

MVP: Gibson Dunn's Christopher Chorba

Law360 (December 11, 2018, 1:31 PM EST) -- Christopher Chorba, the co-chair of Gibson Dunn & Crutcher LLP's class action practice group, defeated class certification for Aetna Inc. and Yahoo and secured the dismissal of suits against Express Scripts Inc. and Toyota this past year, earning him a spot as one of Law360's 2018 Class Action MVPs.

HIS BIGGEST ACCOMPLISHMENT THIS YEAR:

Chorba, whose practice focuses on defending consumer class actions, said his greatest success this year was defeating class certification in long-running cases against his clients, Aetna and Yahoo.

In the Aetna case, Chorba successfully argued against two certification bids in suits accusing the health care insurer of violating the Employee Retirement Income Security Act through its claim recovery policy.

In March, U.S. District Judge Brian R. Martinotti denied certification to the plaintiffs in both cases, writing in one of the opinions, "individual adjudication in this case is not only possible and workable, but required."

Earlier in the year, Chorba also secured success for Yahoo when an Illinois federal court decertified consumers seeking over \$480 million in a Telephone Consumer Protection Act case.

The defunct class sued Yahoo over unsolicited "welcome texts." But in February, U.S. District Judge Manish S. Shah decertified the class after new information indicated roughly a quarter of the text recipients may have actually consented to the welcome texts.

The greatest reward for his work was everyone — from the client to co-counsel to co-defendants —

The MVP logo consists of the letters 'MVP' in a bold, blue, sans-serif font. A red circle is drawn around the 'V', and a red arrow points upwards from the top of the 'V'.

**Christopher
Chorba
Gibson Dunn**

working together in all of the cases, he said.

“We were fully aligned ... which makes it especially gratifying when you can synthesize the contributions of a very large, capable team and deliver great results for your clients,” he said.

HIS OTHER NOTABLE CASES:

In two more wins this past year, Chorba led the way in getting suits against Express Scripts and Toyota dismissed.

In the Express Scripts case, which was filed in 2002 by independent retail pharmacy owners, a proposed class alleged a group of pharmacy benefit managers failed to comply with a California state law. The case was twice appealed to the Ninth Circuit.

In 2017, Chorba successfully led the charge on behalf of all 14 defendants to deny class certification. And this past January, Chorba secured the dismissal of the case.

Late last year, Chorba also helped Toyota Motor Corp. and Toyota Motor Sales U.S.A. Inc. beat a proposed nationwide class action that alleged certain cars were defective because they were vulnerable to hacking. The district court ruled in favor of Toyota, and in December 2017, the Ninth Circuit affirmed the dismissal of all claims.

Chorba has also been representing the University of Southern California in a class action ERISA lawsuit. In October, his team announced a plan to petition the Supreme Court to decide whether employers can force workers who collectively sue over benefit plan mismanagement to resolve their claims through individual arbitration.

WHY HE’S A CLASS ACTION ATTORNEY:

Chorba said that several Gibson Dunn partners who specialized in class actions took him “under their wing” when he joined the firm in 2001, which led to his own decision to be a class action lawyer.

“The part I liked the best about it was getting to learn so many different things about these brand name clients that interact with customers on a daily basis in just a whole variety of industries,” he said.

In the past year alone, Chorba said he has worked on cases involving everything from social media to health care to real estate.

“You get to learn so much about all these different areas, and a lot of it’s very cutting edge in terms of technology or front-page news in terms of the legal issues being presented,” he said.

HIS PROUDEST MOMENT:

In March, Chorba, who is based in Los Angeles, took his son Alex with him to a hearing in Georgia. The clerk of the court gave Chorba’s son a tour of the Atlanta federal courthouse and introduced the 12-year-old to several judges before the hearing.

Chorba said the experience was his proudest moment this past year because it was an opportunity for him to talk to his son about what he does.

“He’s my world, and it was so touching that he wanted to go with me during his spring break,” he said. “The whole flight home he was extremely curious.”

— *As told to Annie Pancak*

Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2018 MVP winners after reviewing nearly 1,000 submissions.

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