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TECH INDUSTRY LITIGATION DEPARTMENT OF THE YEAR FINALISTS: Gibson, Dunn & Crutcher



Photo: Diego M. Radzinski/ALM

Nick Hanna, partner and co-chair of the white-collar defense and investigations practice group at Gibson, Dunn & Crutcher, responded to the below questions.

What do you see as your team's most significant achievements over the past year?

It's been a remarkable year. Among other things, the team won significant victories for our tech clients at the trial court level, before regulators, and at the U.S. Supreme Court. In a matter for TikTok, for example, we parachuted in right before trial to defend a trademark infringement case in federal court, where the plaintiff sought hundreds of millions in damages. The case involved novel issues, including the extraterritorial reach of the trademark statute, the admissibility of filings in foreign jurisdictions, the availability of certain categories of damages, and the admissibility of expert testimony on alleged harmful content on the TikTok platform.

We quickly assembled a team of veteran trial lawyers and subject matter experts, tried the case to a jury, and obtained a complete defense verdict after less than three hours of deliberation. For Meta, we knocked out a high-profile lawsuit seeking to hold it liable for its alleged role in facilitating attacks by the Myanmar military in Burma. We removed the case to federal court and successfully won a motion to dismiss on statute of limitations grounds. We also obtained a record low settlement for DoorDash from the California attorney general in a California Consumer Privacy Act investigation. It is one of the most favorable settlements with the state AG on any consumer issue, avoiding any change in business practices. And for Slack, we won 9-0 in the Supreme Court in a landmark victory for public companies.



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This was a first-of-its-kind case addressing the right to sue under the Securities Act of 1933. These cases show the depth and breadth of our litigation practice, helping tech clients successfully navigate their most complex and challenging cases from the trial courts to the Supreme Court.

What does your firm look for when hiring a litigator?

We look for creative and talented lawyers who think strategically, work relentlessly to achieve client goals, and adhere to the highest ethical and professional standards. We also look for genuinely decent people who foster a collegial and collaborative culture. And diversity is also an important consideration, as we value different viewpoints and experiences. For each case, our goal is to build a team that brings together the requisite experience and subject-matter expertise to achieve the best result for our client. At the more junior level, we look for lawyers that are smart, hardworking and intellectually curious. We want litigators that are client-service oriented, want to learn our clients' businesses, and are interested in solving our clients' problems quickly and effectively.

What do you see as your firm's competitive advantage compared to other firms when a client considers you for representation on a piece of litigation?

We have a premier litigation practice and have handled some of the biggest and most cutting-edge disputes in the tech sector. Whatever the issue, we've likely seen it before and dealt with it successfully. We also are intensely practical, working to resolve matters efficiently in a way that suits the needs of each

client. To achieve superior results, we build multidisciplinary teams from offices around the firm, pulling together the best lawyers suited to the particular case and technology at issue. This ensures that the client is getting an all-star team for each case. We also know that to get the best results, you need to be willing to try and win the case. So, we approach each case from the perspective of trial, tailoring our strategy, motion practice and discovery to help shape the case, develop the necessary facts, and best position the client to prevail. Our teams dive in, quickly learning complex technologies and fact patterns, and are adept at presenting those facts to a jury. And supplementing our litigation teams is our world class appellate practice, which not only helps at the trial level to preserve key issues, but also works to develop the law in ways most favorable to our clients.

How is the business of litigation changing, and how are you adapting to those changes?

Clients increasingly want their lawyers to partner with them, to learn their businesses, and help them advance their objectives efficiently and effectively. In the tech space, lawyers need to understand the technology, the business model, and the competitive landscape, regardless of whether the company is a start-up or a trillion-dollar public company. We have adapted to these needs by developing a deep bench of lawyers who can guide clients through each challenge they may face as their businesses grow, from complex regulatory issues to government enforcement efforts to high-stakes litigation. In this way, we help our clients through their full life cycle to advance their business objectives.