BIRD MARELLA LLP

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Elliot C. Harvey Schatmeier

Partner

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Practices:

Securities Litigation, Real Estate, Health Care Litigation, Fraud, Qui Tam, Civil RICO, Complex Business Litigation

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Partner Elliot Harvey Schatmeier is a nationally recognized trial lawyer whose practice spans an unusually wide range of disputes: trade secrets and intellectual property, privacy and mass actions, consumer and financial-services arbitrations, False Claims Act defense, professional liability, and complex commercial litigation. Lawdragon has named him one of the Leading Litigators in America. *Benchmark Litigation* has included him on its 40 & Under List for four consecutive years, and Best Lawyers® recognizes him as one to watch in Commercial Litigation.

Mr. Harvey Schatmeier's clients include Fortune 500 and publicly traded companies such as Compass and Charles Schwab, along with technology innovators like EagleView Technologies, life sciences companies, venture funds, national and regional banks, healthcare providers, and law firms. He is often engaged for high-stakes disputes, bringing early strategic judgment informed by significant trial experience. His fearless approach emphasizes understanding the full context of a dispute, mastering industry-specific issues, and being ready to advocate the case through trial if necessary.

One distinctive aspect of his practice is that Mr. Harvey Schatmeier regularly represents both plaintiffs and defendants and tries cases in front of juries, judges, and arbitration panels. Seeing each type of dispute from both sides shapes his strategy and lets him anticipate how opposing counsel will build a case.

A significant facet of his practice involves privacy and mass actions. Mr. Harvey Schatmeier is co-lead counsel for Atlas Data Privacy Corporation and thousands of judges, prosecutors, and law enforcement officers in more than 150 lawsuits enforcing New Jersey's Daniel's Law. These are among the most closely watched privacy cases in the country. The litigation has produced a $218 million judgment against a data broker, including $43 million in punitive damages. Defendants include the largest data brokers in the country.

His trade secret and intellectual property work spans both sides of the courtroom. On the defense side, he won complete dismissal of a federal trade secrets lawsuit. On the plaintiff side, he is trial

counsel for Kimera Labs in a Defend Trade Secrets Act case against a competitor in the Southern District of California. He has also litigated trade secret claims for agricultural, concierge, and healthcare companies.

Mr. Harvey Schatmeier also defends companies and professionals facing government enforcement and bet-the-company exposure. He has secured victories for clients in False Claims Act cases, RICO cases, malpractice claims, and complex business disputes.

Education, Clerkship & Admissions

- Columbia Law School, J.D., Harlan Fiske Stone Scholar, 2013
- University of California, Berkeley, B.A., 2008

- Law Clerk to the Hon. Henry B. Pitman, U.S. District Court, Southern District of New York

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- California, 2018
- New York, 2014
- U.S. Court of Appeals for the Second, Third, Ninth, and Eleventh Circuits
- U.S. District Courts of California for the Central, Northern, and Southern Districts
- U.S. District Courts of New York for the Southern and Eastern Districts
- U.S. Bankruptcy Court for the Central District of California

Notable Matters

Complete defense victory for Compass Inc. in multi-million-dollar fraud arbitration brought by rival brokerage. Plaintiff had alleged that Compass fraudulently induced it to join Compass under false pretenses and sought compensatory and punitive damages. After a week-long arbitration, Elliot, lead trial counsel, convinced the arbitrator to find for Compass and reject all of Plaintiff's claims.

Obtained a complete defense victory for brokerage firm in a FINRA arbitration involving more than $40 million dollars in alleged damages. Although motions to dismiss are rarely granted in FINRA arbitrations, the three-arbitrator Panel unanimously granted Bird Marella's motion to dismiss the case at the close of the claimant's evidence.

Secured a complete dismissal of all claims asserted against client Compass (NYSE: COMP), a top real estate brokerage, in a federal trade secrets lawsuit brought in the Central District of California by one of its competitors. The Court granted the firm's motion to dismiss in its entirety on the first attempt.

Trial counsel for two families in a high-profile dispute with developer Mohamed Hadid regarding an illegal mansion Hadid built in Bel Air. Following a six-week trial in which every lawyer, witness, and juror wore masks (and some jurors and witnesses participated by Zoom), secured a multi-million dollar verdict for clients as well as an order requiring that the mansion be demolished.

Litigation counsel for a publicly-traded California bank in a complex fraudulent transfer action against the financial institution's former customers arising from their failure to repay a $9 million commercial loan. After taking over the case for another law firm, defending multiple dispositive motions, and vigorously pursuing discovery against newly-named parties, the defendants agreed to pay a favorable settlement on the eve of trial.

Counsel for healthcare company in an internal investigation involving accounting irregularities. The investigation resulted in remedial actions taken by the client.

Litigation counsel for a prominent California law firm in a False Claims Act case of first impression, alleging the firm "fraudulently" induced its former client, a public agency, to disburse several million dollars in public funds. Elliot and Bird Marella aggressively litigated the relator's standing to pursue the case, and obtained a writ of mandate from the California Court of Appeal finding that the relator had a conflict of interest that precluded them from participating in agency decisions relating to the lawsuit. After filing summary judgment motions, then persuading the Court of Appeal to stay all trial court proceedings, Elliot and Bird Marella were able to settle the case for a small fraction of the public funds at issue.

PRO BONO EXPERIENCE

Since 2020, Elliot has been a proud member of the Board of Directors to the Survivor Justice Center, whose mission is to secure justice for survivors of domestic violence and sexual assault and empowers them to create their own futures. Elliot and Bird Marella are partners in SJC's work and have successfully taken on pro bono assignments for those that SJC serves.

Prison Reform

Elliot successfully represented a pro bono client unjustly committed to more than 25 years of solitary confinement in New York correctional facilities, the second-longest tenure in New York State history. After Mr. Proctor's procedural and substantive due process claims were dismissed at summary judgment, Elliot successfully convinced the Second Circuit to overturn the decision and

to set a new standard for procedural due process claims raised by inmates housed in solitary confinement. See *Proctor v. LeClaire*, 846 F.3d 597 (2d Cir. 2017).

Immigration Rights

Elliot has also successfully represented asylum seekers before the Department of Homeland Security, who sought refugee status in the United States on the basis of their LGBT status or their victimization by organized crime.

Associations

- Executive Vice President and Board Member, Century City Bar Association
- Member, Hispanic National Bar Association
- Member, Mexican American Bar Association
- Member, Young Lawyers Division of the Association of Business Trial Lawyers, Los Angeles
- Board Member, Survivor Justice Center (formerly Los Angeles Center for Law and Justice)

Awards & Recognitions

- Leading Litigators in America, *Lawdragon*, 2027 - present
- Lawdragon 500 X - The Next Generation, 2025 - present
- Best Lawyers in America: Ones to Watch, Commercial Litigation, Best Lawyers®, 2024 - present
- 40 & Under List, *Benchmark Litigation*, 2023 - present
- Southern California Rising Stars, Super Lawyers, 2022 - present

Publications & Speaking Engagements

- Featured, "No Jurisdiction In Judicial Privacy Law Suits, NJ Court Told," *Law360*, February 2026
- Co-Author, "What To Expect As Calif. Justices Weigh Arbitration Fee Law," *Law360*, August 2025
- Panelist, Collective Voices: Celebrating Latino and Hispanic Heritage Month, October 2023