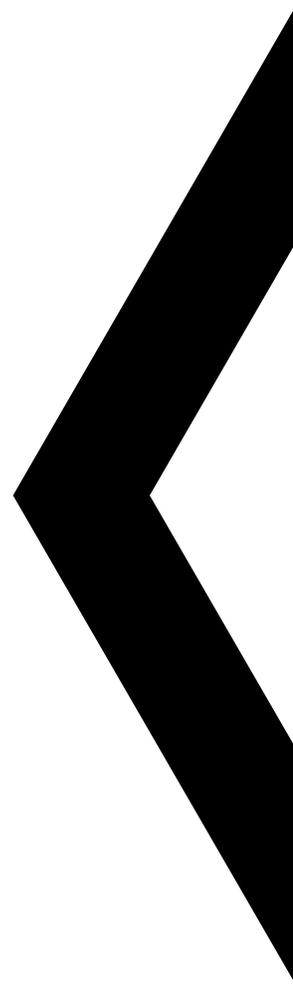




2022
**YEAR IN
REVIEW**

“Go-To for Hard Trial Cases,”

Chambers

- ▼ National Trials Group of the Year for the Second Consecutive Year
 - ▼ Record-Setting Trademark and Lanham Act Trial Wins in 2022 on the Heels of a Landmark Trial Win in 2021
 - ▼ Opening of New York Office to Better Serve East Coast Clients and Cases
- 

HUESTON HENNIGAN

2022 Client Testimonials

“Hueston Hennigan is the firm we turn to when we know we must win at trial. Their attorneys are not only masterful lawyers, they are creative, thoughtful, strategic, and tenacious. From the moment the first document is filed, every option is considered, and every decision is made with the ultimate goal in mind: winning at trial. Hueston Hennigan has achieved historic, record-setting results for Monster in incredibly complex matters. Those results were achieved because Hueston Hennigan did what Hueston Hennigan does: win.”

Aaron Sonnhalter, Monster Energy Company
Chief Litigation Counsel

“After taking over a bet-the-company case months before trial, the Hueston Hennigan team quickly immersed themselves in the business and facts of the case, earned the trust and respect of our team, and positioned the case for victory. At trial, they put on a master class, including incredible opening and closing arguments, a compelling case-in-chief, and cross-examinations for the ages. Their entire team is smart, honest, and a pleasure to work with.”

Alex Dimitrief, General Counsel, Sotera Health
Former General Counsel, GE Capital

“Hueston Hennigan is bold, strategic, and relentless. Their deep lineup of talented and diverse trial lawyers weave masterful arguments, impactful direct exams, and devastating crosses. We especially value their close and collaborative partnership with our in-house team in order to obtain the best possible outcomes. Hueston Hennigan is the total package, and we are glad to have them on our side.”

Jonathan Mothner, Synchrony Financial (formerly GE Capital)
Executive Vice President, General Counsel & Secretary

“Most Feared Law
Firm in Litigation”

BTI Consulting

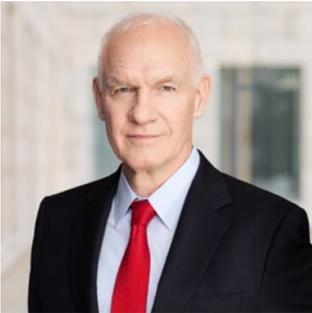
Valorous | Savvy and Super Smart
Energized | Mobilized | Unabating

A Historic 2022

We opened our doors in 2015 as a 30-lawyer firm with the goal of becoming one of the nation's leading business trial firms. Now, as an 80+-lawyer firm, we proudly announce the opening of our New York office and celebrate our recognition, for the second consecutive year, as a national Trial Firm of the Year.

On the heels of a “landmark” defense verdict last year, 2022 witnessed an unbroken streak of trial victories, including both the largest trademark infringement award in U.S. history and a record-breaking Lanham Act award.

We proudly field trial teams that reflect the diversity of our juries. We continue training our associates to become masters of written and oral advocacy, and with the support of our clients and the encouragement of many judges, over 50% of our associates had speaking roles in trials over the past two years.



Although proud of our trial work, we founded our firm with a mission to also provide the highest-quality legal services to underrepresented communities. The Social Justice Legal Foundation (SJLF) — a distinct 501(c)(3) — continues its dedication to advancing social justice through trial litigation.



As we move into 2023, we are excited for the future and the changes ahead. This year begins with our having named Moez managing partner, and with Brian returning his energies to his practice. Long recognized as a leader within our firm, Moez begins his tenure as managing partner shortly after being named a national Trials MVP by Law360.



We are honored by the support we have received from clients and are proud to share these successes with you as we celebrate the end of an unbelievable year.

