Samuel Liversidge

Partner

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Los Angeles



Samuel G. Liversidge is a partner in Gibson Dunn. He is a Global Co-Chair of the firm's Antitrust and Competition Practice Group and Co-Chair of the Litigation Department in the Los Angeles office.

Sam is an experienced litigator and trial lawyer whose practice focuses on antitrust, unfair competition and other complex litigation. Sam has represented some of the world's leading companies in connection with some of their most significant matters. He has successfully litigated and tried claims ranging from breach of contract and fraud to alleged monopolization, conspiracy, exclusive dealing, predatory pricing and tying. Sam has been described by clients in *Chambers USA* as "an exceptionally strong litigator and trial lawyer," a "super antitrust lawyer" and "the type of person you have tremendous confidence in." *Chambers USA* further reports that Sam is "a superb cross-examiner" and "a very experienced trial lawyer" who "brings an ability to break down complicated issues."

Sam has been recognized across multiple prestigious platforms for his excellence in antitrust litigation. He is ranked by *Chambers USA* in the California Antitrust category and was recently named one of California's Top 100 Lawyers by the *Daily Journal*. *Benchmark Litigation* recognized him as a "Litigation Star", and he has been featured in the 2023 and 2024 editions of *The Best Lawyers in America* for his work in Antitrust Law. In addition, he was included in *Lawdragon*'s "500 Leading Litigators in America" list from 2023 to 2026, as well as its "500 Leading Antitrust and Competition Lawyers" list for 2025-2026. *BTI Consulting* named him to its 2022 BTI Client Service All-Stars List, which celebrates attorneys who deliver "incomparable levels of client service excellence." He has also earned a place on *BTI*'s Client Service Elite MVP list, reserved for lawyers recognized as All-Stars for at least two consecutive years.

Sam is also a leading expert in consumer class actions, having successfully defended numerous high-profile class action cases, at both the trial and appellate level. He has handled antitrust and product-defect class actions, as well as scores of cases filed under various consumer protection and false advertising statutes.

Sam's representative matters include:

- Representation of **Hewlett-Packard Company** in *Hewlett-Packard Co. v. Oracle Corporation* (Santa Clara Superior Court, California), where HP brought suit against Oracle for breach of contract and unfair competition following Oracle's decision in March 2011 to cease offering new versions of its software products to customers running HP's mission-critical Itanium servers. Following a five-week jury trial in 2016, the jury found in favor of HP on all claims tried and awarded HP over $3 billion in damages, the largest jury verdict reported in 2016. In 2021, the California Court of Appeal affirmed the judgment, which, with interest, totaled $4,656,085,679—one of the largest judgments in U.S. history. The judgment has

Capabilities

Antitrust and Competition
Class Actions
Life Sciences
Litigation
Technology Litigation
Trials

Credentials

Education

Pepperdine University - 1995 Juris Doctor
Andrews University - 1992 Bachelor of Arts

Admissions

California Bar

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been paid in full.

- Representation of **Merck & Co., Inc.** at trial in *In re Zetia (Ezetimibe) Antitrust Litigation* (E.D. Va.), where plaintiffs allege an unlawful agreement and conspiracy to delay generic competition (settlement achieved during trial).
- Representation of **Chevron U.S.A.** in antitrust class actions filed in the Southern District of California alleging a conspiracy among eight oil companies to reduce supply and inflate gasoline prices in California. On September 30, 2022, the Court granted summary judgment on all claims and entered final judgment for all defendants.
- Representation of **Hewlett Packard Enterprise** at trial in *Oracle Corporation v. HPE* (N.D. of Cal.), where Oracle alleged copyright infringement and other tort claims (settlement reached after trial).
- Representation of **Rimini Street**, a leading software support services provider, at trial in *Oracle Corporation v. Rimini Street* (D. Nevada), where Oracle brought copyright infringement and other claims (ongoing).
- Representation of **HP Inc.** in *Cepelak v. HP,* a consumer class action brought in the Northern District of California, asserting claims of unfair competition and fraud on behalf of a sweeping class of HP inkjet printer owners. On October 20, 2022, the Court issued a decisive order denying class certification across the board. Plaintiffs voluntarily dismissed the case as a result of this decision.
- Representation of **General Electric** in tortious interference action filed in the Southern District of New York, arising from prior proceedings under 28 U.S.C. § 1782. The District Court dismissed the complaint in full on grounds of *forum non conveniens*. The Second Circuit affirmed the dismissal on appeal and the Supreme Court denied *certiorari*.
- Representation of **Intel Corporation** in a monopolization suit filed by Advanced Micro Devices (“AMD”) in the U.S. District Court in Delaware. AMD alleged that Intel monopolized a worldwide market for microprocessors through purportedly unfair discounting and rebating practices. Characterized as one of the largest, if not the largest, Sherman Act Section 2 cases ever filed, the parties reached a global settlement in November 2009 to end all outstanding litigation, including AMD’s antitrust suit, two claims pending in Japan, and cross-license disputes.
- Representation of **Aetna** in *Bay Area Surgical Management et al. v. Aetna Life Insurance Company et al.* (Norther District of California), where plaintiffs brought antitrust claims alleging an unlawful conspiracy to retrain trade in the healthcare market. The case was successfully settled following the court’s grant of defendants’ motion to dismiss.
- Representation of **Dole Food Co.** in *In re: Fresh and Process Potatoes Antitrust Litigation* (District of Idaho), where several class action complaints were filed on behalf of direct and indirect purchasers against Dole and 19 other defendants alleging a conspiracy to restrict the supply and raise the price of fresh and process potatoes, in violation of Section 1 of the Sherman Act and various state laws. On December 2, 2011, the U.S. District Court for the District of Idaho granted Dole’s motion to dismiss in full and with prejudice, dismissing Dole from the case.
- Representation of **Hewlett-Packard Company** in *Wilson v. Hewlett-Packard Co.* (Northern District of California), where plaintiffs asserted a nationwide class action under California's Unfair Competition Law (17200) and Consumers Legal Remedies Act arising out of HP's alleged failure to disclose a defective connection between the power jack and motherboard in over 12 million notebook computers, which allegedly caused a safety risk. A complete dismissal of the case was achieved at the pleading stage. In a published decision issued on February 16, 2012, a unanimous panel of the Ninth Circuit affirmed the dismissal. The Ninth Circuit held that plaintiffs’ allegations regarding the safety concerns and HP’s knowledge were not sufficient to plausibly demonstrate that HP intentionally concealed an unreasonable product hazard.

