

Warren Burns Appointed Interim Lead Counsel in Online Price-Fixing Class Action

A federal judge in the U.S. District Court for the Southern District of Texas has appointed Warren Burns of Dallas-based Burns Charest LLP as sole interim lead class counsel in a nationwide antitrust class action. The litigation alleges a conspiracy by online retailers, including Houston-based Zaapaaz, to fix prices for customized silicone wristbands and lanyards.

In 2017 the defendants in the class action pleaded guilty to a range of federal charges of price-fixing in violation of Section 1 of The Sherman Act.

In appointing Burns as sole interim lead counsel, the court explained:

This appointment is warranted for several reasons. First, at oral argument, Mr. Burns was the only counsel who offered the Court substantive, detailed explanations on how he structures and runs his large case litigation teams.

Of particular note were Mr. Burns' explanations of his and his firms' billing practices in prior class action litigation, and his representations that he will use those practices, such as not permitting billing for file and correspondence review, and other mechanisms to ensure efficient prosecution of this case.

Second, the balance of the Rule 23(g) factors support appointment of Mr. Burns and Burns Charest as sole interim lead counsel. Burns Charest has made extensive efforts in

these matters to date, Mr. Burns and his firm have significant experience in antitrust class actions, and he and his firm have knowledge of the applicable law.

The court concluded that “Burns Charest is uniquely positioned to prosecute this case in the most cost effective and efficient manner possible.”

The case is *Kjessler v. Zaappaaz, Inc. et al.*, Case No. 4:17-cv-3064 (S.D. Tex).