

# Michael J. Kahn

## Partner

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San Francisco

Michael Kahn is a litigation partner in the San Francisco office of Gibson Dunn. Michael's practice focuses on securities litigation, including securities class actions and derivative suits. Michael represents clients at all stages of a company's lifecycle, from defending established public companies against Exchange Act claims, to defending newly public companies against suits under the Securities Act, to prosecuting and defending private company shareholder disputes. He has crafted winning arguments in many complex securities actions, including for Slack in the U.S. Supreme Court's 9-0 opinion in *Slack Technologies v. Pirani*. Michael also represents clients facing SEC investigations, and as both plaintiffs and defendants in a broad range of commercial litigation.

### Recent matters

- Obtained unanimous Supreme Court win for **Slack** in the first securities suit relating to going public through a direct listing. See *Slack Technologies, LLC v. Pirani*, No. 22–200 (plaintiffs suing under Section 11 of the Securities Act must “trace” their shares to the registration statement they claim is misleading).
- Defending **Meta (Facebook)** in securities class action and multiple derivative lawsuits arising out of news of Cambridge Analytica's misappropriation of user data
- Defending **HP** in securities class action regarding its printer supplies business, and successfully resolved a similar class action on appeal after winning a motion to dismiss
- Defending founders of **SmileDirectClub** in securities class actions arising out of the company's IPO
- Defending **Wish (ContextLogic)** in securities and derivative litigation relating to its IPO, and successfully dismissed separate derivative suit alleging oversight failures by Board
- Defending **Caribou Biosciences** in securities litigation
- Defending **loanDepot** in securities and derivative litigation relating to its IPO
- Defending **venture capital firm** against claim that it controlled Zymergen at the time of its IPO
- Defending **sports and entertainment clients** in class actions claiming they promoted crypto products for FTX
- Successfully dismissed fraud claims against a **crypto company** relating to the creation and marketing of its token

In his pro bono practice, Michael represented a death row inmate in the successful reversal of his conviction and death sentence after proving that juror misconduct corrupted client's trial. He also successfully vacated another client's felony conviction on



### Capabilities

Securities Litigation  
Class Actions  
Litigation  
Technology Litigation

### Credentials

#### Education

New York University - 2012 Juris Doctor  
University of California - Berkeley - 2009  
Bachelor of Arts

#### Admissions

New York Bar  
California Bar

constitutional grounds. Additionally, Michael played a lead role in working with a civil rights organization to draft a report on police reform.

Outside of his legal practice, Michael serves on the board of the JCC of the East Bay.

Michael received his Juris Doctor from New York University School of Law in 2012, where he was a Robert McKay scholar. He received his undergraduate degree from the University of California, Berkeley in 2009, where he graduated with High Honors in History and High Distinction in General Scholarship, and was elected to Phi Beta Kappa.

Michael is admitted to practice in California and New York.

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