

# Daily Journal

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## LEADING COMMERCIAL LITIGATORS 2024



**MOEZ M. KABA**

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Los Angeles

Litigation

**M**oez M. Kaba cofounded the powerhouse litigation boutique Hueston Hennigan LLP in 2015 and, in 2022, was voted managing partner. A prominent national litigator, he has significant trials scheduled, including defending McDonald's Corp. in a

\$10 billion case alleging racial discrimination in its advertising campaigns.

"The client, the cases and the colleagues keep this all so interesting to me," Kaba said. "I couldn't ask for a better gig. It feeds the showman in me."

Along with the McDonald's case, Kaba's upcoming trials include mounting defenses for a glittering client lineup, including Medtronic PLC, The Boeing Co., The Walt Disney Co. and Amazon.com, Inc. "There are six or seven on the books," he said. "A pinball machine of trials as we put together the true stories of what will matter for juries."

For McDonald's, Kaba will defend against claims by billionaire media mogul and entertainer Byron Allen that the hamburger empire has discriminated against him by refusing to contract for increased advertising spending on his media properties. *Entertainment Studios Networks Inc. et al. v. McDonald's USA*, 2:21-cv-04972 (C.D. Cal., filed June 18, 2021).

In the Boeing case, a failed electric airplane startup in which Boeing explored a never-consummated partnership sued over alleged trade secrets misappropriation and breach of contract. *Zunum Aero Inc. v. The Boeing Co.*, 2:21-cv-00896 (W.D. Wash., filed July 2, 2021).

"Both defenses are as old as time: we didn't do it," Kaba said. "But both stories will be much more persuasively and thoroughly laid out. When your front line is, 'No, that's not the way it

happened,' I believe very strongly that you don't win by mere denial. You have to stitch together a compelling, truthful story of what actually did happen."

He has similar plans in mind for his defense strategies in the Medtronic, Disney and Amazon cases.

In recent trials, Kaba's approach has worked so well that the other side has caved before the courtroom duels were over.

Defending Synchrony Financial against a \$50 million claim over a credit card partnership agreement with another financial institution, Kaba and his team got through opening statements and a lengthy Kaba cross-examination of a key witness. Then the plaintiff lowered its settlement demand and the matter was concluded for an even lower figure. *RePAR Collective Inc. et al. v. Synchrony Financial*, CGC-18-56687 (S.F. Super. Ct., filed May 10, 2018).

And mid-trial in a case defending health care giant Kaiser Foundation Health Plan Inc., the plaintiff settled after Kaba's opening statement and the cross-examination of several witnesses.

"I want to fight. I want to win. But some settlements make sense," Kaba said. "You keep your lines of communication with opposing counsel open, and as you put your case on, you find they become a little more reasonable."

— JOHN ROEMER