

CPM Helps Apple iPhone Consumers Impacted by Software Throttling Reach Historic Settlement

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Cotchett, Pitre & McCarthy, LLP, Co-Lead Counsel representing Apple customers, announced an agreement with Apple Inc. to settle a nationwide class action based on allegations that Apple issued software updates that slowed down the performance of certain iPhones.

Under the proposed settlement, Apple will pay a minimum of \$310 million and up to \$500 million in cash compensation. The settlement is subject to Court approval, and a motion for preliminary approval was just filed in the Northern District of California.

In 2019, the Court ruled on Apple's motion to dismiss and allowed several claims in the litigation to move forward, including violation of the federal Computer Fraud and Abuse Act, California's Computer Data Access and Fraud Act, California's Unfair Competition Law, and Trespass to Chattels.

Joseph W. Cotchett, a partner at Cotchett, Pitre & McCarthy, LLP said: "We are delighted to submit this substantial settlement to the Court for preliminary approval. The settlement provides substantial relief to Apple consumers and, going forward, will help ensure that customers are fully informed when asked to update their products."

Mark C. Molumphy, a partner at Cotchett, Pitre & McCarthy, LLP said: "The settlement is the result of years of investigation and hotly contested litigation. We are extremely proud to submit this deal to the Court and, if approved, providing immediate cash payments directly to impacted Apple customers."

The case is *In re Apple Inc. Device Performance Litigation*, Case No. 5:18-md-02827-EJD (N.D.Cal).

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Practice Areas

Consumer Protection Class Actions