

Press Releases

O'Melveny Partners Available to Discuss Potential Impact of Pineda v. Williams-Sonoma Stores, Inc.



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FOR IMMEDIATE RELEASE

CONTACT:

Andrea Rodeschini O'Melveny & Myers LLP
212.326.2251
arodeschini@omm.com

Julie Fei O'Melveny & Myers LLP
213.430.7792
213.440.7792 (cell)
jfei@omm.com

O'Melveny & Myers' Thomas Brown, a partner in the Financial Services Practice in San Francisco, and Carla Christofferson, managing partner of the Los Angeles office and a member of the Business Trial and Litigation Practice, are available to discuss the potential impact of this decision on retailers, merchants, and credit card processors; the potential liability and subsequent civil penalties it could create; and the kind of litigation it could inspire.

To arrange an interview with either Mr. Brown or Ms. Christofferson, please contact Andrea Rodeschini or Julie Fei at the numbers and e-mails listed above.

Pineda v. Williams-Sonoma Stores, Inc.: Something Anyone Who Takes Credit Cards Should Worry About

On February 10, 2011, the California Supreme Court issued its decision in *Pineda v. Williams-Sonoma Stores, Inc.*[1]. The decision addresses whether the Song-Beverly Credit Card Act of 1971 (the "Act") (Cal. Civ. Code § 1747 et seq.) prohibits businesses from requesting and recording a customer's ZIP code during a credit card transaction. Pineda concludes that a ZIP code constitutes "personal identification information" and that requesting and recording this information during a credit card transaction, without more, violates the Act. This holding exposes retailers, merchants, and credit card processors to liability for potentially huge civil penalties, and it seems certain to launch a new wave of credit card litigation aimed at retailers.

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