

HUESTON HENNIGAN



Steven N. Feldman
Partner

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Education

Harvard Law School (J.D.) cum laude

S.I. Newhouse School of Public Communications, Syracuse University (B.S., Journalism)

Clerkships

Hon. Jacqueline H. Nguyen,
U.S. Court of Appeals for the
Ninth Circuit

Hon. Jacqueline H. Nguyen,
U.S. District Court for the
Central District of California

Admissions

California

New York

Recognized as one of the nation’s top litigators under 40, Steven Feldman uses his deep experience in the courtroom to help clients develop creative and aggressive case strategies with the goal of obtaining their desired result—whether it be a trial victory or achieving a favorable settlement.

As a trusted litigator for Fortune 500 companies, well-known venture-backed companies and individuals, such as Amgen, T-Mobile, Peloton and Alec Baldwin, Mr. Feldman has helped lead several trial teams to victory—including winning a \$12 million punitive damages verdict and liability findings on all counts in favor of his client following a three-week federal jury trial in the U.S. District Court for the Southern District of New York, and prevailing in a complex trade secret theft case following a three-week federal jury trial in Seattle.

Mr. Feldman has also argued and won significant, dispositive motions for clients in state and federal courts across the country. He litigates a broad range of high-stakes litigation, including complex commercial disputes, intellectual property matters, and challenging class actions. He also handles complex appeals, and recently prevailed 9-0 at the United States Supreme Court in a high-profile class

action.

Mr. Feldman began his career at Davis Polk & Wardwell in New York City, where he focused on complex business litigation.

Experience

Commercial Litigation

Koch v. Greenberg. Won an eight-figure punitive damages verdict and liability findings on all claims of fraud, deceptive business practices, and false advertising following a highly publicized, three-week jury trial in New York federal court in a suit related to the defendant's sale of counterfeit fine wine to our client.

Alec Baldwin v. Mary Boone et al. Obtained a seven-figure settlement, representing a full trial victory, on behalf of Alec Baldwin in a high-profile art fraud case against the Mary Boone Gallery. (See "Why Is Alec Baldwin at least \$1 Million Richer Today?" *The New York Times*; "Alec Baldwin Settles ...," the *Daily Journal*; "Alec Baldwin's Legal Tussle Over Art," *The New Yorker*).

Goldcrest Film Distribution v. Summit Entertainment. Won the dismissal of a multimillion-dollar contractual dispute on behalf of Lionsgate subsidiary Summit Entertainment over alleged deceptive accounting practices used to calculate profit participations for the *Twilight* movie series.

High-Tech Matters

T-Mobile v. Huawei et al. Won a seven-figure verdict and liability findings on behalf of client T-Mobile following a three-week federal jury trial alleging intellectual property theft and breach of contract by China's largest phone manufacturer.

Peloton Interactive Inc. v. Flywheel Sports, Inc. Following a series of courtroom victories, including defeating Flywheel's *Alice* challenge, obtained "massive win" for Peloton via settlement, including admissions of patent validity, intentional copying and an agreement to immediately cease using Peloton's patented leaderboard technology. (See "Peloton Scores a Victory Over Flywheel in an Intellectual Property Dispute," *The Fool*; "Flywheel admits its streaming bike copied Peloton's technology," *The Verge*; "Peloton, Flywheel Agree To End Patent Fight Over Bike Tech," *Law360*; "Peloton, Flywheel Settle Legal Disputes Over Fitness Bike Tech," *Wall Street Journal*).

Class Action Defense

Nutraceutical v. Lambert. Prevailed at the United States Supreme Court in a 9-0 opinion in favor of client Nutraceutical. The Court adopted our arguments that the Rule 23(f) deadline to file an interlocutory appeal of a class-certification decision, and all other mandatory claim-processing rules, are unsusceptible to equitable exceptions.

Otero v. Zeltiq Aesthetics. Won dismissal of a putative class action against Allergan subsidiary Zeltiq Aesthetics alleging that customers of the company's high-profile CoolSculpting fat-freezing system were deceived by marketing materials that described the medical device as having been "cleared" but not "approved" by the U.S. Food and Drug Administration. (See "Allergan's Fat-Freezing Unit Freed From False Ad Claims," *Law360*).

Brown v. USHG et al. Won dismissal on behalf of a prominent New York City restaurant chain and its owner in a putative antitrust class action alleging a price-fixing conspiracy amongst the owners of numerous high-profile restaurants. (See "Big Apple Eateries Freed From No-Tip Conspiracy Case," *Law360*).

Ruhnke v. Allergan. Obtained a low-five-figure settlement in a putative consumer class action litigation seeking over \$85 million in damages against our client, Allergan. The settlement came on the eve of the plaintiffs' certification papers being due and following aggressive offensive discovery that revealed facts damaging to the plaintiffs' case. The suit alleged that Allergan's leading skincare and cosmetics line was in violation of the Food, Drug, and Cosmetic Act and that the product was being marketed in a way that violates false advertising and unfair competition laws.

Hammock et al v. Nutramarks Inc. et al. Won dismissal of federal putative class action regarding homeopathic medicines following aggressive and strategic offensive discovery that revealed the inadequacy of multiple lead plaintiffs and legal deficiencies in the overall case. Plaintiffs agreed to voluntarily dismiss the action just days before their motion for class certification was due.

Lopez v. Caskers LLC. Obtained dismissal of a putative consumer class action alleging violations of California's Automatic Renewal

Law on behalf of Caskers, the leading e-commerce company focusing on the curation and sale of craft spirits.

CEH v. U.S. International Trading Corp. Obtained dismissal of a putative consumer class action alleging that our client violated false advertising laws by misleadingly labeling a consumer product as “organic.”

Recognitions

“Rising Stars” Nationwide, Law360 (2019)

Top 40 Under 40, Daily Journal (2020)

40 & Under Hot List, Benchmark Litigation (2019, 2020)

Future Star, Benchmark Litigation (2019, 2020)

Named to the Southern California Rising Stars list (2016-present)

Activities

Board Member, Association of Business Trial Lawyers

Board Member, Harvard Law School Alumni Association of Los Angeles

Moderator, “The Insight Roundtable,” a series Mr. Feldman created and developed, which features one-on-one interviews with leading jurists, lawyers, and business executives such as the general counsels of The Walt Disney Company, NBC Universal, Toyota, and Kleiner Perkins