



## Daniella P. Main

Partner

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### *Related Services*

Litigation ■ Commercial ■ Appellate ■ Class Action & Multidistrict Litigation ■ Privacy & Cybersecurity Litigation ■ HIPAA/Health Information Privacy, Security & Breach Response ■ Privacy, Cyber & Data Strategy ■ Consumer Protection/FTC ■ Products Liability

Daniella Main is a partner in the Dallas and New York offices, where she focuses her practice on class action and complex commercial litigation. Daniella has represented plaintiffs and defendants in a broad range of disputes, including RICO violations, fraud, breach of contract, indemnification claims, and agency and fiduciary relationships. She has experience defending nationwide class actions involving data breach and privacy matters, policyholder insurance cases, and other consumer claims.

Daniella has been a key member of teams handling multiyear disputes for clients facing a variety of claims and navigating multiple venues and jurisdictions. Her experience spans federal and state practice and appeals, as well as domestic and international arbitration. She is also adept at representing clients facing parallel state and federal regulatory agency investigations, as well as internal corporate investigations.

Daniella chairs the Diversity & Inclusion Committee for the firm's Dallas office, and co-leads the firm's Hispanic Attorney Affinity Network. She contributes substantially to pro bono endeavors, working with public policy and criminal defense organizations to provide criminal appellate representation to her clients. She argued for and won, by unanimous consensus, the reversal of her client's manslaughter conviction before New York's highest court, the New York Court of Appeals, establishing important legal precedent in the world of constitutional criminal defense.

### *Representative Experience*

#### ***Class Action Litigation***

- Represented a Fortune 50 insurance company in a dozen cost of insurance class action matters with potential exposure of over \$1 billion, including securing summary judgment rulings which resulted in a favorable global settlement of all suits involving that particular policy.
- Represented a Fortune Global 50 automotive manufacturer in a consumer class action lawsuit brought by car owners involving the loss of certain in-vehicle connected technologies services due to the sunset of 3G cellular networks, including securing voluntary dismissal of plaintiffs' entire lawsuit.
- Representing a national medical group in multidistrict litigation arising from an alleged patient information breach.

#### ***Complex Commercial Litigation***

- Serving as lead trial counsel in a fraud and employee raiding/lift-out action on behalf of an engineering firm against a former regional executive and a competitor company who colluded to take half of the firm's employees and lucrative contracts with them.

- Represented a multibillion-dollar insurance company against perpetrators of a highly publicized Ponzi scheme in parallel multiyear litigation and arbitration proceedings before the Southern District of New York and the American Arbitration Association.
- Represented a multinational medical device manufacturer in various litigations and arbitration proceedings involving breach of contract and related issues before the American Arbitration Association and New Jersey Superior Court.
- Represented a major private equity firm in an employee poaching action against a competitor firm before the New York State Supreme Court.
- Represented a global investment management company in an action involving LLC indemnification rights before the Delaware Chancery Court.
- Represented a major wealth management firm in a fraud-related action against an international bank before the American Arbitration Association.
- Represented an international bank in connection with state and federal investigations of residential mortgage-backed securities practices.
- Represented a privately owned technology company in litigation and arbitration proceedings initiated by an international pharmaceutical and medical diagnostics company involving a disputed contractual right of first refusal before the American Arbitration Association, Southern District of Indiana, and Seventh Circuit.

## **Criminal Appeals**

- Represented a criminal defendant in an appeal involving wrongful felony convictions by non-unanimous juries under an unconstitutional Jim Crow law, securing client's release after 36 years in prison in advance of the U.S. Supreme Court's preclusive decision in *Edwards v. Vannoy*.
- Represented a criminal defendant in an appeal case involving constitutional voir dire violations before the New York State Supreme Court, Appellate Division and New York Court of Appeals, successfully overturning client's conviction and securing release after 14 years in prison.
- Represented a major public policy organization as amicus curiae in a case involving interpretation of a strict liability statute before the New York Court of Appeals.
- Represented multiple major public policy organizations as amicus curiae in a case involving constitutional violations of speedy trial rights before the New York Court of Appeals.
- Represented a criminal defendant in a case involving the interpretation of a federal money-laundering statute in a cert petition to the U.S. Supreme Court.

## **Publications & Presentations**

### **Publications**

- "What Lawyers Need to Know About Juror Questions in Civil Trials," *PLI Chronicle*, May 1, 2024.
- "Marriott Case Will Affect Class Action Waiver Enforceability," *Bloomberg Law*, April 26, 2024.
- "What's on Your Mind? How Juror Questions Alter Texas Civil Trials," *Texas Lawyer*, March 13, 2024.
- "How Juror Questions Are Changing Civil Trials in Texas," *Law360*, September 28, 2023.
- "Data Breach Defense: Mobilizing Against Weaponized Mass Arbitration," *Cybersecurity Law & Strategy*, September 1, 2023.

- “Tips for Protecting Privilege When Working with Outside PR,” *Law360*, February 3, 2021.
- “How Retailers May Limit Holiday Legal Risks Amid COVID-19,” *Law360*, December 15, 2020.
- “Are Any COVID Class Actions in Store for American Retailers?” *Retail Touch Points*, June 29, 2020.
- “Retailers Should Look Out for Refund Claims after COVID-19,” *Law360*, June 16, 2020.

## ***Presentations***

- “The ‘Jury Trial’ is Changing: Upsides and Downsides that Increased Jury Participation Poses for Trial Lawyers,” In-Person Workshop, Dallas Bar Association, Dallas, TX, January 17, 2024.

## ***Professional & Community Engagement***

- Dallas Bar Association, Business Litigation Section
- Federal Bar Council
- New York State Bar Association

## ***Education***

- Emory University (J.D., 2010)
- University of Pennsylvania (B.A., 2007)

## ***Admitted to Practice***

- Texas
- New York