

## Collective Redress

Obtaining damages for those who have suffered losses due to unlawful conduct is the cornerstone of what we do, and Hausfeld has pioneered the development of collective redress across Europe and beyond.

It is very often more cost-effective for groups of individuals and corporates to recover their losses on a collective basis, and – in some cases – using a collective mechanism to bring claims is the difference between meritorious claims being brought and not. In this way, collective redress ensures access to justice: it is a means by which rights can be vindicated that would otherwise be lost.

Hausfeld possesses significant experience of all aspects of collective redress - whether it relates to antitrust, consumer or human rights and environmental claims - and boasts an impressive track record in building damages actions on a group, opt-in and opt-out basis.

Highlights include:

- On 14th September 2020, Hausfeld filed a claim in the UK High Court against YouTube on behalf of class representative Duncan McCann. The landmark claim is brought on behalf of up to 5 million British children aged under 13 and their parents, following claims that YouTube's methods of targeting underage audiences constitute major violations of the UK Data Protection Act and the EU's General Data Protection Regulation (GDPR), both of which were designed to protect citizens' privacy rights. The representative action is the first of its kind in Europe brought against a tech firm on behalf of children.
- On 18th August 2020, Hausfeld filed a legal action in the High Court against Marriott International on behalf of millions of affected individuals concerning a major data breach. The Starwood Hotel Group systems were compromised between 2014 and 2018. Marriott International acquired the group in 2016. The data affected included information guests' names, email and postal addresses, telephone numbers, gender and credit card information. An ICO investigation found that Marriott failed to undertake sufficient due diligence when it bought Starwood and should have done more to secure its systems.
- Hausfeld filed an opt-out collective action at London's Competition Appeal Tribunal against Barclays, Citibank, The Royal Bank of Scotland, JPMorgan, UBS and MUFG Bank over their participation in unlawful foreign exchange spot trading cartels between 2007 and 2013.
- In February 2019, Hausfeld and co-counsel Charles Lyndon filed claims in the Competition Appeal Tribunal on behalf of class representative, Justin Gutmann, and millions of rail passengers against the operators of the South Western and Southeastern rail franchises. The claims are the first standalone collective claims to be filed in the UK and allege that the companies' behaviour constitutes an abuse of their dominant position and a breach of UK and EU competition rules.
- Hausfeld was the first firm in Europe to take action following the European Commission's Trucks cartel decision - a trend many others followed. In this regard, we have so far pursued claims in three jurisdictions (UK, Netherlands, Germany), representing over 9,000 clients and seeking compensation for some 475,000 affected trucks.
- With co-counsel Cuatrecasas, Hausfeld pursued claims against Visa and Mastercard as part of the renowned 'Interchange Fee' litigation for the unlawful imposition of interchange fees on both cross-border and domestic

transactions in 18 European countries on behalf of over 1,000 operating entities in eight corporate groups.

- Having started with a handful of UK flower importers in 2009, we successfully pursued significant losses arising from the Air Cargo cartel for 500 claimant entities - including a significant number of multinationals - against British Airways plc and 13 other airlines. This was one of the longest running (10+ years), most high-profile and complex competition damages actions brought to date in the English Courts.
- In a historic class action settlement, the first ever of its kind in South Africa, Hausfeld acted for African gold miners who suffered disabling lung diseases from underground exposure to silica including silicosis and pulmonary tuberculosis over the last 50 years. The precedent-setting human rights litigation reflected more than a decade of persistent preparation and litigation to obtain this compensation for the gold miners.
- Similarly, in 2009, Hausfeld negotiated the first ever global cartel damages settlement on behalf of entities which had been caused losses by the Marine Hose cartel.
- Hausfeld negotiated the ground-breaking settlement of the Air Passenger antitrust litigation on behalf of millions of UK and US victims of anticompetitive conduct - this was the first time non-US victims of anticompetitive conduct had been included in a US settlement on an equal footing with affected US class members.