

# Deena B. Klaber

## Of Counsel

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San Francisco

Deena Klaber is of counsel in the San Francisco office of Gibson, Dunn & Crutcher. She practices in the firm's Litigation Department, where she focuses on environmental and mass tort litigation, complex civil/business litigation, and administrative and regulatory law. Deena represents clients across numerous industries and has significant experience in the energy and health care sectors. She is a member of the firm's Ethics Committee, and she served on the firm's Hiring Committee from 2015 to 2022.

Deena is recognized in *Best Lawyers: Ones to Watch® in America* for Administrative/Regulatory Law.

Deena has litigated a broad range of matters in state and federal courts throughout California and across the country.

### Recent Representative Matters

- Representing Fortune 500 medical insurer in petition for writ of administrative mandamus against the California Insurance Commissioner following precedential decision imposing over \$170 million in penalties for alleged violations of the California Insurance Code and related regulatory code, including subsequent appeals after writ of administrative mandamus was granted.
- Represented Fortune 50 energy company in legal challenges to various state and local regulatory schemes related to health and safety.
- Defended Fortune 500 energy company at jury trial against \$250 million contractual/indemnity and business interruption loss claims by business partner arising out of an industrial accident, resulting in favorable settlement.
- Defended Fortune 100 petroleum product refiner and marketer in claims arising from industrial accident, including challenge of occupational safety and health citations.
- Represented large renewable energy company in investigation of ignition and spread of wildfire at one of its geothermal power plants.
- Defended real estate development companies against tort allegations arising out of planned residential development of remediated former military base, with successful dismissal of claims pending .
- Represented international transportation services company in negotiating settlement with government authorities related to oceanic molasses spill affected coral reef habitats.
- Represented Silicon Valley technology company in pursuing contract claims against software supplier, as well as defending cross-claims, including arguing dispositive motion, and obtained favorable settlement after mediation.



### Capabilities

Litigation  
Administrative Law and Regulatory Practice  
Anti-Corruption & FCPA  
Appellate and Constitutional Law  
Class Actions  
Crisis Management  
ESG: Risk, Litigation, and Reporting  
Energy and Infrastructure  
FDA and Health Care  
Oil and Gas

### Credentials

#### Education

Harvard University - 2010 Juris Doctor  
Brown University - 2007 Bachelor of Arts

#### Admissions

Massachusetts Bar  
New York Bar  
California Bar

- Represented multinational medical technology company in product liability suit arising from adverse drug reactions, resulting in favorable settlement.
- Obtained summary judgment on behalf of leading life sciences company in civil False Claims Act qui tam suit, and successfully defended summary judgment before the Ninth Circuit.
- Defended leading post-acute health care services provider in connection with civil and criminal False Claims Act investigations by the United States Attorney's Office, the Department of Health and Human Services Office of the Inspector General, and the Department of Justice.
- Obtained summary judgment on behalf of major freight shipping company in a labor and employment dispute involving allegations of unlawful termination in violation of the Employee Retirement Income Security Act and obtained dismissal of unlawful termination claims asserted under California state law.
- Successfully settled legal malpractice lawsuit against Am Law 200 law firm brought by former clients entangled in tax litigation regarding use of a tax avoidance transaction.
- Secured appellate victory on behalf of Am Law 15 law firm in a legal malpractice suit brought by a large accounting firm, as well as dismissal of numerous follow-on suits brought by third parties in several states.

In addition, Deena completed a secondment with a large Silicon Valley technology company, managing its domestic and EMEA litigation matters and providing litigation-based product counseling. She actively provides pro bono legal services to indigent clients, including representing asylum-seekers in affirmative and defensive applications for political asylum. Deena has successfully obtained asylum for several clients from all over the world and negotiated a complex plea bargain with federal prosecutors on behalf of a criminal defendant in a parole violation case.

She received her J.D., *cum laude*, from Harvard Law School in 2010. During law school, Deena served as Co-Editor-in-Chief of the *Harvard Negotiation Law Review* and was a board member of the Women's Law Association. She earned her A.B. with Honors in Commerce, Organizations, and Entrepreneurship from Brown University in 2007, where she graduated *magna cum laude*, received the Albert Arnold Bennett Class of 1872 Award for academic excellence, and was elected to Phi Beta Kappa. She also served as a judicial intern to the Honorable Juan R. Torruella of the United States Court of Appeals for the First Circuit.

Deena is admitted to practice law in the States of California and New York and the Commonwealth of Massachusetts. She is also admitted to practice in the United States District Courts for the Northern and Eastern Districts of California. Deena is a member of the Association of Business Trial Lawyers.

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