

Carlton Fields' Aaron Weiss and James Czodli Author Law360 Article on Florida Deceptive and Unfair Trade Practices Act's Confusing Split Over 'Reasonable Consumer' Standard

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Carlton Fields attorneys Aaron Weiss and James Czodli authored a *Law360* article about the Florida Deceptive and Unfair Trade Practice's Act and the confusing split over its 'reasonable consumer' standard. "...A defendant considering moving for summary judgment on — or even moving to dismiss — an FDUTPA claim may carefully consider whether there is a clear contractual term that would eliminate any possibility that a reasonable consumer would be misled or deceived. However, even if such contractual terms exist, some courts have indicated that if there is more than one reasonable interpretation of the term, such a question is for the jury to determine. The bottom line is that there is ample case law on both sides of the issue for each side to cite — just the type of question that keeps lawyers busy and drives clients looking for clear answers crazy," comment Weiss and Czodli. This analysis is the latest in a long-standing series, following previously published pieces on FDUTPA's [damages in improper fee cases](#), [forum selection clause](#), [split on standing](#), and [unfairness prong](#). [Read the article](#).

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