—Brian J. Hennigan —John C. Hueston —Moez M. Kaba

Won a Record \$293M Jury Verdict – Largest Lanham Act Award

We represented Monster Energy Company (Monster) in a false advertising, tortious interference, and trade secret lawsuit that resulted in a groundbreaking, nine-figure verdict against competing energy drink manufacturer Vital Pharmaceuticals, Inc. (VPX), and its owner and CEO, John H. “Jack” Owoc. VPX produces Bang, and is the third-largest energy drink manufacturer in the United States.

At trial, which began in August 2022, Monster alleged that Mr. Owoc built his company, VPX, by lying, cheating, and stealing. We established that VPX falsely advertised that its energy drink, BANG, contains creatine — marketed as “Super Creatine” by VPX — a popular sports nutrition supplement known for its physiological benefits, when it does not. By touting the supposed health and exercise benefits of “Super Creatine,” VPX built a multibillion-dollar brand. At trial, Monster presented evidence that Super Creatine is not creatine and could not provide the benefits promised by VPX and Mr. Owoc.

Monster presented significant evidence that, in addition to lying to consumers, VPX recruited Monster employees with plum employment offers on the unlawful condition that the employees bring over Monster’s highly confidential and proprietary trade secret information. Finally, Monster

established that VPX engaged in a widespread scheme to steal Monster’s contracted-for retail shelf space by removing Monster products from high-visibility locations and replacing them with cans of Bang.

After a nearly five-week trial, the jury found for Monster on all claims. The jury awarded Monster the full amount of damages it sought, \$271,924,147, for VPX’s and Mr. Owoc’s false advertising, concluding that their conduct was “willful and deliberate.” The jury awarded Monster \$18,000,000 for VPX’s interference with Monster’s contracts in retail stores. Finally, the jury awarded Monster \$3,015,587 for VPX’s misappropriation of Monster’s trade secrets and violation of the Computer Fraud and Abuse Act.

“Yearly Streak of
High-Profile Wins”

Benchmark Litigation



“Gold Star
Litigation Boutique”
Benchmark Litigation

\$175M-Plus 5% Ongoing Royalty – Largest Trademark Award Ever

In another significant trial, we obtained one of the “largest-ever U.S. trademark awards”: \$175 million plus a 5% ongoing royalty (an estimated \$50 million annually) for Orange Bang and Monster against Vital Pharmaceuticals, Inc. (VPX), the maker of Bang energy drinks.

In 2019, Orange Bang, a family-owned beverage business and the owner of several trademark registrations to the Bang marks, reached out to Monster after being sued by VPX. VPX had released several popular drinks under the name “Bang.” Orange Bang, years earlier, had been the original owner of the “Bang” trademark, and had, in 2010, entered into a settlement agreement with VPX providing that VPX shall have limited rights to use the Bang mark. In this suit, VPX alleged that its use of the Bang marks was legitimate, and that Orange Bang had breached the parties’ settlement agreement. Orange Bang likewise alleged that VPX both infringed Orange Bang’s trademark and breached the settlement agreement.

After a weeks-long trial, in a 177-page ruling, an arbitrator found for Orange Bang and Monster on all claims. The arbitrator found that VPX breached the settlement agreement by using the “Bang” name outside the scope of the agreement. And the arbitrator found that VPX’s use of the Bang mark constituted trademark infringement. The arbitrator likewise rejected all of VPX’s claims against Orange Bang.

In ruling in full for our clients, the arbitrator awarded \$175 million in damages, \$9 million in attorneys’ fees and costs, and a running royalty of 5%. Despite an aggressive post-hearing attack, the award was confirmed by the U.S. District Court.

Other Notable Highlights

Amazon

Obtained summary judgment of noninfringement against claims for patent infringement brought by software development company MasterObjects, Inc.

Prominent Napa Winery

Won a complete trial victory on all claims and counterclaims against the winery's founder, former CEO, and minority owner in a case alleging fraud, breach of fiduciary duty, and other claims. The award included more than \$5 million in damages, fees, and costs, in addition to an extraordinary order dissociating the defendant from his role as a member of the company.

Synchrony Financial

Obtained a favorable settlement, after a week of trial, for Synchrony Financial (formerly GE Capital) in a lawsuit involving breach of contract, fraudulent misrepresentation, and alter ego claims.

Navajo Nation

Secured over \$40 million for the Navajo Nation from the USEPA and mining companies for causing the August 2015 Gold King Mine spill. The spill was an unprecedented environmental disaster, and the EPA and mining companies refused to accept responsibility for several years.





Peer Reviews

“[Has] an unparalleled ability to break down complex and sophisticated matters for clients who need to make strategic bet-the-company choices.”

– Chambers

“Every lawyer I’ve ever dealt with in the firm is top-notch ... it’s a blend of superior skills and an unwavering devotion to clients.”

