

# Press Release

## NautaDutilh

### **NautaDutilh Launches Class Action Team**

Leading Benelux law firm NautaDutilh launches one of continental Europe's first Class action teams.

As an increasing number of EU member states move to develop collective action legislation, one of the team's goals is to work with European companies facing the possibility of a mass claim in multiple jurisdictions to find the best possible and most cost-effective solution.

The Dutch Collective Settlements Act of 2005 changed the legal landscape. The Act offers companies, whether as plaintiffs or defendants, a significant alternative and/or a complementary forum to US litigation, giving the Netherlands a leading position in Europe. The Act provides for the court approval of collective settlements on an opt-out basis. If a defendant and a non-profit organisation representing a group of plaintiffs agree to settle a dispute out of court, they can apply to the court to declare the settlement fair and binding even on non-parties to the agreement. As a result, NautaDutilh anticipates an increase in the number of collective settlement procedures in the Netherlands, with ramifications throughout Europe.

When asked about NautaDutilh's message to corporate Europe, team head Daan Lunsingh Scheurleer states "You operate in a globalised world, clients are numerous. If they have a problem with you, you want to deal with it in such a way that you get rid of the problem and, in that respect, collective actions or collective redress mechanisms may provide you with the opportunity to close the books on the issue. It's not all bad."

The Act has already produced two court-approved collective settlements, with a third settlement now before the court and with involvement of NautaDutilh in all three cases. The pending case is considered a potential groundbreaker as it seeks to achieve a worldwide settlement, excluding only US plaintiffs, under the Dutch Act. This new "global resolution option" can be applied if a Dutch court has jurisdiction, such as where one of the parties is Dutch.

Commenting on the launch of the class action team, NautaDutilh chairman Marc Blom says: "As more and more EU countries develop their own multi-party or collective action approach, there is a growing risk of multinationals having to battle on multiple fronts - in the US and in various European jurisdictions. At a certain point, defendants want finality and financial certainty and may therefore prefer to settle. In the past their global settlement options were limited but this situation is changing."

The team draws upon the expertise of litigators and other professional advisors from across the firm's most recognised specialisations. The launch is supported by a dedicated website providing information and guidance at [www.classactions.nautadutilh.com](http://www.classactions.nautadutilh.com).

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The team members and their areas of specialisation are as follows:

**Daan Lunsingh Scheurleer** Head of Class Actions Team -(Financial Institutions, Amsterdam)

**John Allen** (Intellectual Property, Amsterdam)

**Stan Brijs** (Litigation, Brussels) Lead of Class Action Team -Belgium

**Stijn Franken** (Product Liability and Insurance, Amsterdam)

**Bart Gerretsen** (Dispute Resolution, Rotterdam)

**Jan Joling** (Damage Assessment and Auditing, Amsterdam/Rotterdam)

**Rutger Kalsbeek** (Dispute Resolution, Rotterdam)

**Gizzy Klink** (Product Liability and Insurance, Amsterdam)

**John Lisman** (Life Sciences/Pharmaceutical Liability, Amsterdam)

**Frank van der Leeuw** (Financial Institutions, Amsterdam)

**Gerard Meijer** (Arbitration, Rotterdam/Amsterdam)

**Paul Olden** (Securities and Shareholders, Amsterdam)

**Carla Schoonderbeek** (Life Sciences/Pharmaceutical Liability, Amsterdam)

**Daniella Strik** (Dispute Resolution, Rotterdam)

**Charles van Sasse van IJssel** (Antitrust, Brussels/Amsterdam)

**Ianika Tzankova** (Financial Institutions, Amsterdam and extraordinary professor of Comparative Mass Litigation at Tilburg University)

**Flip Wijers** (Securities and Shareholders, Amsterdam)

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or visit the dedicated site at [www.classactions.nautadutilh.com](http://www.classactions.nautadutilh.com)

## About NautaDutilh

NautaDutilh is one of the leading independent law firms in the Benelux and one of Europe's pre-eminent law firms. It is the largest law firm in the Benelux market with 400 lawyers, civil law notaries and tax advisers in offices in Amsterdam, Brussels, London, Luxembourg, New York and Rotterdam.

NautaDutilh works in close cooperation with leading law firms worldwide on a non-exclusive basis. The firm provides a broad range of high-level legal services and advises a wide variety of clients on complex transactions and legal issues.

NautaDutilh is recognized by the major international legal directories, The European Legal 500 and Chambers' Global Directory, both of which recommend NautaDutilh as a leading firm in the Benelux markets.

Website: [www.nautadutilh.com](http://www.nautadutilh.com)