

# TOP WOMEN Lawyers 2021

## Allison L. Libeu

**L**ibeu has secured victories as lead counsel in major trials and arbitrated disputes.

She recently secured a complete defense victory for Amazon.com in two lawsuits alleging the online retailer poached sellers from eBay Inc. Plaintiffs claimed violations of the Racketeer Influenced and Corrupt Organizations Act, advancing arguments that Amazon trained employees to target eBay's sellers in a worldwide conspiracy.

From the start, eBay fought in the arena of public opinion, leaking its cease-and-desist letter to the media on the same day it sent it to Amazon. It then filed lawsuits in federal and state courts. *eBay, Inc. v. Amazon.com*, 18-cv-336315 (Santa Clara Super. Ct., filed Oct. 17, 2018); *eBay, Inc. v. Sonja Boch, et al.*, 19-cv-04422 (N.D. Cal., filed July 31, 2019).

Recognizing the lynchpin for all its claims was violations of user agreements, Libeu immediately moved the case to arbitration, which eBay opposed.

"We responded that arbitration is very broad — that arbitration is favored when there's a doubt," she said.

Libeu led the virtual arbitration trial amid the pandemic.

"What was most surprising was how seamless it went," she said. "Witnesses were able to appear around the world. No one had to travel. It was very easy logistically."

The details of the trial are confidential because it was moved to arbitration.

Libeu is also co-lead counsel for Monster Energy in litigation against Vital Pharmaceuticals, or VPX, alleging unfair competition, false advertising and misappropriation of trade secrets, among other claims. The lawsuit claims that VPX's "super creatine" energy drink is a hoax, and the company is interfering with Monster's distribution contracts to gain in-store shelf space. *Monster Energy Company v. Vital Pharmaceuticals, Inc.*, 18-cv-1882 (C.D. Cal., filed Sept. 4, 2018).

With trial set for September, Libeu said she's been working on translating the scientific lingo into digestible bits for the jury.

"The first part is figuring out in your head what the scientists are saying," she said, "and then how to tell that to a jury or judge."

— Winston Cho



**HUESTON HENNIGAN LLP**  
NEWPORT BEACH

**Practice Type:**  
Complex Civil Litigation