



Kimberly K. Chemerinsky

Partner

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Related Services

Litigation ■ Commercial ■ Health Care Litigation ■ White Collar, Government & Internal Investigations
■ HIPAA/Health Information Privacy, Security & Breach Response ■ Privacy, Cyber & Data Strategy ■
Privacy & Cybersecurity Litigation ■ False Claims Act ■ Consumer Protection/FTC

Kim Chemerinsky draws on her extensive litigation experience to provide pragmatic and cost-effective advice to resolve her clients' most challenging disputes. Her diverse client base spans multinational beauty, health, and wellness companies, tech startups, and entertainment personalities. In representing sophisticated clients across the globe in high-stakes cases, she has demonstrated an ability to fully engage, drive success, and deliver exceptional results on a broad range of legal and business issues.

Kim maintains a robust pro bono practice and is actively engaged in the community. In 2023, Kim won Alston & Bird's firmwide award for "Mentor of the Year."

Kim has been named a "Southern California Rising Star" by *Super Lawyers* magazine every year since 2013. Before entering private practice, she served as a judicial law clerk for the Hon. Marcia Morales Howard of the Middle District of Florida and a lecturing fellow at Duke Law School.

Representative Experience

Litigation Matters

- Representing UnitedHealth Group and its subsidiaries in trial and appellate courts and arbitration panels across the country in complex commercial disputes, including in the largest multidistrict litigation in U.S. history.
- Secured a Ninth Circuit decision affirming dismissal of all claims against Stanford University in a \$468-million whistleblower suit under the False Claims Act.
- Won a motion to dismiss on behalf of Wendy's in a proposed class action over a consumer data breach.
- Secured a Ninth Circuit judgment on behalf of Marshall & Swift affirming the lower court's decision to deny an award of attorney's fees under the Copyright Act.
- Won a motion to dismiss on behalf of News America in a wiretapping case.
- Represented a former Nomura Securities bond trader in a federal criminal case and obtained an acquittal on all charges following a six-week jury trial.
- Obtained a voluntary dismissal on behalf of Equifax in a business torts case after threatening to file a motion for sanctions based on spoliation of evidence.
- Obtained terminating sanctions against a vexatious litigant on behalf of a travel technology company.

- Won a motion on behalf of a top entertainment personality to vacate a TRO after persuading the judge that the petitioner presented false evidence, including doctored videos, to support her request for the injunction.
- Obtained a favorable settlement in which the plaintiff paid 100% of our client's attorneys' fees to settle derivative and related litigation.

Counseling/Compliance Matters

- Advised luxury beauty companies on compliance with the regulations and standards enforced by the Food and Drug Administration (FDA), Federal Trade Commission (FTC), other federal and state regulatory agencies, and the National Advertising Division (NAD), as well as California laws related to cosmetics ingredients.
- Spearheaded the privacy and data security assessment for the Los Angeles County Employee Retiree Association (LACERA), a \$52 billion fund, and created a report outlining recommendations that was delivered to LACERA's board.
- Served as an in-house attorney on special assignment with a startup automotive technology company, advising on national and state regulatory issues, overseeing all aspects of business operations, and serving as a strategic legal advisor to the CEO.
- Counseled clients in the retail, restaurant, and other industries, including many Fortune 100 and Fortune 500 companies, regarding unclaimed property, consumer protection, and other aspects of their gift card and promotional/rewards/loyalty programs.
- Advised retail companies, auction houses, media companies, movie studios, shipping companies, and others on privacy and data security issues relating to ad tech (behavioral tracking, privacy disclosures for tracking and consent, VPPA compliance) and data management.
- Advised beauty, health, wellness, and food companies on compliance with California Business and Professions Code Sections 12606 and 12606.2.

Pro Bono Matters

- Secured the exoneration and release of a wrongfully convicted man who spent 12 years in prison.
- Petitioned for a writ of certiorari to the U.S. Supreme Court, challenging an inmate's 200-year sentence on Eighth Amendment grounds.
- Briefed cases on behalf of the Jim Crow Juries Project, which seeks post-conviction relief on behalf of inmates who were convicted by non-unanimous juries in Louisiana prior to the Supreme Court's decision in *Ramos v. Louisiana*.

Publications & Presentations

Presentations

- "The Nuts and Bolts of Federal Civil Practice: How to Argue Discovery and Pretrial Conference Hearings," Los Angeles Federal Bar Association, Los Angeles, CA, July 26, 2023.

Professional & Community Engagement

- Bet Tzedek Legal Services, board
- Bet Tzedek New Leadership Council, co-chair
- Pro Bono Panel for the U.S. District Court for the Central District of California, pro bono attorney

Education

- Duke University (J.D., 2007)

- Colorado College (B.A., 2003)

Admitted to Practice

- California