



# Andria Simone Kelly Successfully Defends Retail Client in Three Actions Alleging False Advertising and Deceptive Pricing Practices Pursuant to General Business Law Section 350

November 16, 2020

Andria Simone Kelly, a partner in the firm's General, Tort, and Insurance Litigation Department successfully defended a retail client in three actions alleging false advertising and deceptive pricing practices pursuant to General Business Law Section 350.

Plaintiff's allegation regarding alleged mispricing of items was refuted by the retail establishment's price accuracy policies, internal audits and City audits. The Court found that the Plaintiff failed to establish that the Defendant engaged in false advertising or deceptive practices stating that GBL Section 350 was "not intended to create a windfall for consumers to engage in a pattern of gathering allegedly mispriced items in order to bring private actions for aggregate amounts."

## Practices

- General Liability, Tort and Insurance Defense

## Attorneys

- Andria S. Kelly