Daniel R. Adler

Partner

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Los Angeles



Daniel R. Adler is a partner in the Los Angeles office of Gibson Dunn. He specializes in complex commercial and constitutional litigation in trial and appellate courts. Daniel has briefed more than 90 appeals for federal and state courts across the country and has argued before the United States Court of Appeals for the Ninth Circuit and several California Courts of Appeal.

Highlights include:

- *Class actions.* Daniel regularly defends clients in high-stakes class actions and challenges orders granting motions for class certification. In one case, for example, the Fourth Circuit vacated an order certifying an antitrust class seeking billions. *In re Zetia (Ezetimibe) Antitrust Litigation*, 7 F.4th 227 (4th Cir. 2021). On remand, Daniel persuaded the district court not to recertify the class. In another case, Daniel secured the reversal of an order certifying a large class challenging the labeling on coffee cans. *In re Folgers Coffee Marketing*, 159 F.4th 1151 (8th Cir. 2025). Daniel has also defended significant class-action settlements from appeals brought by objectors. *E.g., Akins v. Facebook, Inc.*, 2025 WL 484621 (9th Cir. 2025); *Lako v. LoanDepot, Inc.*, 2025 WL 2389432 (9th Cir. 2025); *In re Facebook, Inc. Internet Tracking Litigation*, 2024 WL 700985 (9th Cir. 2024).

- *Insurance.* Daniel has extensive experience representing insurers in trial courts and on appeal. He persuaded the Fifth, Sixth, and Ninth Circuits that large classes of auto-insurance policyholders should not be certified because it was impossible to determine on a classwide basis whether they were all injured. *Clippinger v. State Farm Automobile Insurance Company*, 173 F.4th 817 (6th Cir. 2026) (en banc); *Bourque v. State Farm Mutual Automobile Insurance Company*, 89 F.4th 525 (5th Cir. 2023); *Lara v. First National Insurance Company of America*, 25 F.4th 1134 (9th Cir. 2022). Daniel also won affirmance of judgments in cases brought on behalf of putative classes of policyholders in California and Washington seeking business income lost during the COVID-19 pandemic. *E.g.*, *Mudpie, Inc. v. Travelers Casualty Insurance Company of America*, 15 F.4th 885 (9th Cir. 2021); *Hill & Stout, PLLC v. Mutual of Enumclaw Insurance Company*, 515 P.3d 525 (Wash. 2022). In another of his appeals, the California Court of Appeal decided that the California Insurance Commissioner had impermissibly ordered a retroactive refund of premiums to policyholders. *State Farm General Insurance Company v. Lara*, 71 Cal. App. 5th 148 (2021).

- *Securities and corporate governance.* Daniel persuaded the United States Supreme Court to grant certiorari and then unanimously hold that plaintiffs suing under Section 11 of the Securities Act of 1933 must prove that they bought shares under the registration statement they claim is misleading. *Slack Technologies, LLC v. Pirani*, 143 S. Ct. 1433 (2022). On remand in that same case, the Ninth Circuit held that the plaintiff couldn't satisfy that standard and ordered all his claims

Capabilities

Appellate and Constitutional Law
Class Actions
Insurance and Reinsurance
Litigation
Mass Torts and Product Liability

Credentials

Education

Columbia University - 2014 Juris Doctor

Princeton University - 2009 Bachelor of Arts

Admissions

California Bar

Clerkships

US Court of Appeals, 9th Circuit, Hon. Paul J. Watford, 2014 - 2015

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dismissed. *Pirani v. Slack Technologies, Inc.*, 127 F.4th 1183 (9th Cir. 2025). Daniel also won a decision from the Ninth Circuit holding that liability for short-swing profits under Section 16(b) of the Securities Exchange Act of 1934 does not turn on whether a board approved transactions with an insider for the express purpose of exempting those transactions from liability. *Roth v. Foris Ventures, LLC*, 86 F.4th 832 (9th Cir. 2023). Daniel has also litigated cases in the Delaware Supreme Court, securing a reversal in a high-profile appraisal action (*DFC Global Corp. v. Muirfield Value Partners, L.P.*, 172 A.3d 346 (Del. 2017)) and affirmance of a decision declining to second-guess a board's judgment in approving an acquisition (*City of Coral Springs Police Officers' Pension Plan v. Block, Inc.*, 308 A.3d 1189 (Del. 2023)).

