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## BLOGS

### Class Actions

# With No Class Representative Remaining, Court Dismisses Putative Class Action on Reconsideration

In Issue 103 of *The GPMemorandum*, we reported that a federal court had granted a motion for class certification in *Quadrel v. GNC Franchising, L.L.C.*, 2007 WL 4241839 (W.D. Pa. Nov. 29, 2007). On February 20, 2008, however, that court granted the defendant's motion for reconsideration and dismissed the purported class action. *Quadrel v. GNC Franchising, L.L.C.*, 2008 WL 474260 (W.D. Pa. Feb. 20, 2008). GNC's motion for reconsideration of the class certification order argued that, after the court had certified the class, the single named class representative had settled his claims against GNC and entered into a full release of claims. GNC argued that the class representative's release barred him from serving as a class representative. Without a class representative, GNC argued that the case against it could not proceed.

The court agreed, finding that the named representative's release barred him from serving as a class representative. The court also found that the named representative lacked standing to seek leave to substitute an alternative class representative as no live claim existed before the court. Without a valid pending claim by any existing plaintiff, the court found that the case was required to be dismissed due to lack of jurisdiction.