

White v. Samsung Electronics America, Inc. et al.

Consumer, Privacy & Antitrust

Role	BFA represents the putative class as interim class counsel.
Background	Plaintiffs allege that one of the largest electronics manufacturers in the world, Samsung Electronics America, Inc., violated federal and state privacy rights of consumers by surreptitiously gathering consumers' personal and private information—and then selling it to third-parties for profit—without obtaining informed consent.
Court	U.S. District Court for the District of New Jersey
Case Number	2:17-CV-01775
Status	Pending

BFA represents the putative class as interim class counsel.

Plaintiffs allege that one of the largest electronics manufacturers in the world, Samsung Electronics America, Inc., violated federal and state privacy rights of consumers by surreptitiously gathering consumers' personal and private information—and then selling it to third-parties for profit—without obtaining informed consent. More specifically, Samsung's Smart TV's allegedly watch and record what consumers watch, and listen to and record consumers' conversations, so that Samsung can monetize the data and boost its profit margins.

The case is proceeding through discovery. Defendants moved to dismiss the amended complaint on February 23, 2018. On September 26, 2018, the court granted Defendants' motion to dismiss. Plaintiffs filed a second amended complaint on November 16, 2018. On August 21, 2019, Judge Arleo denied, in part, Defendants' motion to dismiss, and allowed Plaintiffs' claims under the Wiretap Act to proceed. Defendants moved for reconsideration of the Court's August 21, 2019 order, which Judge Arleo denied.

Then Defendants moved to compel arbitration, which the court denied without prejudice. Defendants refiled their motion to compel arbitration, which Judge Arleo

denied on December 29, 2021. On January 27, 2022, Samsung appealed Judge Arleo's decision to the Third Circuit Court of Appeals. On March 7, 2023, the Third Circuit Court of Appeals affirmed the District Court's order holding that Samsung waived its right to arbitrate.

If you have a Samsung Smart TV and would like to learn more about this case, please complete the form below: