Daniel Nowicki

Partner

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Los Angeles



Daniel Nowicki is a partner in the Los Angeles office of Gibson Dunn and practices in the firm's Litigation Department. He represents clients across a variety of industries in trial and appellate matters, including antitrust and competition disputes, media, entertainment, and technology litigation, and high-stakes appeals. He has secured victories for his clients before all levels of the federal court system—from district courts to the Supreme Court—and in numerous state courts. Daniel also served as an Assistant United States Attorney for the Central District of California, where he was lead trial counsel on various criminal matters.

Daniel has been consistently recognized by Best Lawyers in their "Ones to Watch®" guide for Criminal Defense: White-Collar since 2022.

Daniel's representative matters include:

- Representation of Hewlett Packard Enterprise in *United States v. Hewlett Packard Enterprise, et al.*, involving the DOJ's Clayton Act challenge to Hewlett Packard Enterprise's acquisition of Juniper Networks, and a challenge by a group of State Attorneys General to the settlement of the DOJ's claim.
- Obtained a complete victory in a contract interpretation bench trial involving claims by profit participants in the hit TV show *The Walking Dead*.
- Representation of Boehringer Ingelheim in a putative multidistrict class action challenging Orange Book drug listings.
- 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).
- Obtained the denial of a preliminary injunction demanding that Uber stop campaign speech in support of Proposition 22, leading to the voluntary dismissal of the plaintiffs' suit.
- Obtained reversal of a $740 million trade secrets misappropriation verdict, in Title Source, Inc. v. HouseCanary, Inc.
- Obtained District Court dismissal, and Ninth Circuit affirmance of the dismissal, of a putative securities fraud class action in *In re Arrowhead Pharms., Inc. Sec. Litig.*
- Obtained Ninth Circuit affirmance of the dismissal of a False Claims Act action alleging $1.6 billion in damages in *United States ex rel. McGrath v. Microsemi Corp.*
- Obtained dismissal, on the grounds of forum non conveniens, on behalf of General Electric and subsidiaries in a tortious interference action filed in the Southern District of New York, arising from prior proceedings under 28 U.S.C. § 1782. The Second Circuit affirmed the dismissal on appeal and the Supreme Court denied

Capabilities

Litigation
Antitrust and Competition
Appellate and Constitutional Law
Intellectual Property
Mass Torts and Product Liability
White Collar Defense and Investigations

Credentials

Education

New York University - 2014 Juris Doctor
University of California - Berkeley - 2010 Bachelor of Arts

Admissions

California Bar

Clerkships

US Court of Appeals, 9th Circuit, Hon. Diarmuid O'Scannlain, 2014 - 2015

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certiorari.

- Obtained dismissal on behalf of General Electric subsidiaries of two follow-on tortious interference actions filed in the District of Connecticut.
- Obtained dismissal of breach-of-fiduciary duty and other tort claims in an action against CBS regarding funding and distribution of the long-running daytime television show Days of Our Lives.
- Obtained Modesto City Schools' agreement to a groundbreaking and comprehensive settlement plan requiring the appointment of a monitor and change in policies to address racial disparities in student disciplinary action, on behalf of a group of students and community leaders.

Before joining the firm, Daniel clerked for the Honorable Diarmuid F. O'Scannlain of the United States Court of Appeals for the Ninth Circuit in Portland, Oregon.

He graduated *magna cum laude* from New York University School of Law in 2014 and was elected to membership in Order of the Coif. During law school, he was a Butler, Pomeroy, and Furman Scholar, and a Judge John J. Galgay fellow in Bankruptcy and Reorganization Law. Daniel interned during law school for the Honorable Judge John. G. Koeltl of the United States District Court for the Southern District of New York, and for the Honorable Judge Sean H. Lane of the United States Bankruptcy Court for the Southern District of New York. He earned a Bachelor of Arts, with high honors, from the University of California, Berkeley in 2010, where he was Battalion Commanding Officer of the Navy Reserve Officer Training Corps Battalion.

Daniel is admitted to practice law in the State of California.

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