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PUBLISHED: AUGUST 8, 2024

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Husch Blackwell Secures Summary Judgment for Zillow Against Trade Practices Claim

Husch Blackwell secured summary judgment on behalf of Zillow in a nationwide punitive class action lawsuit brought by a Connecticut real estate agent. The plaintiff claimed that the structure and function of Zillow’s website violated the Connecticut Unfair Trade Practices Act (CUTPA) by diverting clients to “advertising agents” and by using Zestimates, which improperly interfered with the plaintiff’s listing agreements.

The plaintiff originally asserted violations of the Lanham and Sherman Acts, CUTPA, and tortious interference with her contractual relationships with clients.

After the plaintiff’s Lanham and Sherman Act claims were dismissed, the court also dismissed her remaining claims on summary judgment. The court found that the plaintiff failed to cite an injury-in-fact connected to Zillow’s website and did not show that the Zestimates interfered with her contractual relationships. Additionally, the judge granted summary judgment on the alternative grounds that the plaintiff failed to allege any of the necessary elements of a valid CUTPA claim.

Ryan DiClemente served as lead counsel for Zillow, and the team included Rebecca Starnier.