

Small Law Firm Denied Standing in Class Action Against DoNotPay, Federal Judge Rules



In a recent legal development, a federal judge in Illinois has ruled against a small law firm's attempt to file a class-action lawsuit on behalf of all U.S. firms against the "robot lawyer" service, DoNotPay. Chief U.S. District Judge Nancy J. Rosenstengel of the Southern District of Illinois delivered the ruling on November 17, as reported by Reuters and Law360.

Lack of Standing Cited in Dismissal

Judge Rosenstengel determined that Illinois-based firm MillerKing did not have standing to pursue the class action lawsuit. The primary reason cited was MillerKing's failure to sufficiently allege that it suffered harm, such as the loss of clients or damage to its reputation, due to the success of DoNotPay.

In her ruling, Rosenstengel stated, "The court will not infer that MK has suffered harm through lost clients just because DNP has gained them," employing initials to reference MillerKing and DoNotPay.

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Allegations and Claims

MillerKing, positioning itself as a direct competitor of DoNotPay, argued that it suffered harm when DoNotPay created a misleading impression of affiliation with licensed attorneys. The law firm alleged false advertising, deceptive trade practices, and the unauthorized practice of law by DoNotPay, an online subscription service that employs artificial intelligence to offer legal services without holding a license to practice law.

Opportunity to Amend Complaint

Despite dismissing the case, Judge Rosenstengel allowed MillerKing to file an amended complaint. The firm has the chance to address the lack of particularized harm alleged in the initial filing.

DoNotPay CEO's Response

Joshua Browder, the CEO of DoNotPay, expressed his satisfaction with dismissing the lawsuit. In a statement to Reuters, Browder said, "It's proven what we believed from the very beginning: That there was no concrete harm." Browder, recognized as a 2017 ABA Journal Legal Rebel, remains optimistic about DoNotPay's trajectory in legal standing.

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Ongoing Legal Challenges

While the Illinois lawsuit has been dismissed, DoNotPay faces another legal challenge in California. A pending lawsuit in the state alleges that DoNotPay violated California's unfair competition law by presenting itself as a lawyer to residents and selling legal services without a proper law license. The plaintiff in this case is a dissatisfied customer who raised concerns about DoNotPay's services.

Don't be a silent ninja! Let us know your thoughts in the comment section below.