Joshua D. Dick

Partner

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San Francisco



Mr. Dick has significant experience litigating a broad range of matters in both state and federal courts. In over 20 years of practice, Josh has developed a broad range of expertise across multiple areas of the law including, class actions, antitrust, unfair competition law, false advertising, products liability, constitutional challenges, the securities and commodities acts, regulatory enforcement and compliance at the federal, state and local levels, legal malpractice, and general business disputes. He has substantial experience in complex, multifaceted and high-stakes litigation, where has managed and overseen day-to-day operations in many of these cases at both the trial court and appellate levels. Josh has represented companies in a wide range of products liability and environmental actions, defending his clients across the country against claims for public and private nuisance, products liability, fraud and misrepresentation, failure to warn, trespass, and violations of state consumer protection statutes. He also has extensive experience in representing companies in complex domestic and multi-national government investigations into alleged antitrust and competition law violations, financial fraud and corporate malfeasance. In addition, Josh represents a variety of companies and trade associations in challenges to state and municipal regulations and ordinances.

Josh is ranked by *Chambers USA* in Climate Change, with clients noting that he is “highly organized, strategic and also a great advocate” and “proactive, organized and does an excellent job dissecting and explaining complex legal theories with sound advice.” He has also been recognized in *The Best Lawyers in America*® for his work in Commercial Litigation and in *Best Lawyers: Ones to Watch® in America* for his work in Criminal Defense: White-Collar and Litigation – Antitrust.

Josh’s recent matters include:

- Defending Chevron Corporation in more than 30 climate change-related actions filed across the country brought by counties, municipalities, and states alleging that oil and gas companies wrongfully caused climate change damage or misled consumers on climate change under various common law and statutory theories. Josh has primary responsibility for overseeing and managing all day-to-day aspects of the litigation and has successfully led efforts to secure complete dismissal of several of these cases on the pleadings.
- Defended JUUL Labs in hundreds of putative class actions and individual actions, including multidistrict litigation, alleging product defects, public nuisance and violations of consumer protection laws. As part of this work, Josh had primary responsibility for working with multiple experts on a wide range of topics including, medical, epidemiology, damages and economics, marketing and advertising, and social media.
- Defended Walgreens in several cases in California alleging that Walgreens and other companies contributing to the opioids epidemic.
- Represented plaintiff trade association in litigation in the Northern District of

Capabilities

Litigation
Anti-Corruption & FCPA
Antitrust and Competition
Class Actions
Environmental
Mass Torts and Product Liability
Securities Litigation
White Collar Defense and Investigations

Credentials

Education

University of Michigan - 2004 Juris Doctor
University of California - Los Angeles - 2001 Bachelor of Arts

Admissions

California Bar

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California and Ninth Circuit, in challenges to two local government ordinances in California. The first is a challenge to a City of Berkeley ordinance requiring disclosures of purported safety risks of cell phones, *CTIA – The Wireless Association v. City of Berkeley*, No. 16-15141 (2016), and the second is a challenge on behalf of the California State Outdoor Advertising Association to a San Francisco ordinance that would require certain sugary beverage advertisements to carry a government scripted warning label, *American Beverage Association v. City and County of San Francisco*, No. 16-16072 (2016).

- Represented a Fortune 500 technology company, which has a majority of total revenues derived from government procurement contracts, in a consolidated securities fraud case pending in the Southern District of New York. As part of this case, Josh was a lead drafter of a petition for a writ of certiorari with the United States Supreme Court to resolve an important area of federal law.
- Defended an auto parts manufacturer in consolidated lawsuits, which are among the largest and most complex multidistrict litigation (MDL) cases ever brought in the United States. Plaintiffs assert several causes of action including state law claims in more than 30 states.
- Defended the Fresno Unified School District in a lawsuit challenging the proprietary of using lease-leaseback contracts to finance and construct school buildings in California.
- Representing a multinational company in assessing the viability of bringing pre-election lawsuits to challenge a county ballot initiative that would largely prohibit all oil and gas operations in Monterey County, California.
- Defended a real estate company in a group action brought by over 125 individual plaintiffs in state court in Nevada and a consolidated class action in California asserting several claims related to the conversion of a privately held mortgage fund into a publicly traded real estate investment trust (REIT). This representation resulted in a complete victory following a 10-day trial in California and a very favorable settlement in Nevada.
- Represented a multinational financial institution in connection with more than 15 domestic and international cartel investigations related to alleged manipulation of the London Interbank Offered Rate ("LIBOR") and other interest rate benchmarks including, plea negotiations and/or leniency applications in the United States, Australia, New Zealand, Japan, Korea, Singapore, and other jurisdictions.
- Represented a Japanese auto parts manufacturer and its U.S. and foreign subsidiaries in an investigation by the U.S. Department of Justice into an alleged antitrust conspiracy to fix prices, rig bids and allocate territories. This include extensive plea negotiations that ultimately resulted in a reduction of the proposed fine by more than 75%.
- The defense of a foreign bank in several investigations brought by domestic and international antitrust and financial enforcers into the alleged manipulation of foreign exchange ("FX") rates and financial products.

Josh graduated *cum laude* from the University of Michigan Law School where he served as an associate and articles editor for the *Journal of Law Reform*.

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