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NEWS

DC-Area Walmart Stores Accused of Mispricing Items, Charging More at Check Out in Class Action Lawsuit

According to the class action suit, more than 400 items were mispriced throughout store locations in D.C., many of which are alleged to have been mispriced and left uncorrected for months.

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Class Actions



Riley Brennan



Walmart is accused of advertising and offering goods without the intent to sell them as offered in its Washington, D.C., stores, violating the District of Columbia's Consumer Protection Procedures Act, according to the midsize firms that filed the suit this week.

The [Jan. 23 class action](#) alleges that Walmart mispriced items in stores through the D.C. metropolitan area, with shelf-tag prices on items being lower than the prices charged at the register.

An investigation at two particular locations uncovered more than 400 items for which Walmart charged consumers more than the shelf-tag price. Many mispriced items remained uncorrected for months.

Attorneys with Joseph, Greenwald & Laake in Greenbelt, Maryland, and Dworken & Bernstein in Painesville, Ohio, filed the suit in the District of Columbia Superior Court on behalf of Christina Rector, bringing claims for class certification and violations of the District of Columbia's CPPA, D.C. Code Section 28-3901.

"Shoppers rely on price information when making purchasing decisions and have virtually no ability to look across pricing patterns to see statutory violations," consumer fraud attorney Drew LaFramboise of Joseph Greenwald said in a news release. "We want to ensure that the D.C. Consumer Protection Procedures Act guards purchasers against these unfair and deceptive trade practices."

For example, Rector purchased Tide laundry detergent in June 2022 with the shelf tag price of \$9.99. However, at the register, Rector was charged \$11.99, and Walmart failed to disclose that its shelf tag price for detergent was different from its register price, the complaint said.

Walmart's corporate management allegedly sets the prices at the different stores, which store employees are responsible for updating via completing a price change procedure within Walmart's computer system and printing a shelf tag.

After the shelf tag is printed, the price is automatically updated in the store's point-of-sale system. However, employees are tasked with immediately, manually affixing the new shelf tag to the shelf. The failure to do so in a timely matter results in a disciplinary action.

"As a result of Walmart's failure to update the shelf-tag price, when customers at Walmart's D.C. locations select an item to purchase, the price that Walmart charges them at the register is frequently higher than the price on the shelf tag viewed by customers when selecting an item," the complaint said.

Under the D.C. CPPA, consumers harmed by unlawful trade practices may sue for damages and may be awarded statutory damages of \$1,500 per violation.

In a San Diego Superior Court ruling in 2012, Walmart was ordered to pay more than \$3 million for violating a consent judgment requiring Walmart to ensure its shelf tag prices were accurate and in accordance with the prices it charged customers.

In terms of relief, the complaint requests an order approving the class and appointing Rector and her counsel as class representatives, an order enjoining Walmart from continuing its unlawful conduct, an award of statutory and punitive damages, and an order requiring Walmart to pay attorney fees.

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