Tim Kolesk

Associate Attorney

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Los Angeles



Tim Kolesk is an associate in Gibson Dunn's Los Angeles office. He practices in the firm's Litigation Department and is a member of its Class Actions Practice Group.

Tim's practice focuses on class actions, mass arbitrations, and worker-classification disputes. He represents companies in the gig economy, technology, healthcare, and consumer-services industries in litigation targeting core features of their business models.

Recent representative matters include:

- Leading the defense of mass-arbitration campaigns brought by tens of thousands of claimants, including developing data-driven exposure analyses, preparing strategy and briefing, and designing procedures for alternative dispute resolution at scale.
- Obtaining summary judgment for American Home Shield in *Van Elzen v. American Home Shield Corp.*, a putative Telephone Consumer Protection Act class action in the Eastern District of Wisconsin, including deposing the named plaintiff and a computer forensic witness and developing the factual record supporting the motion.
- Securing final approval of a $100 million settlement resolving misclassification claims brought against DoorDash by delivery providers in California and Massachusetts, including addressing and resolving objections to the settlement.
- Representing DoorDash in *People v. DoorDash*, a long-running San Francisco District Attorney enforcement action concerning the classification of Dashers, including briefing, settlement negotiations, data analysis, and settlement administration.
- Defending DoorDash's arbitration agreements and independent-contractor model in litigation arising under state and local laws governing app-based work.
- Defending Edward Jones in *Anderson v. Edward D. Jones & Co.*, a putative nationwide class action brought on behalf of hundreds of thousands of investors, in which the Eastern District of California granted summary judgment and the Ninth Circuit affirmed, including running discovery, preparing for expert and named plaintiff depositions, and assisting with oral argument on appeal.
- Advising companies on the drafting and revision of arbitration agreements and on mass-arbitration protocols, including provider structures and costs, and procedures for handling mass claims.

Tim writes frequently on class actions, arbitration, worker classification, and the gig economy. He co-authored a *Law360* article on the U.S. Department of Labor's proposed independent-contractor rule and its implications for app-based businesses, as well as Gibson Dunn client alerts addressing the Department's proposed rules on independent

Capabilities

Litigation
Class Actions
Labor and Employment

Credentials

Education

University of Southern California - 2017
Juris Doctor
University of Southern California - 2008
Master of Fine Arts
Boston College - 2004 Bachelor of Arts

Admissions

California Bar

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contractors and joint employment. He also contributes to the firm's quarterly Class Actions Practice Group updates.

Tim maintains an active pro bono practice focused on immigration, representing individuals and families in asylum, Special Immigrant Juvenile Status, adjustment-of-status, and U-visa proceedings, several of which he has handled for many years. He serves as chair of the Los Angeles office's Parenting Group and is active in recruiting and mentoring associates.

Tim earned his law degree from the University of Southern California Gould School of Law, where he was elected to the Order of the Coif, served as an Executive Senior Editor of the *Southern California Law Review*, and was a Teaching Fellow in the Legal Writing and Advocacy Program. He received his Bachelor of Arts degree in History, *magna cum laude*, from Boston College, where he was appointed to the Order of the Cross and Crown, and a Master of Fine Arts degree in Film Production from the University of Southern California School of Cinematic Arts.

He is admitted to practice in the State of California.

Publications:

At the Intersection of Fourth and Sixth: GPS Evidence and the Constitutional Rights of Criminal Defendants, 90 S. Cal. L. Rev. 1299 (2017).

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