

**Comparative Class Actions**  
**Summer 2016**  
**Syllabus**

1. **Introduction: The Volkswagen litigation (May 23)**
  - Read: <http://www.wsj.com/articles/lawyer-takes-aim-at-volkswagen-in-europe-over-emissions-scandal-1461526501>
  - Read: <http://blogs.reuters.com/alison-frankel/2015/12/02/u-s-law-firms-are-betting-on-control-of-vw-litigation-overseas/>
  - Read: Aebra Coe, *VW to Face German Investor Actions, Litigation Funder Says*, LAW 360 (Oct. 02, 2015) (funding) (BLACKBOARD)
  - Read: <https://global.handelsblatt.com/edition/400/ressort/companies-markets/article/in-canada-vw-faces-another-class-action-hero>
  - Read: <http://www.dw.com/en/lawsuit-tsunami-headed-for-volkswagen/a-18737417>
  - Read: <http://www.chicagotribune.com/business/ct-volkswagen-emissions-diesel-car-fix-20160421-story.html>
  
2. **Introduction: Class actions around the world (May 24)**
  - Read: Deborah Hensler, *Can Private Class Actions Enforce Economic Regulations* (forthcoming) (BLACKBOARD)
  
3. **United States (May 25)**
  - Read: Karlsgodt, 19 – 21, 22 – 55
  
4. **Germany & Finland / Law and economics (May 26)**
  - Read: Karlsgodt, 241 – 250
  - Read: Karlsgodt, 215 – 228
  - Read: Kristoffel Grechenig and Martin Gelter, *The Transatlantic Divergence in Legal Thought: American Law and Economics vs. German Doctrinalism* (2007) 295 – 302, 307 – 309, 359 – 360 (BLACKBOARD)
  - Read: Mikko Välimäki, *Introducing Class Actions in Finland – an Example of Lawmaking without Economic Analysis* (2007) (BLACKBOARD)
  
5. **UK & Mexico / Opt-in or opt-out (May 27)**
  - Skim: Karlsgodt, 169 – 174
  - Read: Karlsgodt, 176 – 185
  - Read: Rachael Mulheron, *The Case for an opt-out Class Action for European Member States: A Legal and Empirical Analysis*, 15 COL. J. EUR. L. 409 (2009), 410 – 415 (6), 426 – 438, 448 – 453 (BLACKBOARD)
  - Read: [http://www.jonesday.com/new\\_class\\_action\\_rules\\_in\\_mexico/](http://www.jonesday.com/new_class_action_rules_in_mexico/)
  
6. **Chile / Who should have standing? / When to opt in? (May 31 am)**

- Read: *Agustin Barroilhet, Class Action in Chile* (2013) (forthcoming) (BLACKBOARD)
7. **Australia / Litigation funding (May 31 pm)**
    - Skim: Karlsgodt, 393 – 402
    - Read: Karlsgodt, 402 – 417, 424 – 428
    - Read: Marco de Morpurgo, *A Comparative Legal and Economic Approach to Third-Party Litigation Funding*, 19 *Cardozo J. of Int'l & Comp. L.* 343 (2011) 345 – 370 (skim 351 – 360), 378 – 384, 387 – 396, 399 – 405, 411 – 412 (BLACKBOARD)
  8. **Asia / Litigation funding continued (June 2)**
    - Read: Karlsgodt, 430 – 437, 461 – 466, 480 – 509
  9. **Netherlands / Settlement-only class actions / Specialized mass litigation forums (June 3)**
    - Read: Karlsgodt, 286 – 300
    - Skim: Louis Visscher and Alexandre Biard, *Dutch Mass Litigation from a Legal and Economic Perspective and its relevance for France*, ROTTERDAM INSTITUTE OF LAW AND ECONOMICS: WORKING PAPER SERIES, No. 2014/02, 1 – 23 (skim 1 – 10), skim section 4.2 (BLACKBOARD)
  10. **Israel / What role for the government? (June 6)**
    - Read: Karlsgodt, 349 – 65
    - Read: Orna Rabinovich-Einy and Yair Sagy, *Courts as Organizations: The Drive for Efficiency and the Regulation of Class Actions*, 4 *STAN. J. COMPLEX. LIT.* 1 (2016) 3 – 6, 22 – 37 (BLACKBOARD)
  11. **Canada / Interjurisdictional class actions and coordination (June 7 am)**
    - Skim: Karlsgodt, 56 – 63
    - Read: Karlsgodt, 63 – 76, 98 – 113
    - Read: Genevieve Saumier, *USA-Canada Class Actions: Trading in Procedural Fairness*, *GLOBAL JURIST ADVANCES*, VOL. 5, ISS. 2, ART. 1 (2005), Skim 1 – 42 (skim 1– 33) (BLACKBOARD)
  12. **TBA (June 7 pm)**
  13. **Concluding Thoughts (June 8)**