

Unanimous Supreme Court Upholds Arbitrator's Decision To Allow Class Arbitration

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On June 10, 2013, the U.S. Supreme Court issued a unanimous decision in *Oxford Health Plans LLC v. Sutter*. A copy of the opinion can be [found here](#).

The opinion, authored by Justice Elena Kagan, upholds an arbitrator's decision to allow class arbitration on the grounds that the Federal Arbitration Act bars the Court from substituting its interpretation of the contract for the arbitrator's interpretation. A Barnes & Thornburg Employment Alert discussing this case in more detail can be [found here](#). *Oxford Health* and the Court's prior decision in *Stolt-Nielsen S.A. v. AnimalFeeds Int'l Corp.*, 559 U.S. 662 (2010), provide employers with a road map for creating arbitration agreements that either allow or bar class arbitration. Employers with arbitration agreements should review them in light of these decisions to ensure that they have their intended effect.

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