

Rebuking “Trial by Formula,” Federal Court Decertifies Rule 23(b)(3) Class Action

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In *Stiller v. Costco Wholesale Corp.*, No. 3:09-cv-2473-GPC-BGS, Plaintiffs Eric Stiller and Joseph Moro alleged that Costco’s loss-prevention closing procedures effectively “forced” employees to work off-the clock without getting paid because they were required to remain on-site after they had clocked out of their shifts to go through security screenings. In December 2010, the district court certified a California-wide class finding that common questions predominated because Costco employed a centralized policy which applied to all employees... [Continue Reading](#)