

MASS TORT LITIGATION v CLASS ACTIONS

A class action is an action against one or more tortfeasors, brought by one or more people on behalf of themselves and a larger group of people (a legally recognised "class"). The decision to proceed with a class action will be made after giving due consideration to whether there is a group of plaintiffs that can be recognised as a class, and the merits of their claims. An example of a class action is the litigation against the Melbourne Aquarium for injury resulting from exposure of individuals to Legionella.

Mass tort litigation can refer generally to class actions or individual actions brought against the same tortfeasor(s) for the same or similar injury or loss. An example of mass tort litigation that has differed from a class action includes litigation against an aviation regulator for failure to warn of the risk of developing deep-vein thrombosis during air travel.

Mass tort litigation commenced *by* APLA members

In response to the notice published in the last issue of *Plaintiff*, APLA members have indicated that they are conducting the following mass tort actions (including class actions):

- ANZ Bank litigation (personal loans 1985-1993)
- Astor Goldsbrough Trust (misleading prospectus)
- Australian Cotton Project (Queensland investment)
- Bougainville (environmental damage)
- Breast Implants
- DVT (deep-vein thrombosis experienced during travel)
- Esso Australia (Longford Gas Plant)
- FAI Home Security (Home Security Guard I and II alarm system)
- GIO Australia Holdings Pty Ltd (corporate governance at time of take-over bid)
- Glenbrook class action (train disaster)
- HIH (corporate governance)
- Lake Wallis Oysters (food contamination)
- Legionnaires Disease
- Mobile/Avgas (fuel contamination)
- Non-union waterfront workers in the 1998 waterfront dispute
- OK Tedi II (environmental damage in PNG)
- Pacemakers
- Tracknet (vehicle-tracking technology investment)
- Vitamins class action

For further information on the actions listed, please contact APLA.