

Katherine V.A. Smith

Partner

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Los Angeles

Katherine V.A. Smith is a partner in the Los Angeles office of Gibson, Dunn & Crutcher. Katherine serves as co-chair of the firm's Labor and Employment Practice Group. Katherine represents employers in high stakes employment lawsuits and government investigations and advises employers on all aspects of employment law.

In 2024, the *Los Angeles Business Journal* named Katherine to its annual list of the "Top 100 Lawyers", which recognizes the "top law professionals in the Los Angeles region for their ongoing efforts as outstanding legal stewards." She was also named a 2024 "Leading Lawyer" in Labor Employment Disputes by *US Legal 500*, one of the "500 Leading Corporate Employment Lawyers" in 2024-2025 by *Lawdragon*, and (as in prior years) a top California attorney for her work in Labor and Employment by *Chambers USA*. In 2023 and 2024, Katherine was named by *Benchmark Litigation* as a Labor & Employment Star. She was recognized for employment work by the *Daily Journal* in 2023. In 2022, *The Los Angeles Business Journal* recognized Katherine as a "Leader of Influence" for Labor & Employment, and among its "Thriving in Their 40's: LA's Leaders of Influence" list.

The American Lawyer named the practice group Katherine co-leads as the Labor & Employment Litigation Department of the Year in its most recent competition. The *American Lawyer* noted, "with novel labor and employment issues swirling, Gibson Dunn's litigators set standards and settle the law," and that a case "typical for Gibson Dunn's labor and employment team" is "high-profile," "cutting-edge," and "a victory." The group was also recently recognized for the eleventh time, more times than any other firm, as a *Law360* Employment Practice Group of the Year, and won *The National Law Journal's* D.C. Labor & Employment Litigation Department of the Year competition for the last seven years in a row. And, in 2024, Gibson Dunn's Labor & Employment Group was named Tier 1 in Labor and Employment Disputes: Defense by *US Legal 500*, which observed that "Gibson, Dunn & Crutcher LLP's practice is regularly called upon by boards of directors and CEOs of major corporations in the retail, tech, and financial services segments for its employment litigation prowess."

Katherine has extensive experience representing employers in individual, representative and class action litigation at both the trial court and appellate level. Katherine's representative litigation matters include:

- Defeated certification in a putative wage and hour class action in California state court on behalf of online curriculum provider K12. Following two days of argument, the court switched its tentative ruling and agreed that current and former teachers of two California virtual academies could not maintain a class action.
- Secured denial of the largest two classes Plaintiffs sought to certify in a sprawling reverse race discrimination case for a multinational information technology services and consulting company. Successfully defending the client in a subsequent two-week jury trial that resulted in a hung jury and mistrial.



Capabilities

Labor and Employment
Artificial Intelligence
Class Actions
ESG: Risk, Litigation, and Reporting
Litigation
Media, Entertainment, and Technology
Technology Litigation
Trials

Credentials

Education

University of Virginia - 2006 Juris Doctor
Duke University - 2003 Bachelor of Arts

Admissions

California Bar
Michigan Bar

- Obtained multiple judgments in her clients' favor in private arbitration, including a complete victory on harassment, discrimination, and pay equity claims following a one-week evidentiary hearing, a full defense judgment in a breach of employment agreement suit following a two-week evidentiary hearing, and a win on summary judgment in a defamation case.
- Successfully defended Netflix executive, convincing a Los Angeles Superior Court judge to sustain a demurrer as to causes of action for harassment and intentional infliction of emotional distress claims against the company Vice President.

In addition to litigation, Katherine also dedicates a significant portion of her practice to advice and counseling, as well as internal investigations. Katherine's representative counseling and investigation matters include:

- Led high-profile workplace investigations for a Special Committee of the Board of Directors of Wynn Resorts and the Los Angeles Opera.
- Advised numerous companies on DEI initiatives following the Supreme Court decision in the Harvard admissions case, and is a leader of the [Firm's DEI Task Force](#).
- Counseled multiple companies through largescale reductions in force, including WARN compliance, development of severance programs, and communications and messaging.
- Advised numerous companies on the exit of C-suite level executives, including drafting severance packages, enforcing "for cause" and noncompete provisions, and directly negotiating mutually agreeable departures.

Katherine earned her law degree in 2006 from the University of Virginia, where she was a member of the editorial board for the *Virginia Law Review*. She graduated *cum laude* from Duke University in 2003, with a Bachelor of Arts in Political Science.

Katherine also serves on the Firm's Pro Bono, Community Affairs, and Global Diversity Committees, as well as on the Board of Governors of the Boys & Girls' Club of Santa Monica.

Katherine is admitted to practice law in the State of California and the State of Michigan.

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