



Welcome to the BAR/BRI Class Action Website  
(Last Updated on May 1, 2009)

**PLEASE NOTE:** Over 88,000 Claim Forms representing claims for over 130,000 BAR/BRI courses have been received and processed by the Claims Administrator. However, several objectors appealed from the Court's Order granting final approval of the Settlement. A total of seven Notices of Appeal of the Settlement were filed. An eighth Notice of Appeal concerning the denial of attorneys' fees to the Schneider/Head objectors was also filed. Copies of the Notices of Appeal may be viewed by clicking the appropriate links at the right.

**PLEASE ALSO NOTE:** The Ninth Circuit Court of Appeals issued its decision on objectors' appeals on April 23, 2009. The Court affirmed the Settlement and remanded the award of attorneys' fees to Class Counsel and Objectors' Counsel to the District Court for further proceedings. A copy of the decision may be viewed by clicking the appropriate link at the right. **NO CLAIMS CAN BE CALCULATED OR PAID UNTIL THERE HAS BEEN A FINAL DETERMINATION OF THE AMOUNT OF ATTORNEYS' FEES TO BE PAID OUT OF THE SETTLEMENT FUND AND THE DISTRICT COURT HAS ISSUED A DISTRIBUTION ORDER.** This website will be updated upon further developments.

**PLEASE NOTE: THE DEADLINE FOR FILING CLAIMS HAS PASSED.**

**You may still submit your Claim, however, only the Court will have final discretion to allow late claimants to participate in the Settlement.**

If you purchased a bar review course from BAR/BRI in the United States anytime from August, 1997 through July 31, 2006, this settlement may affect your rights.

If you purchased a bar review course from BAR/BRI anywhere in the United States anytime from August, 1997 through July 31, 2006 (the "Class"), you may be affected by a settlement of a class action lawsuit pending in the United States District Court for the Central District of California called *Rodriguez, et. al v. West Publishing Corp., d/b/a BAR/BRI, and Kaplan, Inc.*, Case No. CV-05-3222 R (MCx). This is to inform you of the nature of Plaintiffs' claims, the Court's approval of the settlement and your right to file a claim for a portion of the Settlement Fund.

NINTH CIRCUIT

[Ninth Circuit Opinion](#)

APPELLATE MOTIONS

[Motion to Expedite Appellate Hearing](#)

[Glenn Declaration in Support of Motion to Expedite](#)

[Motion to Supplement Record](#)

[Sanctory Declaration in Support of Motion to Supplement Record](#)

NOTICE OF APPEALS

[David Feldman et al.](#)

[David Oriol et al.](#)

[Evans Mullinix et al.](#)

[George Schneider et al.](#)

[George Schneider et al. \(re denial of fees\)](#)

[James Juranek et al.](#)

[Pamela Collins Dunmore](#)

[Robert Gaudet et al.](#)

[Notice of Appearance of Public Citizen](#)

## What Is This Case About?

BAR/BRI provides full-service bar review courses throughout the United States, which are aimed

at assisting would-be attorneys in their preparation for taking one or more bar examinations required by each state and the District of Columbia prior to the issuance of a license to practice law. Plaintiffs allege that BAR/BRI violated the federal antitrust laws by agreeing with Kaplan, Inc., to prevent competition in the market for full-service bar review courses. Please see the Notice on the links at the right for a full description of Plaintiffs' allegations.

West Publishing Corporation is the owner of BAR/BRI and is a defendant. The other defendant is Kaplan, Inc. (BAR/BRI, and Kaplan, Inc., are hereinafter collectively referred to as "Defendants.") Defendants deny Plaintiffs' allegations and contend that their conduct was legal.

On February 2, 2007 the parties entered into a Stipulation and Settlement Agreement ("Settlement Agreement"). A copy of the Settlement Agreement may be viewed by clicking the appropriate link at the right.

### Am I Affected By This Settlement?

Class Members are those that purchased a full-service bar review course from BAR/BRI anywhere in the United States anytime from August, 1997 through July 31, 2006. If you paid the entire purchase price for a BAR/BRI bar review course in the United States during this period, and did not previously request exclusion from the Class, you are entitled to a portion of the Net Settlement Fund as described below. If you paid part of the purchase price (e.g., either on behalf of someone else or yourself) and someone else paid a portion of the purchase price (e.g., a law firm, employer, family member, etc.) on your behalf during this period, and did not previously request exclusion from the Class, each party that paid would be entitled to a portion of the Net Settlement Fund as described below.

