

## Saiber Obtains Dismissal of Class Action Lawsuit for Higher Education Client

August 31, 2023

Saiber attorneys DanaLynn Colao and Jeffrey Soos successfully obtained a dismissal of claims in a class action lawsuit filed in the United States District Court for the District of New Jersey by a current graduate student claiming violation of the New Jersey Consumer Fraud Act.

In April 2022, Plaintiff, a current graduate student of Rutgers Business School filed a Class Action Complaint in the District of New Jersey, alleging that Rutgers Business School and Rutgers University violated the state Consumer Fraud Act in connection with the inflation of employment numbers for graduates of the Rutgers Business School in 2018. Plaintiff subsequently filed an Amended Class Action Complaint, which contains three causes of action: (1) violation of the New Jersey Consumer Fraud Act; (2) Breach of Contract; and (3) Unjust Enrichment.

Plaintiff purportedly brought these claims on behalf of himself and others similarly situated. Saiber filed a Motion to Dismiss Plaintiff's Amended Complaint pursuant to Fed. R. Civ. P. 12(b)(1) (lack of subject matter jurisdiction) and 12(b)(6) (failure to state a claim upon which relief can be granted) in lieu of filing an Answer. On August 30<sup>th</sup>, 2023, Federal Judge Georgette Castner granted Saiber's motion and dismissed the Plaintiff's claims, holding that Plaintiff lacks Article III standing to bring his claims and, as a result, the Court does not have subject matter jurisdiction to hear Plaintiff's claims.