Thomas Fu

Of Counsel

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Los Angeles

Thomas Fu is of counsel in the Los Angeles office of Gibson Dunn, where his practice sits at the intersection of appellate advocacy and data privacy. A former law clerk to Justice Elena Kagan of the U.S. Supreme Court and to then-Chief Judge Merrick B. Garland of the D.C. Circuit, Thomas helps companies facing novel, complex, and high-stakes legal issues hone their arguments into a form that is elegant and persuasive.

Thomas has authored hundreds of briefs at the trial, appellate, and Supreme Court levels, and has argued appeals and dispositive motions in federal court. He regularly crafts written submissions to regulators as well, having authored dozens of white papers, comments on proposed regulations, and narrative responses to investigative demands.

Thomas represents leading technology companies in bet-the-company disputes, with particular experience defending class actions arising under the Illinois Biometric Information Privacy Act (BIPA), the Video Privacy Protection Act (VPPA), the California Invasion of Privacy Act (CIPA), and other wiretapping statutes. Recent wins include victories for RingCentral, *see Lisota v. Heartland Dental, LLC*, 2026 WL 91667 (N.D. Ill. 2026); Anker, *see Sheppard v. Fantasia Trading LLC*, 2024 WL 3707825 (C.D. Cal. 2024); and Jornaya, *see Williams v. DDR Media, LLC*, 757 F. Supp. 3d 989 (N.D. Cal. 2024).

To help ensure that wins are durable and losses temporary, Thomas builds client strategies from the outset with an eye toward appellate and Supreme Court review. He authored the complaint and trial-level briefing whose position ultimately prevailed in the Supreme Court in *Axon Enterprise, Inc. v. FTC*, 598 U.S. 175 (2023). He led the briefing in the district and appellate courts to obtain and preserve a major win for hedge fund Verdad Asset Management. *See Schmitz v. Verdad Asset Mgmt., LLC*, 2026 WL 1146873 (4th Cir. 2026). And in a first-of-its-kind litigation under a Washington privacy statute, which Thomas briefed and argued at both the trial and appellate levels, he secured victories for X, formerly known as Twitter, at every level of the federal judiciary. *See Morgan v. Twitter, Inc.*, 2025 WL 1248821 (9th Cir. 2025); *Morgan v. X Corp.*, 146 S. Ct. 1663 (2026) (mem.) (denying certiorari despite amicus support for the petition from a sitting member of Congress, a retired Washington Supreme Court Justice, and nearly a dozen state legislators).

Trained as a mechanical engineer before practicing law, Thomas brings an unusual fluency with the technologies at the heart of these cases, and translates complex engineering and data-flow questions into terms that persuade courts and regulators. He also represents clients facing regulatory investigations and enforcement actions, and counsels companies on data privacy compliance and litigation-risk mitigation.

Prior to joining Gibson Dunn, Thomas practiced at another global law firm in its Supreme Court and appellate group, and headed the motions practice for its cybersecurity and data privacy litigation team.

Capabilities

Appellate and Constitutional Law
Litigation
Privacy, Cybersecurity, and Data Innovation

Credentials

Education

Stanford University - 2014 Juris Doctor
Stanford University - 2011 Bachelor of Science
Stanford University - 2011 Master of Science

Admissions

California Bar
Maryland Bar
District of Columbia Bar

Clerkships

US Supreme Court, Hon. Elena Kagan, 2015 - 2016

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Thomas received his J.D. from Stanford Law School, where he was Managing Editor of the *Stanford Law Review*, a finalist and Best Brief Award winner in the Kirkwood Moot Court Tournament, and a Kirkland & Ellis Scholar. He earned his M.S. and his B.S. with distinction, both in mechanical engineering, from Stanford University, where he helped teach and develop course material for undergraduate computer science classes. He was a member of the Tau Beta Pi Engineering Honor Society and received the Frederick Emmons Terman Engineering Scholastic Award.

The above includes descriptions of matters Thomas handled before joining Gibson Dunn.

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