

Cahill Wins in Arbitration for Time Warner Cable

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A Cahill litigation team prevailed on behalf of Time Warner Cable in a proposed nationwide class arbitration brought in South Carolina by Time Warner subscribers, who alleged that the fees Time Warner charges for the use of its modems violated its contract with subscribers and state consumer protection laws. The arbitrator ruled that the subscribers could not arbitrate their claims on a class-wide basis, finding that the contract's arbitration clause prohibited class arbitration. Rejecting the subscribers' arguments to the contrary, the arbitrator found that the subscribers agreed to the arbitration clause, which was not unconscionable and did not lack mutuality or consideration.