Class Action Lawsuit**

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Class Actions 101: Everything You Need to Know About Filing or Joining a Class Action Lawsuit

While you probably have heard of class action lawsuits, you might be wondering what they actually entail. Here is everything you need to know prior to joining a class action lawsuit or hiring a class action law firm like [Tycko & Zavareei LLP](#).

What is a Class Action Lawsuit?

A class action lawsuit is a legal proceeding in which a group of people who have been wronged by the same individual, organization, corporation, or event join together and file a lawsuit seeking compensation from the defendant(s): the potentially responsible party.

Unlike other lawsuits where only one person sues, with a class action lawsuit, each plaintiff (the individuals who have been harmed) shares in the outcome. Sometimes, this can result in each class member receiving a small sum if the harm they suffered was minimal and there were many other qualified class members. Other times, class members may receive a few hundred dollars each. Class actions are, however, the most economical avenue to pursue justice and compensation for small injuries and losses. With power in numbers, class actions make it feasible for consumers to come together to pursue justice and ensure corporate wrongdoing does not get swept under the rug.

In a class action lawsuit, at least one individual who has been injured by the defendant will be named the class representative. Class action lawsuits may involve allegations of illegal or unethical employment practices, deceptive advertising, hidden fees, toxic exposure, manufacturing of dangerous pharmaceutical drugs, and more.

Do I Have a Case?

If you feel like you have been wronged by a company or organization and your situation is not unique, you could potentially have a case. Certification requirements may vary from state to state, however generally the following must be true:

- One or more of the plaintiff's experiences is representative of all class members
- Each class member's injuries hinge on the same elements of the law and questions of fact
- Due to the number of potential plaintiffs, individual lawsuits would be impractical and make it more difficult to hold the defendant accountable

If you have questions about whether or not your case qualifies for a class action lawsuit, contact Tycko & Zavareei LLP today to [Speak with an experienced class action attorney.](#)





Benefits of a Class Action Lawsuit

The advantages of filing a class action lawsuit include:

- Class action lawsuits are practical and efficient since class members share the same key evidence, witnesses, experts, and legal resources. This can allow one law firm to handle the case as opposed to multiple, making it less expensive and time-consuming than if multiple law firms were trying multiple cases.
- Class action lawsuits allow plaintiffs to seek smaller amounts of money that otherwise would not have made sense economically to pursue on their own.
- Aside from the class representatives, other absent class members do not need to appear in court or worry about hiring a lawyer if a class action lawsuit has already been filed and certified. In many cases, they do not need to do anything once the settlement has been approved which will allow them to receive the portion of the money they are entitled to.
- Class action lawsuits reward all class members proportionally. When multiple lawsuits are filed separately, settlement and verdict amounts may vary.

Stages of a Class Action Lawsuit

Here is how a class action lawsuit moves from a complaint to a settlement:

- **An individual contacts a class action attorney for help.** The first person who starts the lawsuit is typically the lead plaintiff, or proposed class representative, and is usually the only named class member. A class action attorney will be able to determine if a prior lawsuit claiming the same injuries or losses has been filed, if there is a high likelihood that other people have been injured in the same way, and if the incident occurred within the statute of limitations (or the deadline to file a lawsuit).
- **A formal complaint is drafted and submitted to the court.** The complaint will describe the details surrounding the case and the harm suffered, relevant evidence that shows the potential liability of the defendant, the class that is involved, and how much compensation is being pursued.
- **The discovery period.** Attorneys for both sides will gather evidence that supports their cases. The defense may question the proposed class representative, while the plaintiffs' attorney may request records and information from the defendant that may support certification of the class action lawsuit and the merits of the case.
- **A judge reviews the lawsuit for possible class action certification.** Until a judge confirms that the case meets the qualifications for a class action lawsuit, it is considered a putative class action. To gain this certification, the judge will determine if the issue's prevalence is significant enough to represent a number of different consumers and if the lead plaintiff is a good representative of that class.
- **Class members are notified.** Once a class action is certified, anyone who was likely similarly affected by the issue will be notified. In most cases, class members will be contacted through mail, email, and even text message. Class members will receive instructions on how to opt out of the lawsuit if they wish. Typically, this is only done if the individual wants to pursue a lawsuit on their own.
- **The lawsuit settles or is tried in court.** While most class action lawsuits are settled outside of court, some may require a trial. The settlement offer should describe how the compensation will be divided amongst class members. Class members will receive instructions on how to receive their portion of the settlement (typically by submitting a simple claim form). Many class action settlements are also [advertised online](#).



How Do I Join a Class Action Lawsuit?

In most cases, you do not have to do anything in order to join a class action lawsuit because most cases are considered “opt-out lawsuits.” This means that class members who qualify for the lawsuit are included unless they choose to opt out. In these cases, you will not have to take action until the case settles and you receive a class notice describing how you can claim your share of the compensation.

Some employment class action lawsuits are “opt-in lawsuits” that require class members to declare their participation if they want to be included in the claim and any settlements that may result. Information on how to opt into the lawsuit can be found in the class notice.

I Was Asked to Be a Lead Plaintiff in a Class Action Lawsuit. What Does That Mean?

The lead plaintiff in a class action lawsuit plays an important role in the lawsuit. Every class action lawsuit requires that at least one plaintiff is named and serves as the lead representative for everyone else that was similarly hurt. Unlike other class members, they play an active, yet vital, role in the litigation. In addition to filing the lawsuit, the lead plaintiff may also be involved in depositions, hearings, and assist attorneys during discovery. Perhaps most importantly, the lead plaintiff is also consulted when deciding whether or not to accept a proposed settlement or take the case to trial.

How Much Money Can I Get from a Class Action Settlement?

The amount of compensation you may receive from a class action settlement depends on a few factors. The extent of the harm suffered and the number of people involved will play a large role in how much you can expect to receive. For example, if there is a small group of plaintiffs but their claims are significant, then they may receive more money than if there were many plaintiffs with smaller claims.



How Much Does it Cost to Join a Class Action Lawsuit?

Joining a class action lawsuit is free. Class action lawyers only take fees if a settlement is reached, meaning any attorney's fees would be deducted from the final settlement or jury award.

What Should I Do if I Have a Potential Class Action Lawsuit?

If you have been wronged by a large company and want to take action, you should contact an experienced class action attorney who can review the losses you suffered and advise you on whether or not it makes sense to pursue a class action lawsuit. If they believe you may have a case, they can help you collect evidence and file a complaint.

Contact a Class Action Attorney Today

If you are considering filing a class action lawsuit as a class representative, you will need an experienced class action lawyer who can determine if your case qualifies as a class action, file your lawsuit, and begin the class action proceedings. The class action attorneys of Tycko & Zavareei LLP have a proven track record of success litigating class actions and have secured many notable settlements on behalf of class members, including a \$1.2 billion settlement in a class action lawsuit against Bank of America for overdraft fees and a \$137.5 million settlement from Citizens Financial Group regarding overdraft fees.

**Contact our class action lawyers today
for a free legal consultation to learn more.**