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- Representation of **VFM Leonardo, Inc.** in *Pro Search Plus v. VFM Leonardo* (Central District of California), where plaintiff has asserted that VFM Leonardo violated Sections 1 and 2 of the Sherman Act by entering into a series of allegedly "exclusive" contracts with hotels, online travel sites and other intermediaries, and by allegedly threatening potential and actual customers. The matter was successfully settled.
- Representation of **Hewlett-Packard Company** in *Zwart v. Hewlett-Packard Co.* (Northern District of California), where plaintiffs asserted a nationwide consumer class action under California's Consumers Legal Remedies Act and Unfair Competition Law based on HP's alleged fraud and deception in connection with the sale of its notebook computers. The lawsuit, filed by two individuals who had purchased HP computers at retail, alleged that the Hewlett-Packard's website contained false representations about the capabilities of wireless cards installed in HP laptops. The plaintiffs also alleged that HP breached a warranty by description created by the website statements the plaintiffs identified. On August 23, 2011, the district court granted HP's motion to dismiss the case in full and with prejudice. The court held that the plaintiffs lacked standing to bring the asserted claims and were unable to establish either reliance or the existence of a warranty by description.
- Representation of **Hewlett-Packard Company** in *Kowalsky v. Hewlett-Packard Co.* (Northern District of California), where plaintiffs brought a nationwide consumer class action asserting violations of California's Consumers Legal Remedies Act, Unfair Competition Law, and False Advertising Law based on HP's alleged false and deceptive statements in connection with the sale of its 8500 series inkjet printers. On March 15, 2012, following extensive briefing, the district court denied plaintiffs' motion for certification of a nationwide class of consumers, and the case subsequently settled.
- Representation of **Hewlett-Packard Company** in *Baba v. Hewlett-Packard Co.* (Northern District of California), where plaintiffs have asserted a nationwide consumer class action under California's Unfair Competition Law, Consumers Legal Remedies Act, and various state warranty laws, arising out of HP's alleged failure to disclose a defect in certain tablet notebooks. On October 12, 2012, the District Court for the Northern District of California granted HP's motion for summary judgment as to all claims and dismissed the case.
- Representation of **Hewlett-Packard Company** in *Hughes v. Hewlett-Packard Co.* (Superior Court of North Carolina, Orange County), where HP obtained a complete defense verdict in one of the first consumer class actions tried under North Carolina's consumer protection statutes.
- Representation of **American Airlines** in *United States v. AMR Corp.*, 140 F. Supp. 2d 1141 (D. Kan. 2001), *aff'd*, 335 F.3d 1109 (10th Cir. 2003), where American obtained summary judgment in a major predatory pricing and monopolization case brought by the United States Department of Justice.
- Representation of **MiniMed Inc.** in *Infusion Resources, Inc. v. MiniMed Inc.*, No. 99-CV-771-C (E.D. La. 2002), *aff'd*, 351 F.3d 688 (5th Cir. 2003), where MiniMed obtained summary judgment in a Robinson-Patman Act and unfair competition case.
- Representation of **Tenet Healthcare Company** in a series of class actions filed across the country alleging that the pricing practices employed at Tenet's subsidiary hospitals violated various consumer protection statutes. A favorable settlement was achieved.

Sam received his law degree *magna cum laude* in 1995 from Pepperdine University, where he was a member of the *Pepperdine University Law Review*. Sam earned his bachelor of arts degree *summa cum laude* in 1992 from Andrews University.

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