

Dutch Collective Actions vs. Collective Settlements

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As U.S. law has become less willing to entertain certain types of lawsuits on behalf of worldwide classes of plaintiffs, litigants have looked for other forums that might allow the prosecution – or at least the resolution – of claims on a global, classwide basis, ideally through opt-out classes. The Netherlands has emerged as an option in recent years because the Dutch Act on Collective Settlement of Mass Claims (the "WCAM") authorizes the settlement, but not the prosecution, of classwide claims on an opt-out basis...

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