Joseph R. Rose

Partner

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San Francisco



Joe Rose is a partner in the San Francisco office of Gibson Dunn. He is a member of the firm's Labor and Employment, Antitrust and Competition, and Litigation Practice Groups. Joe is an accomplished trial lawyer, representing clients in their highest-stakes disputes from the outset of litigation through trial or hearing before juries, judges, and arbitrators.

Joe represents market-leading regional, national and global employers in their highest risk employment claims, including class actions, collective actions, and representative actions under the California Private Attorneys General Act (PAGA), and high-profile single-plaintiff matters in state and federal courts. He regularly defends clients in cases alleging wrongful termination, whistleblowing, retaliation, wage and hour violations, discrimination, and in matters involving sensitive public relations dynamics and operational and strategic risk. He also counsels clients regarding their employment policies, personnel actions, and compliance with state and federal employment laws—helping employers stay ahead of emergent risks such as increased scrutiny of the use of AI in HR processes, DEI-related claims, and other developments.

Joe's antitrust and competition practice focuses on cutting-edge antitrust and consumer protection cases involving technology platforms and aftermarket claims, in addition to other evolving areas. His complex commercial litigation experience includes litigating complex business disputes (including breach of contract, civil RICO, and business tort matters), defending law firms against claims of legal malpractice and other tortious conduct, and achieving high-impact results for leading technology, ecommerce, retail, industrial, and financial industry clients.

Joe has been selected as a Northern California "Rising Star" in General Litigation by *Super Lawyers Magazine* in 2019 through 2023 and was recognized by *Lawdragon 500* as a "Leading Corporate Employment Lawyer" from 2024 to 2027.

Representative matters include:

- Successfully defending a global retailer in an EEOC enforcement action alleging that a knowledge assessment discriminated against employees with disabilities, including winning summary judgment that eliminated the EEOC's disparate-impact claim and its request for injunctive relief, and then winning a defense jury verdict on almost all remaining claims.
- Winning a full defense verdict for a leading online retailer in a bench trial of employee misclassification claims in federal court.
- Defending multiple employers in lawsuits alleging workplace safety and other employment claims related to COVID-19, including obtaining key dismissals with prejudice.
- Defeating class certification on behalf of a national restaurant franchisor in a closely followed "no poach" antitrust and employment class action.

Capabilities

Labor and Employment
Anti-Corruption & FCPA
Antitrust and Competition
Consumer Protection
Law Firm Defense
Trials

Credentials

Education

University of California - Berkeley - 2011 Juris Doctor
University of Chicago - 2005 Bachelor of Arts

Admissions

California Bar

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- Defending a national trucking company in a wage-and-hour class action, including securing decertification of a class of more than 11,000 drivers on the eve of trial.
- Winning a complete victory for a leading aerospace company in an arbitration of breach of contract claims regarding the allocation of environmental remediation costs, including successful defense of the resulting judgment on appeal.
- Defending a global software consulting firm through jury trial in a multi-million dollar dispute involving breach of contract, fraud, trade secret, computer hacking, and related claims. Joe led motion practice and conducted witness examinations that helped to secure wins on key claims, including forcing the plaintiff to abandon its theft of trade secrets claim mid-trial.
- Securing a complete victory after bench trial and appeal on behalf of a technology firm in a breach of contract dispute related to an earn-out provision.
- Winning dismissal of a variety of antitrust and consumer class actions, including lawsuits relating to web content management, printer cartridges, tax-preparation software, and fireworks shipping.

Joe also has experience guiding clients through internal investigations and has achieved favorable resolution of state and federal government and regulatory inquiries on behalf of technology companies, financial institutions, healthcare organizations, and manufacturers.

Joe received his J.D. from the University of California, Berkeley School of Law in 2011, where he was Production Editor of the *Berkeley Technology Law Journal*, co-director of Berkeley Law's McBaine Moot Court Competition, and a member of the Board of Advocates (moot court). Prior to law school, Joe worked as a Paralegal Specialist at the U.S. Department of Justice, Antitrust Division, assisting in grand jury investigations, trials, and civil merger reviews. He earned his B.A. in Law, Letters and Society, with special honors, from the University of Chicago in 2005.

Joe is a member of the California state bar and is admitted to practice in a number of federal district courts, as well as the U.S. Court of Appeals for the Ninth Circuit. He also serves as President of the San Francisco Lawyer Chapter of the Federalist Society.

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