More class action news from Europe

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We reported back in February on the potential rise in privacy class actions in Europe. You can see that alert here. We also talked about this recently in one of our Cordery TV YouTube videos.

The Schrems case in Austria which we talked about in our February alert has now started. According to some reports Schrems now claims that he has almost 100,000 potential claimants. Mr. Schrems says the hearing on April 9th went well. According to Mr. Schrems the written decision is awaited from the court although Facebook were given permission to translate and submit another document relevant to their case. The court will then decide whether the Vienna Regional Court has jurisdiction to hear the case. Mr. Schrems claims that he has plaintiffs for his action from 34 different countries including over 200 from each of Germany, Austria, Netherlands, Croatia, Finland, Belgium, the UK, France, Serbia, Poland, Mexico, Denmark, Spain, Slovenia, Russia, Peru, India and Argentina.

As we reported in our earlier alert the case is funded by a German based litigation funder. That company claims to have been funding commercial litigation since 2001 and to have a track record in successfully funding class actions in Austria. The funder usually takes between 20% and 40% of the return and claims that it provided more than €51 million worth of finance for new trials in 2013 with an expectation of providing €80 million in its 2014 financial year. The litigation finance company involved says that it expects to receive 20% of any return after the deduction of outstanding trial costs which the financier has agreed to meet. It says that Mr. Schrems is *"pursuing the action as a matter of principle rather than financial gain"*.

The first hearing has now taken place – please see our update on that here.

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