

## Kimberly K. Chemerinsky

Partner

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Kimberly Chemerinsky is a partner with Alston & Bird’s Litigation & Trial Practice Group. Kim practices in all areas of litigation, with a particular emphasis on business torts, securities litigation, and health care litigation. She has represented multinational corporations, small businesses, and individuals in a wide variety of litigation matters in state and federal trial and appellate courts. Kim has also represented health plans and plan sponsors in a variety of lawsuits, arbitrations, and government inquiries on a wide range of issues, including reimbursement policy, coverage determinations, quality of care, pharmacy benefits, and provider contracting.

Kim graduated from Duke Law School, where she served as the symposium editor of the *Duke Journal of Gender Law & Policy*. After graduation, she served as a judicial law clerk for the Honorable Marcia Morales Howard of the Middle District of Florida and then as a lecturing fellow at Duke Law School.

Kim maintains a robust pro bono practice and is actively engaged in the community. She served as a commissioner of the Los Angeles Central Area Planning Commission, 2014–2017, and as president of that commission 2015–2016. Kim also serves as a board member of Bet Tzedek Legal Services and as co-chair of the Bet Tzedek New Leadership Council.

Kim has been named a “Southern California Rising Star” by *Super Lawyers* magazine every year since 2013.

### **Representative Experience**

- Represented a leading health care insurance carrier in multiple high-profile cases involving bad-faith denial of benefits.
- Represented a top pharmaceutical benefit manager in the largest multidistrict litigation in U.S. history.
- Represented a top pharmacy benefit manager in litigation involving challenges to rebating practices.
- Represented a former bond trader at Nomura Securities International Inc. in a criminal matter and obtained an acquittal on all charges following a six-week jury trial in the District of Connecticut.
- Represented a former director in a derivative action alleging breach of fiduciary duty claims.
- Represented a company in a derivative action relating to corporate governance issues.
- Represented a major credit reporting company in California state court in a case involving antitrust, unfair competition, and business tort claims.
- Counsel to a Fortune 500 insurance carrier in a franchise termination case involving business tort and unfair competition claims filed in the Central District of California.
- Represented a leading financial advisor in shareholder class action litigation involving claims of aiding and abetting breach of fiduciary duty.
- Represented the leading provider of building cost data in an appeal involving Copyright Act issues in the Ninth Circuit.

- Represented a major national bank in numerous actions filed throughout California involving challenges to the bank's lending practices.
- Counsel to a top automotive pricing analysis company on how to achieve compliance with federal and state antitrust laws and industry regulations.
- Represented a criminal defendant in petitioning for a writ of certiorari to the U.S. Supreme Court, challenging his 200-year sentence on Eighth Amendment grounds.

## ***Publications & Presentations***

### ***Publications***

- "Takeaways from the Hulu Privacy Case," *Law360*, April 30, 2014.

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

- Bet Tzedek Legal Services, board
- Bet Tzedek New Leadership Council, co-chair
- Los Angeles Central Area Planning Commission, former commissioner and past president
- 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

### ***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