

# Emily Sauer

## Associate Attorney

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Los Angeles

Emily Sauer is a litigation associate in Gibson, Dunn & Crutcher's Los Angeles office. Her practice focuses on class actions and appeals in state and federal court spanning a variety of issues, including complex commercial disputes, constitutional issues, labor and employment matters, and arbitration.

Recent highlights from her practice include:

- Convincing federal courts of appeal that drivers and delivery persons in the gig economy are not exempt from arbitration under Section 1 of the Federal Arbitration Act;
- Persuading federal district courts to compel plaintiffs in putative class actions alleging a wide range of substantive claims to arbitrate their claims on an individual basis;
- Persuading a federal district court to dismiss plaintiffs' claims related to the Varsity Blues college admission scandal with prejudice on standing grounds;
- Advising clients on how to best structure their arbitration agreements with consumers and employees;
- Advising clients on whether and how to pursue constitutional challenges to new California state laws;
- Defending a client against a government enforcement action for alleged worker misclassification;
- Defending a client against sensitive employment discrimination and retaliation claims; and
- Helping clients achieve favorable settlements in mass arbitration and class actions.

Emily also proudly maintains a robust pro bono practice. Emily was honored with the [2022 Frank Wheat Memorial Award](#) for helping her client achieve a near million-dollar settlement for injuries he sustained while locked in solitary confinement following a win in the United States Court of Appeals for the Ninth Circuit. In that case, Emily briefed and argued the appeal before the Ninth Circuit and lead the briefing, discovery, and mediation while on remand in the trial court. Emily has also filed amicus briefs in the U.S. Supreme Court, Ninth Circuit, and California Supreme Court and has helped immigration clients apply for prosecutorial discretion and permanent status in the United States.

Prior to joining Gibson Dunn, Emily served as a law clerk to the Honorable Carlos Bea of the United States Court of Appeals for the Ninth Circuit. She graduated *summa cum laude* and as Salutatorian from Pepperdine University School of Law in 2018, where she was elected to the Order of the Coif. While in law school, Emily served as Associate Editor of the Pepperdine Law Review, Co-Chair of the International Commercial Arbitration Moot Court Team, and as an extern for the Honorable Sandra S. Ikuta of the United States



### Capabilities

Litigation  
Appellate and Constitutional Law  
Class Actions

### Credentials

#### Education

Pepperdine University - 2018 Juris Doctor  
University of Nevada - Las Vegas - 2015  
Bachelor of Science

#### Admissions

California Bar

#### Clerkships

US Court of Appeals, 9th Circuit, Hon.  
Carlos Bea, 2018 - 2019

Court of Appeals for the Ninth Circuit. She graduated *magna cum laude* from University of Nevada, Las Vegas in 2015 with a Bachelor of Science degree in marketing.

Emily is admitted to practice in California and before the United States Court of Appeals for the Ninth Circuit.

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