- *Defending cities.* Daniel persuaded the Supreme Court to grant certiorari and then hold that the enforcement of laws regulating camping on public property is not "cruel and unusual punishment" under the Eighth Amendment. *City of Grants Pass v. Johnson*, 144 S. Ct. 2202 (2024). The decision returned to local governments the right to decide for themselves how best to address homelessness. Daniel also defended a city, at both trial and on appeal, against claims brought under the California Voting Rights Act and the Equal Protection Clause. He has also counseled other California cities threatened with litigation under the California Voting Rights Act and section 2 of the federal Voting Rights Act.
- *General commercial appeals.* Daniel persuaded the Ninth Circuit to affirm an order granting summary judgment to a financial-services firm in a suit over advisory fees. *Anderson v. Edward D. Jones & Co., L.P.*, 2025 WL 3252323 (9th Cir. 2025). He secured reversal of an order granting summary judgment in a dispute over a valuable piece of commercial real estate in Nashville. *Houston Humphreys LLC v. Houston Street Partners, LLC*, 2022 WL 3573404 (Tenn. Ct. App. 2022). And in a dispute between former parties to a license agreement to manufacture and sell consumer electronics, he defeated multiple appeals challenging orders granting summary judgment and awarding his client significant attorneys' fees. *Monster, LLC v. Beats Electronics, LLC*, 2023 WL 4484055 (Cal. Ct. App. 2023); *Monster, LLC v. Beats Electronics, LLC*, 2020 WL 5014610 (Cal. Ct. App. 2020).

Daniel also maintains an active pro bono practice. Highlights include:

- *First Amendment.* Daniel won dismissal of a complaint filed against a nonprofit by a political group for an alleged violation of the First Amendment. *Pasadena Republican Club. v. Western Justice Center*, 985 F.3d 1161 (9th Cir. 2021). He has also counseled other clients facing potential First Amendment litigation.

- *Prisoners' and detainees' rights.* Daniel secured an opinion holding that a former prisoner's claim of indifference to his medical needs was not barred by the Prison Litigation Reform Act's exhaustion requirement. *Jackson v. Fong*, 870 F.3d 928 (9th Cir. 2017). In another appeal, Daniel won reversal of the dismissal of a former immigration detainee's claim that federal immigration officials violated his constitutional right of access to the courts. *Garcia v. Johnson*, 840 F. App'x 255 (9th Cir. 2021).

- *Criminal appeals.* Daniel represented former prosecutors and public defenders serving as amici curiae in support of nonviolent drug offenders seeking to withdraw their guilty pleas on the ground that their counsel did not advise them of the immigration consequences of those pleas. In one case, he helped to persuade the California Court of Appeal to grant the defendant's habeas petition. *In re Hernandez*, 33 Cal. App. 5th 530 (2019). In others, he helped to persuade the California Supreme Court to reverse orders denying defendants' motions to vacate their convictions. *People v. Espinoza*, 14 Cal. 5th 311 (2023); *People v. Vivar*, 11 Cal. 5th 510 (2021).

Daniel has been recognized in *Best Lawyers: Ones to Watch® in America* for Appellate Practice and as part of the Lawdragon 500 X – The Next Generation.

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Daniel joined Gibson Dunn after serving as a law clerk to Judge Paul J. Watford of the U.S. Court of Appeals for the Ninth Circuit.

He graduated from Columbia Law School in 2014, where he served as an editor of the *Columbia Law Review* and earned the Ruth Bader Ginsburg Prize for achieving highest academic honors in all three years. Daniel graduated *summa cum laude* from Princeton University in 2009 with a degree in History and minors in Finance and Latin. Before attending law school, he worked as a strategy consultant at Bain & Company in Chicago.

Daniel is admitted to practice law in the State of California as well as before the Supreme Court of the United States, the United States Courts of Appeals for the First, Second, Fourth, Sixth, Eighth, Ninth, Tenth, and Eleventh Circuits, and the United States District Courts for the Central, Eastern, Northern, and Southern Districts of California.

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