
WilmerHale Obtains Victory in Landmark Supreme Court Decision on Class Arbitration

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On April 27, 2010, the Supreme Court ruled in favor of WilmerHale client Odfjell SE and other parcel tanker owners in *Stolt-Nielsen S.A. v. AnimalFeeds International Corp.*, holding that "a party may not be compelled under the [U.S. Federal Arbitration Act] to submit to class arbitration unless there is a contractual basis for concluding that the party agreed to do so." The Court's decision overturns decisions by the Second Circuit Court of Appeals and an arbitration panel that class arbitration could be imposed on the basis of standard marine charter-parties between the carriers and shippers of marine cargo, even though those contracts were silent on the question of class arbitration. The decision is likely to have far reaching implications.

WilmerHale took the lead role on briefing and arguing the case before the arbitration panel, the Southern District of New York, the US Court of Appeals for the Second Circuit, and the Supreme Court. Partners [Seth Waxman](#) (who argued the case before the Supreme Court), [Steven Cherry](#) (who argued the case before the arbitration panel, the district court, and the Second Circuit), [Leon Greenfield](#), Edward DuMont, [Thomas Mueller](#), Counsel [Daniel Volchok](#), [Chris Babbitt](#) and David Olsky, among others, contributed to the victory.