– Chambers

“Skilled bunch of trial lawyers.”

– Chambers

“Carry tremendous gravitas with the court.”

– Legal 500

“Outstanding trial capabilities.”

– Chambers

“Trial focus. They start with the end in mind.”

– Legal 500

“Steel-trap minds.”

– Legal 500

“A client base [that] is remarkably diverse ... with very little repeat business and virtually no ‘routine’ cases.”

– Benchmark Litigation

“Hueston Hennigan doesn’t do the ‘cookie-cutter.’ They do really cool, cutting-edge work.”

– Benchmark Litigation

“Ascent can only be described as astonishing.”

– Benchmark Litigation

“Expert Trial
Lawyers,”
Chambers

Hueston Hennigan Launches New York City Office

We begin the year with the launch of our New York office as we continue serving clients nationwide.

Our expansion into New York is a natural extension of the growth of the firm. From the start, our practice has been national, with more cases outside of California than within it. Now, with offices in Los Angeles and New York, we are best positioned to recruit the best talent in New York and rapidly service our East Coast matters.

Reflecting Hueston Hennigan’s culture, our New York office will be housed in the Meat Packing District, one of the city’s most exciting and vibrant neighborhoods.

The New York office will be anchored by both John Hueston and Moez Kaba, who will split their time between offices. The first class of associates in New York includes six talented attorneys who hail from the nation’s finest law schools and have all completed federal clerkships.

New Associates



Mariah Rivera
New York



Khoa Nguyen
Los Angeles



Lauren Border
Los Angeles



Arianna Demas
New York



Jacob Muller
Los Angeles



Melanie Hess
Newport Beach



Adam Minchew
New York



Blair Ganson
Los Angeles



Stephen Andrews
Los Angeles



Jasmine Sola
New York



Joseph Bianco
New York

“Phenomenal
Trial Lawyers”

Legal 500

Accolades

2022 National Trials Group of the Year

– Law360

Litigation: General Commercial

Litigation: White Collar Crime & Government
Investigations

Band 1 Attorneys

– Chambers

Dispute Resolution: General Commercial

Dispute Resolution: Corporate Investigations
and White Collar

Leading Lawyers

– Legal 500

MVP: Trials

– Law360

Leaders of Influence: Minority Attorneys

– Los Angeles Business Journal

Top Women Lawyers

– Daily Journal

40 & Under Hot List Nationwide

– Benchmark Litigation

Most Recommended Law Firms

– BTI Consulting

Top Litigators & Trial Lawyers

– Los Angeles Business Journal

Women of Influence: Attorneys

– Los Angeles Business Journal

Lawyers on the Fast Track

– The Recorder

California Powerhouse

– Law360

Most Feared Law Firms in Litigation

– BTI Consulting

California Trial Firm of the Year

Los Angeles Law Firm of the Year

– Benchmark Litigation

Top 10 Litigation Boutique

– Vault

Top 100 Trial Lawyers in America

– Benchmark Litigation

Rising Star

– Law360

Ones to Watch

– Best Lawyers

2022 Visionaries

– L.A. Times

Top IP Lawyers

– Daily Journal

Top White Collar Lawyers

– Daily Journal

“Carry Tremendous
Gravitas with the Court”

Legal 500

**SOCIAL
JUSTICE**

**LEGAL
FOUNDATION**

The Social Justice Legal Foundation (SJLF) is dedicated to advancing social justice through trial litigation, and to training the next generation of lawyers to commit themselves to the fight for civil rights. SJLF is currently focused on combatting the myriad and intersectional injustices of the carceral system, at every stage.

This year, SJLF initiated actions addressing each phase of the carceral system. It filed two federal lawsuits in partnership with the ACLU of Louisiana's Justice Lab, which challenges racially discriminatory policing. SJLF partnered with the ACLU of Southern California, Western Center on Law and Poverty, and Public Justice to advocate against courts' use of civil assessments, fees that exacerbate the cycle of court debt for thousands of Californians. SJLF also represented community organizations such as Silicon Valley De-Bug in public records act requests seeking information regarding policies in California's jails. SJLF also filed amicus briefs to highlight problematic practices in the Los Angeles County Sheriff's Department and the Orange County District Attorney's Office's DNA collection program.

SJLF expanded its fellowship program and furthered its mission through an important partnership with Howard University School of Law. Howard University is a welcome addition to our existing partnerships with Columbia Law School, Northwestern Pritzker School of Law, Stanford Law School, UCLA School of Law, and Yale Law School.

SJLF is now accepting applications for their second class of fellows, which will include students from Howard, Columbia, and Yale for the class of 2023 (fellows from Northwestern, Stanford, and UCLA will comprise the class of 2024).

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HUESTON.COM