



# The Law of Class Actions and Other Aggregate Litigation (University Casebook Series)

*Richard Nagareda, Robert Bone, Elizabeth Chamblee Burch, Charles Silver, Patrick Woolley*

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The second edition of this casebook treats the subject of aggregate litigation as a coherent whole. The new authors have preserved the original focus while updating, revising and enriching the discussions of particular topics. The materials on class actions have been tightened and reorganized, reflecting recent judicial decisions that have made class actions harder to certify, and the materials on other procedural devices, including consolidations and arbitration, have been strengthened. The discussions contain more information about litigation strategies, judicial practices, financial considerations, and empirical findings. As before, this book fills three gaps in the market for teaching materials on the U.S. civil justice system. First, it establishes “aggregate litigation” as a cohesive field of procedural law, one that encompasses all devices for processing claims en masse, including class actions, multi-district litigations and other forms of consolidation, aggregate settlements, parens patriae lawsuits, bankruptcy reorganizations, and private arbitrations. Second, the casebook confronts forthrightly the reality of our civil justice system as one geared toward settlement, not the rare event of trial. From this vantage point, the casebook sees the processes for aggregate litigation as vehicles through which to achieve comprehensive, or broadly encompassing, resolution of related civil claims. Third, the casebook frames the legitimacy of preclusion in aggregate litigation by drawing, among other things, on aspects of private contract and public legislation. In so doing, the casebook encourages students to see cross-cutting connections with their other courses on such topics as contracts, corporations, and administrative law.

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