Zach Lloyd

Associate Attorney

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San Francisco



Zach Lloyd is a senior associate in Gibson Dunn's San Francisco office. He is a member of the firm's White Collar Defense and Investigations, Litigation, Latin America, Transnational Litigation, and Private Equity practice groups.

He maintains a national practice where he has led diverse teams of lawyers and consultants in advising companies, their boards and audit committees, regulated entities and individuals in DOJ, SEC, FTC, and state attorneys general regulatory inquiries, enforcement proceedings, and related litigation. In addition, Zach regularly advises corporations on the design, implementation, and ongoing assessment of compliance programs, with a particular emphasis on compliance with the U.S. Foreign Corrupt Practices Act ("FCPA") and other anti-corruption laws. He has conducted fieldwork throughout North and South America, Europe, Asia and Africa, and regularly conducts international investigations, due diligence, and compliance-program evaluations on behalf of clients across the globe. He is fluent in Spanish and regularly uses Spanish in professional contexts on behalf of his clients.

Zach also devotes a significant portion of his practice to high-stakes, complex commercial litigation with an emphasis on multi-jurisdictional, transnational disputes. He represents clients in the energy, technology, e-commerce, and pharmaceutical sectors in a broad range of commercial litigation and disputes—including foreign judgment recognition and enforcement, securities and corporate-governance, antitrust and unfair competition, intellectual property and inventorship rights, RICO, and traditional contract-related claims. Zach is experienced in all phases of litigation—from motion practice and e-Discovery to trials and appeals—in state and federal courts across the country, and he has conducted multi-jurisdictional litigation throughout Europe and Latin America.

Zach also has extensive experience advising corporate and private equity teams on compliance- and litigation-related due diligence and risk-mitigation issues related to the transactions. He has conducted compliance- and litigation-related due diligence on dozens of transactions for all types of clients—including mergers, asset acquisitions, stock purchases, debt and equity financings, carve outs and spin offs.

His representative litigation matters include:

White Collar and Compliance Matters

- He represented a large international public telecommunications company in related investigations by DOJ, SEC, California Attorney General and FTC.
- He represented a large international public software company in multiple related investigations by DOJ, the SEC, multiple state attorneys general and FCC.
- He represented a privately held energy company in multiple related investigations by DOJ, FTC and the SEC.

Capabilities

White Collar Defense and Investigations
Anti-Corruption & FCPA
Crisis Management
Litigation
Media, Entertainment, and Technology
Securities Enforcement
Securities Litigation
Transnational Litigation

Credentials

Education

University of Utah - 2008 Juris Doctor
University of Utah - 2004 Bachelor of Arts

Admissions

California Bar

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- He represented a large international consumer goods company in securities-related investigations by DOJ and the SEC.
- He represented a large international energy institution in securities-related investigations by U.S. and European authorities.
- He represented a privately held consumer services company in a multistate Attorney General investigation related to its data use and privacy practices.
- He represented a regional financial institution in multiple investigations into its lending practices by DOJ, Federal Reserve OIG, and USDA.
- He represented a large technology/telecommunications company in connection with ongoing disclosure and self-reporting obligations arising from an FCPA settlement.
- He conducted multiple anti-corruption internal investigations fore energy and mining companies relating to allegations of misconduct in Latin America.
- He conducted an anti-corruption internal investigation for a large energy company relating to allegations of misconduct in Africa.
- He conducted an anti-corruption internal investigation for a large technology company relating to allegations of misconduct in Latin America.
- He has conducted compliance program reviews for companies in the entertainment, energy, healthcare, medical devices, technology infrastructure, retail, consumer products, hospitality services, and gaming sectors.
- He conducted an internal investigation for a consumer goods company related to whistleblower claims in Asia.
- He has conducted anti-corruption due diligence and post-acquisition compliance integration in connection with dozens of mergers and acquisitions and joint ventures, on behalf of large acquiring institutions, investment banks, and private equity funds.

Litigation

- He successfully defended a REIT client in obtaining complete dismissal of felony criminal charges arising out of a COVID outbreak at one of its assisted-living care facilities.
- He obtained a rare pretrial dismissal of a federal indictment in the Southern District of New York alleging that the founder of a pharmaceutical company tipped friends and family in advance of a $3.5 billion tender offer.
- He was a member of the team representing Chevron Corporation in multiple venues throughout North and South America against a conspiracy seeking to extort billions of dollars from Chevron based on fraudulent environmental claims and a sham Ecuadorian lawsuit. Zach was a member of the trial team in Chevron's RICO suit against the co-conspirators that resulted in the landmark decision hailed by *The Wall Street Journal* as uncovering the "legal fraud of the century." The decision can be found at *Chevron Corp. v. Donziger*, 974 F. Supp. 2d 362 (S.D.N.Y. 2014).
- He was the associate leader of the team representing Allergan, Inc. in the Southern District of New York (and corresponding litigation now on appeal in The Hague) regarding the inventorship of certain patents that Allergan acquired in 2010.
- He successfully defended Allergan, Inc.'s board of directors in multiple derivative cases arising out of $600 million settlement of claims by the U.S. government and qui tam relators related to Allergan's promotion of BOTOX®.
- He has successfully defended multiple companies and their boards of directors in merger-and-acquisition litigation arising in multiple jurisdictions across the United States, defending breach of fiduciary and other corporate-governance claims.

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- He was a member of the trial team representing craigslist, Inc. in *eBay v. Craig Newmark*, where the Delaware Chancery Court affirmed craigslist's approval of indemnification agreements for officers and directors and implementation of a staggered board. The decision can be found at *Bay Domestic Holdings, Inc. v. Newmark*, 2010 WL 3516473 (Del. Ch. Sept. 9, 2010).

Zach is also significantly involved in his community. He was a member of the Board of Directors of the Orange County Chapter of the J. Reuben Clark Law Society and served as chair the Board's service/pro bono and student/new lawyers committees. He also dedicates significant time to pro bono matters. This year, for example, he represented an immigrant from El Salvador in obtaining and enforcing a default judgment against a company she engaged to build her a food truck for her pupusa business but the truck was never delivered. He also led a Gibson Dunn team that successfully represented a pro bono client in obtaining a permanent restraining order against an individual with a history of sex crimes. Zach has also successfully represented a number of minor-aged individuals who came to the United States seeking asylum from extensive persecution on account of their religious beliefs. And he regularly works with KIND, the Kids in Need of Defense legal aid organization, to represent unaccompanied and separated children as they seek safety in the United States.

He graduated with High Honors from the S.J. Quinney College of Law at the University of Utah in 2008 and was elected to the Order of the Coif. He served as a Senior Member of the *Utah Law Review*, received the S.J. and Jesse E. Quinney Foundation Scholarship, and was designated a William H. Leary Scholar. Zach also served as a judicial extern to the Honorable Christine M. Durham, Chief Justice of the Utah Supreme Court, and his article, *Waging War with Wal-Mart: A Cry for Change Threatens the Future of Industrial Loan Corporations,* 14 Fordham J. Corp. & Fin. L. 211 (2008), was also selected for publication in the *Fordham Journal of Corporate & Financial Law*. In 2004, he received a Bachelor of Arts degree in English Theory from the University of Utah. Prior to joining Gibson, Dunn & Crutcher LLP, he was an associate with the law firm Perkins Coie LLP.

Zach is admitted to practice in the State of California, the Central District of California, and before the Ninth Circuit Court of Appeals.

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