

Cahill Wins Dismissal in Class Action Litigation for Time Warner Cable

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Cahill won dismissal with prejudice of claims in a putative class action lawsuit filed in a New Jersey federal court against Time Warner Cable Inc., alleging breach of contract, violations of New Jersey's Consumer Fraud Act and unjust enrichment arising from a 45-day long outage in 2012 of the regional sports networks, MSG and MSG+, after a contract between Time Warner and the networks' owner, The Madison Square Garden Co., expired without renewal at the end of 2011.

In its June 7 ruling, following a hearing on June 3, the New Jersey federal court granted Time Warner's motion to dismiss, ruling that the five Consumer Fraud Act claims were not specific enough to satisfy the Act's pleading requirements, and found the remaining claims of unjust enrichment and breach of contract were deficient given the absence of specific allegations of a promise or representation and noting that Time Warner's customer agreement includes a clause explaining that channel packages could change.

Attorney

- Brian T. Markley