



Alexander Akerman

Partner

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Related Services

Litigation ■ Commercial ■ Privacy & Cybersecurity Litigation

Alexander Akerman is a partner with Alston & Bird's Litigation & Trial Practice Group. He focuses on high-stakes complex commercial litigation with an emphasis on class action defense, antitrust, breach of contract, trade secret and IP espionage, privacy, and unfair competition disputes. He has extensive experience defending claims based on California's Unfair Competition Law and Consumers Legal Remedies Act. He focuses on resolving disputes that turn on the application of complicated regulatory and statutory schemes to sophisticated technology.

Alex represents clients across a wide variety of industries, such as energy, financial services, software development, telecommunications, high-tech and e-commerce, food and beverage, and consumer products. He has appeared in state and federal courts across the country, defending clients in both state and nationwide class actions, federal multidistrict matters, and California-coordinated proceedings. He has extensive arbitration experience with domestic and international disputes. Clients also regularly seek Alex's counsel on various litigation-avoiding best practices.

A refugee himself, Alex focuses his pro bono practice on representing asylum applicants in immigration matters.

Alex received his J.D., cum laude, from Duke University School of Law in 2011, and his B.A., summa cum laude, in political science from UCLA in 2007.

Representative Experience

- Represented a foreign renewable energy company prosecuted for criminal trade secret espionage and conspiracy by the U.S. Attorney's Office. Defeated the claim for more than \$2 billion in fines.
- Representing a national energy company in related federal and administrative nine-figure actions arising from claims related to the storage of spent nuclear fuel. Drafted key briefs that defeated multiple claims for preliminary injunctive relief in District Court and before the Ninth Circuit, which resulted in the action being dismissed with prejudice by District Court.
- Represented a satellite service provider in two related billion-dollar antitrust class action cases involving the NHL's and MLB's blackout rules and exclusive telecast territories. Worked with experts, including a Nobel Prize winner, to craft challenges to the plaintiffs' experts. After an evidentiary hearing, a Daubert challenge defeated certification of the damages class, eliminating all risk of monetary liability.
- Defended a foreign law firm in two distinct eight-figure breach of fiduciary duty claims. Quashed service for lack of jurisdiction after oral argument in both actions.

- Defended a prominent payment processor in a high-profile arbitration over the termination of an alt-right organization who sued, claiming hate speech policy enforcement represented actionable point-of-view discrimination. Given responsibility for drafting a key brief on a motion to dismiss, which provoked claimant to dismiss all claims.
- Represented technology company employees sued by their former employer for theft of trade secrets, technology, corporate sabotage, employee raiding, and breaches of fiduciary duty. Drafted key opposition that defeated a preliminary injunction motion. Case favorably settled on the eve of arbitration.
- Defending a gas energy company from breach of contract and fraud claims in a nine-figure arbitration.
- Represented a luxury automobile manufacturer in multidistrict litigation (MDL) related to alleged emission defeat devices present in certain vehicles. The MDL had regulatory, consumer, and unfair competition components.
- Represented clients ranging from international fast food restaurant chains to retailers in putative class actions under the California Unfair Competition Law related to the redemption of gift cards. Negotiated favorable settlements for all disputes.
- Defended a satellite service provider in several California class actions challenging satellite dish installation practices. Obtained a dismissal with prejudice through motion practice for a lack of jurisdiction relying on the local action doctrine. Dismissal upheld by the Ninth Circuit in a unanimous published opinion.
- Defended a software development firm from claims of fraud and defective work product. The dispute settled favorably for pennies on the dollar.
- Defended a satellite service provider against a plaintiff challenging satellite installation policy on a classwide basis under New Jersey common law. Drafted winning motion to compel discovery, after which case was dismissed with prejudice by plaintiff to avoid discovery disclosures.
- Counseling numerous e-commerce companies, including a prominent payment processing company, on updating terms of service, ensuring lawful automatic renewal subscription policies, implementing enforceable digital arbitration agreements, and user termination.
- Counseling an online short-term rental and hospitality service on compliance with multiple state and city regulations and unfair competition/consumer protection statutes.

Education

- Duke University (J.D., 2011)
- University of California, Los Angeles (B.A., 2007)

Admitted to Practice

- California