

Ninth Circuit Affirms Dismissal of Securities Class Action Against Endologix, Inc.

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On June 10, 2020, the Ninth Circuit issued a [decision](#) affirming the dismissal of a securities case filed against a life sciences company for supposedly misrepresenting the likelihood that the FDA would approve one of its medical devices. The decision confirms that courts must closely scrutinize complaints in assessing whether the plaintiffs have created a strong inference that the defendants acted intentionally or recklessly. The decision also rejects efforts to use confidential witnesses whose statements rely on alarming adjectives rather than concrete facts.

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