

CALIFORNIA COURT OF APPEAL, FIRST APPELLATE DISTRICT, DIVISION
THREE

Askins v. CRST Expedited, Inc.

No. A172921 (Cal. Ct. App. June 4, 2026) · No. A172921 · Decided June 4, 2026

SUMMARY

The California Court of Appeal, First Appellate District, Division Three, held that the Fair Credit Reporting Act does not require a plaintiff litigating in California state court to prove concrete or actual injury to establish standing for a statutory violation. The court concluded that the FCRA authorizes statutory damages for willful violations even absent proof of harm and that the statutory violation itself supplies a sufficient interest to maintain the action. The court reversed the trial court’s order decertifying the class and declined to follow *Limon v. Circle K Stores Inc.*

CASE DETAILS

COURT	California Court of Appeal, First Appellate District, Division Three
WRITING FOR THE COURT	Petrou, J.; Fujisaki, Acting P. J.; Rodríguez, J.
JURISDICTION	California Court of Appeal, First Appellate District, Division Three
DECIDED	June 4, 2026
DOCKET	A172921
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff appealed an order of the San Mateo County Superior Court decertifying a class in an action alleging that CRST willfully violated the Fair Credit Reporting Act by obtaining employment-related consumer reports without legally compliant disclosure and authorization.
STANDARD OF REVIEW	An order decertifying a class is reviewed for abuse of discretion and will generally not be disturbed unless unsupported by substantial evidence, based on improper criteria, or resting on erroneous legal assumptions. The dispositive statutory-interpretation issue is reviewed de novo.
PRECEDENTIAL VALUE	Published and certified for publication
PARTIES	Terry Askins v. CRST Expedited, Inc.

TOPICS

credit reporting

class actions

standing

statutory interpretation

appellate procedure

PRACTICE AREAS

consumer protection

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QUESTIONS PRESENTED

1. Whether California standing law requires a plaintiff asserting a FCRA claim in California state court to prove concrete or actual injury beyond the alleged statutory violation.
2. Whether a willful violation of 15 U.S.C. section 1681n permits recovery of statutory damages without proof of actual damages or other concrete harm.
3. Whether the trial court abused its discretion by decertifying the class based on the plaintiff's failure to allege concrete injury.

HOLDINGS

1. The FCRA does not require a California plaintiff to demonstrate concrete injury beyond the alleged violation of FCRA rights to establish standing in California state court. The statutory violation itself supplies the sufficient interest necessary to maintain the action.
2. A consumer may recover statutory damages of \$100 to \$1,000 for a willful FCRA violation even without proof of actual damages, measurable loss, or consequential harm.

KEY QUOTATIONS

“In sum, we conclude the statutory text, read in context and according to its ordinary meaning at the time of enactment, demonstrates that Congress authorized recovery of statutory damages for failure to comply with the FCRA even absent proof of harm.” (at 12)

“The statutory violation itself supplies the concrete interest necessary to maintain the action.” (at 13)

“In other words, the statutory violation itself—failure to provide the required disclosure before obtaining a background report—constitutes the very injury the FCRA is designed to prevent and suffices to confer standing.” (at 16-17)

FACTUAL BACKGROUND

Askins applied online for employment with CRST, a trucking company. During the application and employment process, CRST provided forms containing disclosures concerning background checks and obtained consumer reports about Askins before and during his employment. Askins alleged that CRST's disclosures were not clear and conspicuous and that its authorization procedures did not comply with the FCRA, depriving him of the ability to meaningfully understand, object to, or decline the background check.

PROCEDURAL HISTORY

Askins filed a putative class action alleging FCRA violations arising from CRST's background-check disclosures and authorization procedures. The trial court granted class certification. After the Fifth District decided *Limon v.*

Circle K Stores Inc., CRST moved to decertify the class on the ground that Askins had not alleged a concrete injury. The trial court granted decertification, concluding that Limon was binding and that Askins's alleged confusion and lack of knowledge were merely informational injuries. The Court of Appeal reversed and remanded for consideration of any remaining decertification arguments.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The order decertifying the class is reversed. On remand, the trial court may address any remaining decertification arguments, including arguments concerning Askins's adequacy as a class representative. The Court of Appeal did not decide those issues.

CASES CITED

- Limon v. Circle K Stores Inc., 84 Cal. App. 5th 671, 689, 700-703 (2022)
- Muha v. Experian Information Solutions, Inc., 106 Cal. App. 5th 199, 208-209 (2024)
- Estrada v. Royalty Carpet Mills, Inc., 76 Cal. App. 5th 685, 721 (2022)
- Kashanian v. National Enterprise Systems, Inc., 114 Cal. App. 5th 1037, 1043-1048 (2025)
- Grosset v. Wenaas, 42 Cal. 4th 1100, 1117 n.13 (2008)
- Parsonage v. Wal-Mart Associates, Inc., 118 Cal. App. 5th 399, 406, 411, 417-419 (2026)
- TransUnion LLC v. Ramirez, 594 U.S. 413, 423 (2021)
- National Paint & Coatings Assn. v. State of California, 58 Cal. App. 4th 753, 761 (1997)
- Bilafer v. Bilafer, 161 Cal. App. 4th 363, 370 (2008)
- Guracar v. Student Loan Solutions, LLC, 111 Cal. App. 5th 330, 343 (2025)
- Adolph v. Uber Technologies, Inc., 14 Cal. 5th 1104, 1120 (2023)
- Boorstein v. CBS Interactive, Inc., 222 Cal. App. 4th 456, 466 (2013)
- Kim v. Reins International California, Inc., 9 Cal. 5th 73, 83 (2020)
- Midpeninsula Citizens for Fair Housing v. Westwood Investors, 221 Cal. App. 3d 1377, 1385 (1990)
- Naranjo v. Spectrum Security Services, Inc., 15 Cal. 5th 1056, 1070 (2024)
- Saurman v. Peter's Landing Property Owner, LLC, 103 Cal. App. 5th 1148, 1162 (2024)
- Syed v. M-I, LLC, 853 F.3d 492, 496-497 (9th Cir. 2017)
- Harris v. Mexican Specialty Foods, Inc., 564 F.3d 1301, 1306 (11th Cir. 2009)
- Spokeo, Inc. v. Robins, 578 U.S. 330, 335 (2016)
- Kazelka v. Department of Motor Vehicles, 109 Cal. App. 5th 1239, 1249 (2025)
- Trim v. Reward Zone USA LLC, 76 F.4th 1157, 1161 (9th Cir. 2023)
- Collondrez v. City of Rio Vista, 61 Cal. App. 5th 1039, 1052 (2021)
- United States v. Woods, 571 U.S. 31, 45 (2013)

- Beaudry v. TeleCheck Services, Inc., 579 F.3d 702, 705-706 (6th Cir. 2009)
- Santos v. Healthcare Revenue Recovery Group, LLC, 90 F.4th 1144, 1155 (11th Cir. 2024)
- Birmingham v. Experian Information Solutions, Inc., 633 F.3d 1006, 1009 (10th Cir. 2011)
- Chai v. Velocity Investments, LLC, 108 Cal. App. 5th 1030, 1040-1041 (2025)
- Yeh v. Barrington Pacific, LLC, 117 Cal. App. 5th 1303, 1323 (2026)
- Department of Fair Employment & Housing v. M&N Financing Corp., 69 Cal. App. 5th 434, 444 (2021)
- Raines v. Coastal Pacific Food Distributors, Inc., 23 Cal. App. 5th 667 (2018)
- Thomas v. FTS USA, LLC, 193 F. Supp. 3d 623, 629 (E.D. Va. 2016)

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