

ABA Successfully Fights Back Against Class Action Lawsuit Involving Lawyers' Personal Data



On March 22, 2023, a federal judge in Detroit gave Mark Crane, a lawyer from Rochester, Michigan, another opportunity to make his case in a proposed privacy class action lawsuit against the American Bar Association (ABA). Crane alleged that the ABA violated Michigan state law, which prohibits sellers of reading materials from disclosing what materials their customers receive.

According to the lawsuit, lawyers who join the ABA are automatically subscribed to the ABA Journal. The ABA allegedly violated Michigan's privacy law by selling Crane's and other lawyers' information to third parties. Crane claimed he received unwanted junk mail after the ABA sold his data.

The ABA, the world's largest voluntary bar association, won the dismissal of the proposed privacy class action. However, U.S. District Judge Terrence Berg noted in his ruling that Crane's website and his profile page on the State Bar of Michigan both advertise him as a member of the ABA and, by extension, an ABA Journal subscriber. Berg stated that Crane "published the facts he claims the ABA revealed to the entire world."

Nevertheless, Berg held open the possibility that the "ABA's alleged conduct may amount to a violation" of Michigan's privacy law. Berg said that Crane could amend his complaint if he could allege that the ABA "disclosed information about other books he purchased or magazines to which he subscribed."

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Crane and his class action attorneys at Bursor & Fisher and Hedin Hall did not respond to requests for comment. An ABA spokesperson said the judge's ruling speaks for itself and declined to comment further. The bar association was represented by a pair of lawyers from the law firm Greenberg Traurig.

The ABA has been the subject of similar lawsuits in the past. Privacy concerns have become increasingly important in recent years, particularly with the rise of big data and the internet. Many companies have been accused of violating users' privacy by collecting and selling their personal information without their consent. Lawsuits like the one against the ABA highlight the need for companies to be transparent about their data practices and for individuals to be aware of their privacy rights.

In conclusion, Mark Crane, a lawyer from Rochester, Michigan, has been given another opportunity to make his case in a proposed privacy class action lawsuit against the American Bar Association. Crane alleged that the ABA violated Michigan state law by selling his and other lawyers' information to third parties. Although the ABA won the dismissal of the proposed privacy class action, the judge held open the possibility that the ABA's conduct may violate Michigan's privacy law. The case highlights the need for companies to be transparent about their data practices and for individuals to be aware of their privacy rights.