Derek K. Kraft

Partner

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Washington, D.C.



Derek Kraft is a partner in the Washington, D.C. office of Gibson Dunn. His practice focuses on complex civil litigation, with an emphasis on class action defense. Derek is recognized in *Best Lawyers: Ones to Watch® in America* for Criminal Defense: White Collar.

He defends clients in high-stakes federal and state court litigation. He has also defended clients facing civil and criminal investigations by federal and state regulators, and has advised companies on sensitive internal investigations.

Representative class action matters:

- Defeated class certification in a multidistrict litigation (MDL) in federal court in New Jersey brought on behalf of tens of millions of putative class members. The lawsuit alleged that a major consumer products company engaged in deceptive marketing and product labeling practices.
- Represented auto manufacturer in an innovative $700 million class action settlement that was synchronized with parallel regulatory settlements and was characterized by the *New York Times* as "a fraction of what Volkswagen paid."
- Represented retailer in class action MDL involving alleged pest infestation at distribution center. Helped secure favorable settlement resolving all claims.
- At pleading stage, obtained dismissal of alleged mislabeling claims brought against manufacturer of baby wipes.
- Secured favorable settlement of mislabeling and false advertising claims against a leading consumer products manufacturer under a D.C. law allowing non-profits to sue on behalf of D.C. consumers.

Other representative experience:

- Won an arbitration trial as defense trial counsel. Examined three key witnesses, including cross-examination of a former CEO whose declaration was a central piece of evidence underlying claimant’s case.
- Representing a corporate defendant in ongoing litigation in Delaware Chancery Court over the governance of student loan trusts.
- Represented a technical instruments producer in FCPA investigations by SEC and DOJ, and helped the client secure a written declination from both agencies to conclude their long-running investigations.
- Defended health care services provider in nationwide criminal and civil investigation by DOJ, HHS OIG, and various states’ Attorneys General relating to alleged fraud and quality of care issues.

Capabilities

Litigation
Class Actions
White Collar Defense and Investigations

Credentials

Education

Georgetown University - 2013 Juris Doctor
Radford University - 2007 Bachelor of Arts

Admissions

Virginia Bar
District of Columbia Bar

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- Represented corporate executive in FCPA investigations by SEC and DOJ, which concluded without any action taken against the client.
- Represented demand review committee of the board of a major corporation in conducting internal investigation and addressing shareholder litigation demands.

Derek graduated *cum laude* from Georgetown University Law Center, where he served as an editor on *The Georgetown Law Journal*. He received his undergraduate degree *cum laude* from Radford University.

He is admitted to practice law in Virginia and the District of Columbia.

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