### What is the Benefit of the Settlement to Me?

The Settlement provides both monetary and non-monetary relief. Under the terms of the Settlement, Defendants deposited forty-nine million U.S. dollars (\$49,000,000) into an interest-bearing account for the benefit of the Class. The \$49,000,000, plus interest ("Gross Settlement Fund"), will be used to pay for the costs of notice and settlement administration, and to pay for the attorneys'

### IMPORTANT DATES & DEADLINES

Class Period:	August 1, 1997 through July 31, 2006
Proof of Claim:	Postmarked no later than <b>September 17, 2007</b>

[\(Scott Nelson Brian Wolfman\) as Counsel for Robert Gaudet et al.](#)

### APPELLATE BRIEFS

[Collins Objector Opening Brief](#)

[Feldman Objectors Opening Brief](#)

[Gaudet Objectors Opening Brief](#)

[Juraneck Objectors Opening Brief](#)

[Schneider Objectors Opening Brief](#)

[Siegel Objectors Opening Brief](#)

[Defendants Opposition Brief](#)

[Settling Class Plaintiffs Opposition Brief](#)

[Gaudet Objectors Reply Brief](#)

[Juraneck Objectors Reply Brief](#)

[Schneider Objectors Reply Brief](#)

### INFORMATION

[Notice of Proposed Settlement of Class Action and Hearing Regarding Settlement](#)

[Claim Form](#)

[FAQs](#)

[Settlement Agreement](#)

[Final Order and Judgment Approving Settlement](#)

Cited in Rodriguez v. West Publishing Company, No. 07-96643 archived on June 19, 2009

fees and expenses approved by the Court. The remaining balance ("Net Settlement Fund") will be distributed to Class Members pursuant to the Plan of Allocation. The Plan of Allocation of the Net Settlement Fund is available for viewing by clicking on the appropriate link at the right.

The Settlement also provides the following non-monetary relief:

- West Publishing Corp., the owner and operator of the BAR/BRI bar review courses and Kaplan, Inc., the owner and operator of a Law School Admissions Test (LSAT) preparatory course, will terminate the co-marketing agreement agreed to in 1997;
- For 5 years, unless otherwise ordered by the Court, West Publishing Corp. will advise law students who enroll in a BAR/BRI course that, by signing an enrollment form and making an initial enrollment payment to BAR/BRI, the student is not committed to taking the BAR/BRI Bar Review course or to making the full payment to BAR/BRI for such course; and
- West Publishing Corp. states that it is committed to accurate advertising of the BAR/BRI course in accordance with state and federal laws and regulations.

How do I make a claim for a portion of the Net Settlement Fund?

To receive a cash payment under the Settlement, or to make a tax deductible donation of your portion of the Settlement, you must complete and submit a Claim Form and mail it, *postmarked no later than September 17, 2007*. To request a Notice and Claim Form, you may call the Claims Administrator toll-free at 1-888-285-7850 and request that a Notice and Claim Form be mailed to you, or you may download it by clicking on the appropriate link at the right.

### **What is the amount of the cash payment that I will receive under the Settlement?**

Class Members will be paid pursuant to the Plan of Allocation, which may be viewed by clicking on the appropriate link on the right. The actual dollar amount paid to each Class Member who submits a timely and valid Claim Form will depend on the number of claims, the tuition amounts paid by claimants, and the amount of costs, expenses, and attorneys' fees approved by the Court. In no event shall any Class Member receive more than thirty-percent (30%) of the amount paid by the Claimant for their BAR/BRI bar review course.

What If I Have Questions?

You may read the documents at the links on the right, call 1-888-285-7850, or write to BAR/BRI Class Counsel, Sidney K. Kanazawa, Esq., McGuireWoods LLP, 1800 Century Park East, 8th Floor, Los Angeles, CA 90067. All public Court records may

[Order Granting Class Counsel Attorneys' Fees and Reimbursement of Expenses](#)

[Order Denying Incentive Awards to Class Representatives](#)  
(PDF; 2 Pages; 60KB)

[Findings of Fact and Conclusions of Law](#)  
(PDF; 58 Pages; 1.9MB)

[Opinion and Order](#)  
(PDF; 37 Pages; 1.5MB)

[Order Granting Motion for Preliminary Approval of Class Action Settlement and Directing Dissemination of Notice to the Class](#)  
(PDF; 15 Pages; 5MB)

[Plan of Allocation](#)  
(PDF; 2 Pages; 66KB)

[First Amended Class Action Complaint for Violations of the U.S. Antitrust Laws](#)  
(PDF; 31 Pages; 19KB)

[Kaplan, Inc.'s Answer to First Amended Complaint](#)  
(PDF; 15 Pages; 4.8MB)

[Answer and Affirmative Defenses of](#)

Cited in Rodriguez v. West Publishing Company, No. 07-56643 archived on June 19, 2009

be examined in person and copied at the Clerk's office, United States District Court, Central District of California, 312 N. Spring Street, Los Angeles, California, 90012. **PLEASE DO NOT PHONE THE COURT.**

#### Class Counsel Contact Information

Sidney K. Kanazawa, Esq.  
McGuireWoods LLP  
1800 Century Park East, 8<sup>th</sup> Floor  
Los Angeles, CA 90067

#### Administrator Contact Information

BAR/BRI Class Action Administrator  
PO Box 24639  
West Palm Beach, FL 33416  
[BARBRI@completeclaimsolutions.com](mailto:BARBRI@completeclaimsolutions.com)

If you would like to speak with the Administrator's Office, please call toll-free:  
1-888-285-7850

[Defendant West Publishing Corporation](#)

(PDF; 15 Pages; 3.8MB)

[Order Granting Motion for Class Certification](#)

(PDF; 3 Pages; 900K)

[Plaintiffs Papers In Support of Final Approval Of Settlement, Attorney Fees & Costs, and Incentive Awards](#)

Some documents may require the Adobe Acrobat Reader to be installed on your computer. You can download it [here](#) for free.



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