Samantha O. Hay

Associate Attorney

shay@gibsondunn.com

T: +1 213.229.7258

Los Angeles



Samantha O. Hay is an associate in the Los Angeles office of Gibson Dunn, where she currently practices in the firm's Litigation department. Samantha's practice focuses on False Claims Act investigations and litigation, appellate litigation, class actions, and other complex commercial litigation in both federal and state court. Samantha has extensive experience leveraging complex factual records to drive successful results during investigations, summary judgment, and trial. She also maintains a robust pro bono practice.

Recent Representative Matters Include:

- Representing a managed-care organization in a *qui tam* litigation brought under the False Claims Act regarding Medicaid payments before the U.S. Court of Appeals for the Tenth Circuit.
- Representing a communications company in connection with an investigation by the DOJ and U.S. Attorney's Office related to the False Claims Act concerning alleged deficiencies in cybersecurity practices, controls, and disclosures.
- Representing Joy Reid in a defamation action.
- Representing a social-media company in a class action related to ad targeting and delivery.
- Representing a managed-care organization in a consolidated class action alleging that numerous managed-care organizations and a vendor violated antitrust laws by conspiring to deflate compensation for visits to out-of-network providers.
- Represented a pharmacy chain in a *qui tam* litigation brought under the False Claims Act regarding the dispensing of ADHD medication and Medicaid payments, resulting in complete dismissal.
- Defended a leading technology company in connection with parallel investigations by the DOJ, U.S. Attorney's Office, SEC, and State Attorney General's Office relating to purported deficiencies in cybersecurity practices, controls, and disclosures for alleged violations of the False Claims Act, numerous states' false-claim acts, and securities laws, successfully convincing authorities to close all investigations across the board.
- Secured a first-of-its-kind victory in the Ninth Circuit for an insurance company in a duty-to-defend case involving insurance coverage for the opioid crisis.
- Defended an aerospace contractor in a *qui tam* litigation brought under the False Claims Act related to its cybersecurity compliance representations and substantially narrowed the scope of liability for the client and then secured a favorable settlement.*
- Defended a pest repellant company in a consumer class action and prevailed at summary judgment.*

Capabilities

Litigation
Appellate and Constitutional Law
Class Actions
False Claims Act / Qui Tam Defense
Trials
White Collar Defense and Investigations

Credentials

Education

University of Southern California - 2020 Juris Doctor

Northeastern University - 2014 Bachelor of Arts

Admissions

California Bar

Clerkships

US Court of Appeals, 6th Circuit, Hon. Karen Nelson Moore, 2022 - 2023

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- Defended a toothpaste company in a consumer class action and secured a favorable settlement.*
- Represented a real estate developer in litigation against a utility company related to the Aliso Canyon gas leak, which resulted in a favorable settlement.*

* *Representations occurred prior to Samantha joining Gibson Dunn.*

Before joining Gibson Dunn, Samantha served as a law clerk to the Honorable Karen Nelson Moore of the U.S. Court of Appeals for the Sixth Circuit from 2022 to 2023, and practiced with the firm Kirkland & Ellis as an associate in its litigation group from 2020 to 2022.

Samantha earned her J.D. from the University of Southern California Gould School of Law where she was the Executive Editor of the *Southern California Interdisciplinary Journal*. Samantha also served as a judicial extern to the Honorable Virginia A. Phillips of the U.S. District Court for the Central District of California, an extern for the United States Attorney's Office for the Central District of California, and a research assistant focused on campaign finance law for Professor Abby Wood. Prior to law school, Samantha worked as a campaign finance analyst at the Federal Election Commission from 2015 to 2017.

Samantha is a member of the California bar and is admitted to practice before the U.S. Court of Appeals for the Sixth Circuit, the U.S. Court of Appeals for the Tenth Circuit, and the U.S. District Courts for the Central and Eastern Districts of California.

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