

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Gabriele Willis, Henry Hardy, Charles Meredith, Vladyslav Vitske,
and Nathan Cornwell, Individually and on Behalf of All Others
Similarly Situated v. WestJet Airlines, Ltd.

Willis · No. 3:25-cv-02785-LL-MSB; related case 25cv2982-LL-MSB · Decided December 2, 2025

SUMMARY

The United States District Court for the Southern District of California granted a motion to consolidate two putative class actions concerning the alleged failure of WestJet Airlines, Ltd. to secure consumer personal information. The Court designated the Willis action as the master case, set procedures for the consolidated litigation, required filing of a consolidated complaint, and appointed interim class counsel, interim liaison counsel, and a plaintiffs’ executive committee.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Honorable Linda Lopez; Linda Lopez
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 2, 2025
DOCKET	3:25-cv-02785-LL-MSB; related case 25cv2982-LL-MSB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs in two related putative class actions moved under Federal Rule of Civil Procedure 42(a) to consolidate the actions and under Rule 23(g)(3) for appointment of interim class counsel. Defendant did not oppose the motion.
STANDARD OF REVIEW	A district court has broad discretion under Federal Rule of Civil Procedure 42(a) to consolidate cases pending in the same district and should weigh judicial convenience against potential delay, confusion, and prejudice.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- class actions
- joinder
- civil procedure

PRACTICE AREAS

civil procedure

class actions

consumer protection

negligence

data breach litigation

QUESTIONS PRESENTED

1. Whether the two related putative class actions should be consolidated under Federal Rule of Civil Procedure 42(a).
2. Whether the proposed attorneys should be appointed as interim class counsel, interim liaison counsel, and members of a plaintiffs' executive committee under Federal Rule of Civil Procedure 23(g)(3).

HOLDINGS

1. The court may consolidate the Willis and Yee actions because they involve common questions of law or fact and their similarity and similar procedural posture favor consolidation.
2. The court may appoint interim class counsel before class certification and appointed the proposed interim class counsel, interim liaison counsel, and plaintiffs' executive committee after finding them experienced, knowledgeable, and adequately resourced to represent the putative class.

KEY QUOTATIONS

"The district court has broad discretion under this rule to consolidate cases pending in the same district." (at 2)

"A court should "weigh the interest of judicial convenience against the potential for delay, confusion and prejudice."" (at 2)

"Accordingly, the Court GRANTS Plaintiffs' Motion to Consolidate." (at 3)

"Without prejudicing the propriety of class certification, pursuant to Federal Rule of Civil Procedure 23(g)(3), the Court hereby appoints Amber L. Schubert of Schubert Jonckheer & Kolbe LLP as Interim Class Counsel" (at 5)

FACTUAL BACKGROUND

The two related putative class actions were brought by consumers alleging that WestJet negligently failed to secure their private information in violation of its representations, industry standards, and common-law and statutory duties. Plaintiffs alleged injuries including increased risks of identity theft and fraud, anxiety, lost time, loss of the benefit of the bargain, and diminution in the value of personally identifiable information. Both actions sought compensatory damages, declaratory relief, and injunctive relief on behalf of consumers whose data was compromised.

PROCEDURAL HISTORY

Two putative class actions against WestJet Airlines, Ltd. were pending in the Southern District of California: Willis, No. 25cv2785-LL-MSB, and Yee, No. 25cv2982-LL-MSB. The court granted consolidation for all pretrial and trial proceedings, designated the Willis docket as the master docket, administratively closed the Yee

docket, ordered the filing of a consolidated complaint, and appointed interim class counsel, interim liaison counsel, and an executive committee.

DISPOSITION

other

CASES CITED

- *Invs. Rsch. Co. v. U.S. Dist. Ct. for Cent. Dist. of Cal.*, 877 F.2d 777, 777 (9th Cir. 1989)
- *Zhu v. UCBH Holdings, Inc.*, 682 F. Supp. 2d 1049, 1052 (N.D. Cal. 2010)

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