



### David B. Farkas

#### Of Counsel

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David B. Farkas focuses on complex commercial litigation at the trial and appellate levels, with a particular emphasis on consumer class actions.

David has appeared and argued before state and federal courts and has extensive experience in all phases of litigation, including initiating complaints, briefing extensive successful pre-and post-trial motions, managing discovery teams, working with expert witnesses, deposing and defending witnesses, preparing key fact witnesses for trial and assisting in direct and cross examinations at trial and appeals.

#### RELATED SERVICES

- Litigation, Arbitration and Investigations

#### EXPERIENCE

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- Represented several major American corporations in defending against putative class actions brought under California's Invasion of Privacy Act (CIPA)
- Represented several major American corporations against putative classwide Telephone Consumer Protection Act (TCPA) claims involving autodialed telemarketing calls, pre-recorded calls and texts, and provided compliance advice and instructions
- Obtained denial of class certification in a nationwide putative class action alleging violation of the TCPA for an international hospitality company
- Member of a trial team that obtained a jury verdict of non-infringement for the second-largest Internet content delivery service provider in a lawsuit alleging infringement of more than 100 claims in three patents
- Member of a team that represented an Alabama death row inmate and succeeded in having the trial court invalidate the underlying trial on Constitutional grounds of ineffective assistance of counsel

#### CREDENTIALS

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##### Admissions

- California

##### Recognitions

- Southern California Super Lawyers – Rising Stars (2014 - 2017)

## Education

- J.D., New York University
- B.A., Binghamton University

## Memberships

Los Angeles County Bar Association

## INSIGHTS

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## Events

## SPEAKING ENGAGEMENTS

- Speaker, "Legal Ethics for Digital Technology," Global Cyber Institute, September 2019

## NEWS

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## MEDIA MENTIONS

- Featured, "Hilton Calling System Isn't An Autodialer, Court Says," *Law360*, September 24, 2018
- "Hilton Says Vacationers Stole Expert In Telemarketing Suit," *Law360*, April 25, 2017
- "Omni Can't Force Return Of Sprint Docs In Privacy Class Action," *Law360*, August 13, 2015
- "Omni Says Class Must Return Sprint Customers' Records," *Law360*, July 21, 2015
- "Class Says Omni Can't Cite Privacy To Block Sprint Records," *Law360*, July 14, 2015
- "Omni Callers Denied Quick Appeal Of Cell Discovery Order," *Law360*, June 23, 2015
- "Omni Hotels Blasts Bid For Discovery Appeal In Privacy Action," *Law360*, June 9, 2015
- "Class Certified in Omni Hotels Phone Recording Suit," *Law360*, September 15, 2014
- "Hilton Escapes Calif. Call-Recording Class Action," *Law360*, July 15, 2014
- "Hilton Says Customer Call Recordings Don't Invade Privacy," *Law360*, May 20, 2014
- "Wiretap Exemption Blocks Recorded-Call Suit, Omni Says," *Law360*, June 24, 2013
- "Omni Hotels Hit with Call Recording Class Action," *Law360*, March 19, 2013