

ARTICLE

# *Comcast v. Behrend: Footnote 5 and the Ghost of Carolene Products*

---

*Bloomberg BNA's Class Action Litigation Report*  
April 26, 2013

## Authors

---

Bert W. Rein  
Founder  
202.719.7080  
brein@wiley.law  
John B. Wyss  
Senior Counsel  
202.719.7038  
jwyss@wiley.law

## Practice Areas

---

Antitrust  
Class Action  
Food & Drug  
Issues and Appeals  
Litigation