

Current legal event

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Task: Comcast Corp. Et Al. V. Behrend Et Al. Comcast is one of the biggest corporations that provide in cable television services in the country. It serves both residential and commercial customers. By 2007, the corporation notably expanded its market dominance since its 1998 commencement of clustering cables in Philadelphia (Davis, Albert and Randy 1). Clustering involved purchase of competitor's products, cables, and engaging exchange with the company's systems that do not operate in that area. This involved swapping borders with other companies providing similar service; an act that was unlawful according to the plaintiffs. The subscribers alleged violation of the Sherman Act through the decision by the company to undertake clustering.

In effect, the corporation's decision limited competition for its services. It subsequently imposed unfair charges on services to its customers. The plaintiffs included the corporation's customers. The plaintiffs pledged for a class action in the case. In response, the Supreme Court rejected the plaintiffs' pledge on a five-four ruling that favored the corporation. The court issued its ruling on the case on March 27, 2013. The majority opinion in the case referred to the class action as unacceptable. This was on grounds that the plaintiffs never provided sufficient reasons to prove that the damage were quantifiable on a class-scale. The only compensation that the plaintiffs would claim from the respondent was that which accrued from compromised over builder competition by the corporation's actions.

The ruling in the case appeared as among the greatest shield that the court grants to companies and corporations against class actions as well as human rights suits. Pro-business court decisions, definitely, have effects on business. The ruling has notable implications on securities class actions that <https://assignbuster.com/current-legal-event/>

are invaluable in regulating the operations of corporations, companies and other businesses. Antitrust class actions play a central role in keeping corporations and other businesses from violating the rights of customers through overcharges and possible monopoly. The decision was a work against ensuring proper competition in business in the U. S. The plaintiffs including both current and former subscribers to the company claimed the clustering eliminated healthy competition. This would have detrimental effects on the rights of consumers to ensure companies and service providers do not exploit them through such conducts as overcharges. It has a negative effect on business in the U. S since it entails the violation of consumers' entitlements to fair charges for services and products. The ruling will have an extensive impact on the economic scrutiny of antitrust matters. It places class certification at stake since it the case complicates the process. The ruling requires a succinct demonstration of injury in case in any class action and the extent of damages, whether they warrant class considerations.

The decision by the court was not a good public policy. A class action involves a lawsuit that seeks the authorization of an individual or group, through a court decision, to campaign for the interest of a group. Section 23 of the Federal rule of public procedure stipulates the provisions of the legal process in any class action. Plaintiffs should meet all the requirements in the section and show credible proofs by way of evidence for their pledge. Despite the ruling that favored Comcast, the plaintiff satisfied all the requirements of procedure 23. The ruling, therefore, was unjust.

Work Cited

Davis, Josh, Albert, Foer and Randy, Stutz. " Brief of the American Antitrust
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Institute and the American Independent Business Alliance as Amicus Curiae in Support of Respondents, Comcast Corp. v. Behrend, Supreme Court of the United States." Behrend, Supreme Court of the United States (October 2012).
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