

Webcast: Recent Developments in Arbitration Agreements and Mass Arbitration

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Michael Holecek, DJ Manthripragada, and Madeleine McKenna discuss the latest developments in arbitration agreements and mass arbitration. They discuss recent trends in mass arbitration filings and defenses, recent mass arbitration court cases, changes in arbitration provider rules and fee schedules, and approaches to drafting mass arbitration provisions.

PANELISTS: **Michael Holecek** is a litigation partner in the Los Angeles office of Gibson, Dunn & Crutcher, where his practice focuses on complex commercial litigation, class actions, and labor and employment law—both in the trial court and on appeal. Michael has first-chair trial experience and has successfully tried to verdict both jury and bench trials, he has served as lead arbitration counsel, and he has presented oral argument in numerous appeals. Michael represents clients in worker classification disputes – including independent contractor misclassification litigation, misclassification lawsuits involving the FLSA and state law, lawsuits under California's Private Attorneys General Act ("PAGA"), class action employment lawsuits, and lawsuits against staffing agencies and gig economy platforms. He also has considerable experience with drafting arbitration agreements and arbitration clauses, mass arbitration, disputes over arbitration fees, and enforcing arbitration agreements. He has successfully litigated dozens of motions to compel arbitration and class action waivers in California, New York, Florida, Illinois, and other states. In 2023, Michael presented to the ABA National Class Actions Conference on arbitration agreements, class action waivers, and mass arbitration. Michael was recognized in *The Best Lawyers in America*® 2022 Ones to Watch in Mass Tort Litigation / Class Action. **Dhananjay (DJ) Manthripragada** is a partner in the Los Angeles and Washington, D.C. offices of Gibson, Dunn & Crutcher. He is Chair of the firm's Government Contracts practice group, and also a member of the Litigation, Class Actions, Labor & Employment, and Aerospace and Related Technologies practice groups. DJ has a broad complex litigation practice, and has served as lead counsel in precedent setting litigation before several United States Courts of Appeals, District Courts and state courts in jurisdictions across the country, the Court of Federal Claims, and the Federal Government Boards of Contract Appeals. He has first-chair trial experience and has successfully tried to verdict both jury and bench trials, and has served as lead counsel in arbitration and other alternative dispute resolution forums. His practice spans a wide range of industries, and he has represented some of the world's leading aerospace and defense, finance, logistics/transportation, high-technology, and pharmaceutical companies in their most significant matters. DJ is also highly regarded as a trusted advisor to clients regarding significant compliance/enforcement, contract, dispute resolution, and employment issues. He was recognized in *The Best Lawyers in America*® Ones to Watch in Commercial Litigation in 2021 and 2022. **Madeleine McKenna** is a litigation associate in Gibson, Dunn & Crutcher's Los Angeles office. She practices in the firm's Insurance, Class Actions, Labor and Employment, and Appellate and Constitutional Law Practice Groups, with a focus on complex civil litigation in the trial courts and on appeal. Madeleine has represented clients in a variety of high-stakes, complex litigation matters in state and federal courts, with a particular focus on class and representative actions involving employment and consumer protection claims. She has also litigated a wide variety of

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appellate matters. Prior to joining Gibson Dunn, she clerked for the Honorable Richard C. Tallman of the U.S. Court of Appeals for the Ninth Circuit.

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