Jeremy S. Smith

Partner

jssmith@gibsondunn.com

T: +1 213.229.7973

Los Angeles



Jeremy S. Smith is a partner in the Los Angeles office of Gibson, Dunn & Crutcher. He currently practices in the firm's Litigation, Class Actions, Privacy, Appellate and Constitutional Law, and False Claims Act/Qui Tam Defense Practice Groups.

Jeremy has represented clients in a wide range of litigation in both federal and state courts. He has defended clients in class actions across numerous substantive areas of law, including privacy, the Telephone Consumer Protection Act (TCPA), consumer fraud, and insurance law. Jeremy also represents clients on appeal in a wide range of matters, with a particular focus on appellate proceedings in California state court. Finally, Jeremy has substantial experience with the federal and state False Claims Acts, in both trial and appellate courts.

In July 2024, Jeremy was named a "Litigator of the Week" by The *AmLaw Litigation Daily* for his work in securing a jury verdict win for Nike in its endorsement contract dispute with NFL wide receiver Odell Beckham Jr.

Recent matters include:

- Representing a television channel in a multi-defendant, putative class action based on allegations the defendants have been tracking the online viewing habits of children.
- Serving as appellate counsel for an engineering firm that secured a verdict of over $100 million against a subcontractor.
- Representing a poultry company in a contract dispute seeking more than $27 million.
- Representing an online sports-betting company in class actions challenging product marketing and alleged data incident.
- Representing a boutique clothing retailer and its celebrity founder in a putative privacy class action pending in the Central District of California.
- Representing an engineering firm in mass toxic tort litigation involving more than 400 former workers.
- Obtaining dismissal in the trial court and then affirmance by the Washington Supreme Court of the dismissal of a putative class action in a case brought by policyholders in Washington seeking business income lost during the COVID-19 pandemic.
- Obtaining dismissal with prejudice of a putative class action lawsuit brought against an engineering firm based on allegations that the company caused a nuisance.
- Obtaining dismissal of a putative class action lawsuit brought against a

Capabilities

Litigation
Appellate and Constitutional Law
Artificial Intelligence
Class Actions
Consumer Products and Retail
Consumer Protection
False Claims Act / Qui Tam Defense
Media, Entertainment, and Technology
Privacy, Cybersecurity, and Data Innovation
Real Estate Disputes
Robotics
Sports Law
Tech and Innovation
Technology Litigation

Credentials

Education

Cornell University - 2011 Juris Doctor
University of Southern California - 2003 Bachelor of Arts

Admissions

California Bar

Clerkships

USDC, Western District of Texas, Hon. Kathleen Cardone, 2011 - 2012

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manufacturer of car seats based on allegations of breach of warranty and failure to disclose.

- Obtaining dismissal with prejudice for three Southern California cardrooms in a multi-defendant lawsuit bringing bellwether constitutional and statutory challenges to the legality of the games the cardrooms play.
- Obtaining affirmance from the California Court of Appeal of a dismissal of a putative class action brought against an insurance company based on allegations the company "hacked" files which constituted a trespass to chattels.
- Obtaining decertification of a class action with over 320 thousand class members brought against a major technology company under the TCPA.
- Obtaining affirmance from the Ninth Circuit of a dismissal of a putative class action brought against an insurance company based on allegations of hacking in violation of the Stored Communications Act.
- Obtaining a favorable settlement for a major technology company in multidistrict litigation arising out of multiple data breaches.
- Obtaining a favorable settlement for a prominent technology company in a putative class action pending in the Northern District of California arising out of an alleged data breach affecting one of its clients.
- Representing a home warranty company in dozens of consumer arbitrations.
- Obtaining affirmance from the California Court of Appeal of a summary judgment ruling in favor of a construction company against allegations brought under the California False Claims Act.
- Obtaining affirmance from the Ninth Circuit of a summary judgment ruling in favor of a for-profit educational institution against False Claims Act allegations.
- Obtaining an order enforcing individual arbitration in a putative class action under ERISA brought against a large health plan.
- Obtaining dismissal of a False Claims Act lawsuit brought against a large telecommunications company.
- Obtaining dismissal of a putative class action brought against a health care provider for an alleged data breach involving over 30,000 patients.
- Serving as a first-chair volunteer prosecutor for the Los Angeles City Attorney's Office in two jury trials.

Before joining the firm, Jeremy served as a law clerk to the Honorable Kathleen Cardone of the United States District Court for the Western District of Texas. He has also worked in the entertainment industry before law school where he wrote, directed, and produced commercials.

Jeremy graduated *magna cum laude* from Cornell University Law School, where he was elected to the Order of the Coif. While attending law school, Jeremy taught two college law courses to staff and inmates at Auburn's maximum-security prison. Jeremy also served as a judicial extern to the Honorable R. Gary Klausner of the United States District Court for the Central District of California. In 2003, he graduated *cum laude* and as a Renaissance Scholar from the University of Southern California.

Jeremy is an active member of his community and is currently on the Board of Teach for America – Los Angeles. He is also the past president of the Associates Board of Teach for America – Los Angeles. He spends as much time as possible with his wife and two sons, and tries to hit a ski slope or a mountain bike trail as often as he can.

Jeremy is admitted to practice in the State of California, the United States Courts of Appeals for the Ninth and Sixth Circuits, and in the United States District Courts for the Central and Northern Districts of California.

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