



Gopi K. Panchapakesan

Principal

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Practices:

Class Actions, Complex Business Litigation, Environmental and OSHA Crimes, Fraud, Qui Tam, Civil RICO

Gopi K. Panchapakesan's practice focuses on the trial and arbitration of high-stakes business disputes, including class actions, commercial fraud, unfair competition, trade secret misappropriation, and complex contractual disputes.

Gopi has litigated and successfully resolved numerous class actions brought in both state and federal court, and is often called upon by his clients to lead complex and hard-fought class action settlement negotiations. Gopi has particular expertise defending cases brought under the federal civil RICO statute, having defended some of the most significant civil RICO litigation brought in California in the past decade. Gopi also has extensive experience litigating disputes arising out of joint development agreements and is at the forefront of navigating novel legal issues facing direct selling and multi-level marketing companies. Gopi has the experience to take cases to trial when the situation demands it, having served as first-chair or second-chair in several trials and arbitrations.

Companies, both publicly-traded and privately-held, as well as leading executives entrust Gopi to efficiently litigate their complex business disputes. His representative clients include: Carvana, Crimson Pipeline, Digital Realty Trust, Herbalife, and Shopify.

Gopi's extensive litigation experience includes not only civil cases, but also several significant white collar matters. In particular, Gopi has litigated several cases involving environmental offenses under both state and federal law. Recently, Gopi successfully resolved an investigation brought by the California Attorney General against a major oil pipeline operator regarding a large oil spill in Ventura County.

Gopi regularly speaks on panel discussions regarding class actions, data privacy law, and the federal civil RICO statute. He has also published multiple articles in *Law360* and the *National Law Journal* regarding civil RICO practice and developments in arbitration practice, most recently publishing the widely read article, "3 Ways Defendants Can Nip Civil RICO Claims in the Bud" in *Law360*.

Gopi has served in numerous leadership roles with organizations that help foster diversity, equity, and inclusion within the legal profession. Gopi previously served as the Co-President of the Southern California chapter of the South Asian Bar Association (SABA). In 2022, he was named a Rising Star by SABA North America. He has served as a fellow with SABA North America's Leadership Institute and the National Asian Pacific American Bar Association's Leadership Advancement Program. Gopi has also served on the Board of Directors of the Los Angeles Metropolitan Debate League.

Education & Admissions

- Harvard Law School, J.D., 2011
 - Northwestern University, B.A., 2006
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- California, 2011

Notable Matters

Defense of a publicly traded nutritional product company in a civil RICO and unfair business practices class action.

Representing several skilled nursing facilities in a series of class actions alleging understaffing in violation of state and federal regulations.

Representing government contractor in California False Claims Act case involving design of California agency website and related website accessibility issues.

Representing online social gaming company in class action brought under Washington's Recovery of Money Lost at Gambling Act (RMLGA).

Representing apparel company in its pursuit of over \$60 million in contractual and fraudulent transfer claims against a major clothing brand and former customer.

Represented large Taiwanese conglomerate and other lead defendants in a 34-defendant civil

RICO and alter ego action. Plaintiff sought over \$80 million in trebled RICO damages. After winning critical motions on the eve of trial, the case was successfully resolved for a nominal amount.

First-chaired an arbitration involving complex breach of contract claims asserted against client (an apparel company), securing significant offsets.

Represented major pipeline and renewable energy company in various matters involving state and local government authorities, successfully securing pre-litigation resolutions.

Represented a publicly traded company through final arbitration hearing in a multi-million dollar accounting malpractice case.

Obtained final approval of a class action settlement on behalf of a publicly-traded nutritional product company, defeating objections made by several class members.

Won mistrial less than three weeks into a three-month federal prosecution concerning former Backpage.com executives in a case involving litigation of significant First Amendment and Communications Decency Act issues, the resolution of which is likely to have a considerable effect on websites, social media platforms, and publishing companies in the future.

Represented publicly traded e-commerce company and successfully secured early dismissals in multiple cases.

Successfully resolved complex breach of contract claim brought by payment processor client in connection with a joint development agreement.

Represented shareholder against a Canadian biomedical company in a plaintiff-side securities fraud case. Pursued international arbitration arising from a joint development agreement on behalf of global biomedical company, successfully resolving case for a confidential amount.

Successfully defeated a motion to compel arbitration on behalf of Labor Commissioner of the State of California.

Successfully settled several cases involving complex vendor and customer disputes on behalf of a global supplier of consumer products.

Successfully settled a case brought by the government under the Federal Program Fraud Civil Remedies Act for less than one-sixth of the damages initially demanded by the government.

Resolved action brought against a big-box retailer by the South Coast Air Quality Management District, in which the government alleged the retailer sold products in violation of air quality standards.

Defeated class certification on behalf of large retail bookseller in a wage and hour class action.

Successfully represented several families (pro bono) living in dilapidated housing on skid row in Los Angeles and procured a \$750,000 settlement on behalf of the tenants in a partnership with the Inner City Law Center.

Associations

- Co-Chair, South Asian Bar Association of North America Law Partners Section
- Fellow, Leadership Council on Legal Diversity (LCLD), 2022
- Fellow, South Asian Bar Association Leadership Institute, 2022
- Fellow, Leadership Advancement Program, National Asian Pacific American Bar Association, 2019
- Co-President, South Asian Bar Association of Southern California, 2020-2021
- Member, Board of Directors, Los Angeles Metropolitan Debate League, 2016 – 2019

Awards & Recognitions

- Rising Star, South Asian Bar Association of North America, 2022
- Fellow, South Asian Bar Association Leadership Institute, 2022

- Fellow, Leadership Council on Legal Diversity (LCLD), 2022
- Co-President, South Asian Bar Association of Southern California, 2020-2021
- Fellow, Leadership Advancement Program, National Asian Pacific American Bar Association, 2019
- Southern California Rising Stars, *Super Lawyers Magazine*, 2018-present

Articles & Publications

- Co-Author, "Dueling Experts: What *Olean* Might Mean for the Future of Class Certification in the Ninth Circuit," *California Litigation*, Vol. 35, Issue 3, January 2023
- Author, "3 Ways Defendants Can Nip Civil RICO Claims In The Bud," *Law360*, December 2020
- Co-Author, "The Changing Scope of Arbitrability and Appealability," *National Law Journal*, August 2019
- Co-Author, "The Far-Reaching New Domestic Injury Rule Under Civil RICO," *Law360*, June 2017