

## The Seventh Circuit Weighs In On Standing

Article By:

Michael J. Donnelly

---

Yesterday the United States Court of Appeals for the Seventh Circuit weighed in on the consumer class action standing issue. The [court found](#) that Barnes & Noble customers have standing to pursue a class action concerning the hacking of the retailer's PIN pads. In doing so, the Seventh Circuit reversed a district court ruling dismissing the complaint for failure to adequately plead damages. The Court of Appeals determined that the time value of money which had been removed from plaintiffs' accounts (even though it was ultimately returned), the costs of credit monitoring, and the time invested to create new accounts all were sufficient to provide standing.

To recap, in [February](#) the United States Supreme Court declined to grant certiorari in *Attias v. CareFirst*. [Last month](#), the Eighth Circuit found that allegations of future identity theft were not enough to create standing, while the Ninth Circuit reached the opposite conclusion.

While the standing issues are interesting from a lawyer's perspective, the most interesting thing to come out of the Seventh, Eighth and Ninth Circuit Decisions from a business perspective would seem to be that each involved the reversal of the lower court's ruling. This is interesting because it reflects the incredible cost of becoming embroiled in a class action suit.

The lesson, as always, is to take care of your information.

© Copyright 2025 Murtha Cullina

---

National Law Review, Volume VIII, Number 103

Source URL: <https://natlawreview.com/article/seventh-circuit-weighs-standing>