

# Diana M. Feinstein

## Partner

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Century City

Diana M. Feinstein is a partner in the Los Angeles office of Gibson, Dunn & Crutcher. She is a member of the firm's Litigation, Class Actions, and White Collar Defense and Investigations Practice Groups.

Diana's practice focuses on complex litigation, including consumer class actions, securities litigation and high-value commercial litigation. She also focuses on white collar defense and investigations, including matters initiated by the Department of Justice, Securities and Exchange Commission, Consumer Financial Protection Bureau, and Federal Trade Commission. Diana has been selected by her peers for inclusion in *The Best Lawyers in America®* in the field of Criminal Defense: White Collar.

She has handled matters across a variety of industries, including technology, financial services, entertainment, insurance, healthcare, transportation, real estate, manufacturing, and consumer products. In light of her dual practice, Diana has extensive expertise in parallel proceedings, encompassing criminal, civil, and regulatory components, with an emphasis on cases in the crises arena. She also has extensive expertise in electronic discovery and forensics, which typically accompany these multifaceted, complex disputes.

Diana is a frequent speaker on topics such as attorney-client privilege, parallel proceedings, and electronic discovery.

### Representative Civil Litigation:

- Representing top social networking company in lawsuit alleging violations of Illinois's Biometric Information Privacy Act.
- Successfully represented Archer Aviation, a leader in electric vertical takeoff and landing (eVTOL) aircraft, in its defense of trade secret claims, as well as its prosecution of counterclaims for defamation, securing key victories, including defeating a motion for preliminary injunction, substantially narrowing plaintiff's claims on summary judgment, and defeating plaintiff's motion for summary judgment.
- Defended a major university in mass action litigation relating to alleged misconduct by a university employee, including cross-coordination across related civil litigations and regulatory investigations.
- Coordinated extensive discovery and handled damages experts in connection with defense of a mass toxic tort litigation brought by over 400 former workers against an international engineering firm.
- Obtained decertification of a class of more than 11,000 J.B. Hunt truck drivers on the eve of trial in a long-running wage and hour litigation.
- Defended major technology manufacturer in nationwide multi-district litigation (MDL 2827), securing early ruling dismissing all statutory and common law fraud



### Capabilities

Litigation  
Anti-Money Laundering  
Betting and Gaming  
Class Actions  
Consumer Protection  
Crisis Management  
Intellectual Property  
Labor and Employment  
Product Liability  
Securities Litigation  
Technology Litigation  
White Collar Defense and Investigations

### Credentials

#### Education

Georgetown University - 2007 Juris Doctor  
University of Pennsylvania - 2004 Bachelor of Arts

#### Admissions

New York Bar  
California Bar

claims with prejudice, and running discovery through multiple hearings/briefing.

- Obtained a rare reversal of a denial of summary judgment from the New York Appellate Division, on behalf of Trust Company of the West ("TCW"), on grounds the plaintiff hedge fund failed to establish loss causation. TCW successfully argued the financial crisis caused the loss, not TCW's management.
- Obtained a voluntary dismissal with prejudice of a putative securities class action concerning The Bank of New York Mellon's foreign exchange practices on behalf of underwriters Goldman Sachs, Citigroup, Merrill Lynch, Morgan Stanley, UBS and BNY Mellon Capital Markets.

#### **Representative White Collar Defense and Investigations Matters**

- Representing top social networking company in nonpublic investigation by the Consumer Financial Protection Bureau.
- Representing climate finance company in nonpublic investigation by the Securities and Exchange Commission, Department of Justice, and Commodity Futures Trading Commission.
- Represented technology company in nonpublic investigation by the Securities and Exchange Commission and Department of Justice stemming from IPO disclosures, resulting in declinations from both government regulators.
- Represented international bank in nonpublic investigation by Department of Justice and United States Attorney's Office for alleged violations of anti-money laundering laws and regulations, including the Bank Secrecy Act.
- Conducted internal investigation on behalf of Special Committee of international gaming company regarding adequacy of internal controls.
- Conducted internal investigation for a global nutrition and supplement company regarding anti-money laundering controls.
- Represented international gaming company in nonpublic investigation by Department of Justice and United States Attorney's Office for alleged violations of anti-money laundering laws and regulations, including the Bank Secrecy Act.
- Represented investment management firm in connection with various regulatory and criminal investigations arising from trades in mortgage-backed securities.
- Conducted internal investigation for a pharmaceutical company regarding workplace issues.

Diana received her Juris Doctor from Georgetown University Law Center in 2007. She graduated summa cum laude from the University of Pennsylvania in 2004, where she received a Bachelor of Arts in History. She is currently a Co-Chair of the Legal Network for the Jewish Federation Los Angeles, and previously served as a member of the Board of the Western Center on Law & Poverty.

Diana is admitted to practice in California and New York.

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