

Partner, Palo Alto

Litigation



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Education

J.D., University of California, Berkeley
School of Law, 1998

B.A., University of Nevada, 1995

Bar Admissions

California

Associations

American Bar Association

Association of Business Trial Lawyers

Board Member, Big Brothers Big
Sisters of Greater Los Angeles

Over his 20-plus years with Skadden, Lance Etcheverry — head of litigation in the firm’s Palo Alto office and co-head of the West Coast litigation practice — has developed a reputation as an aggressive litigator who is equally accomplished on both the plaintiff and the defense sides of disputes.

Mr. Etcheverry has secured in excess of \$2.5 billion for his clients on the plaintiff side, while at the same time absolving his clients of well in excess of \$1 trillion in liability on the defense side.

In addition to his expansive domestic and European practice, Mr. Etcheverry is a leader of Skadden’s litigation and arbitration practice for Asia-based clients and their domestic subsidiaries. Mr. Etcheverry represents clients in all facets of civil and criminal proceedings, including at trial, in arbitration hearings and on appeal. The breadth of Mr. Etcheverry’s experience includes work for foreign and domestic clients in industries such as technology, automotive, health care, financial services, oil and gas, retail, manufacturing, sports and entertainment, where he has successfully handled high-stakes class actions, individual litigations, business disputes, securities matters, enforcement proceedings and internal investigations.

On the strength of his broad litigation practice, Mr. Etcheverry is recognized in *Benchmark Litigation*, Lawdragon’s 500 Leading Global Litigators and 500 Leading Litigators in America, *The Best Lawyers in America*, *Chambers USA*, *Chambers Global* and *Chambers Asia Pacific*, in which client commentators call him “an excellent litigator with unparalleled experience in a wide range of business disputes.” He was named by the *Daily Journal* (California’s leading legal publication) as one of the Top 20 Under 40 lawyers in the state of California and is consistently ranked, by numerous legal organizations, as one of the top litigators in the U.S. and abroad for domestic and international litigation matters.

Some of Mr. Etcheverry’s notable representations and achievements include:

Class Actions

- **Viking River Cruises** in achieving a full dismissal, with prejudice, of a putative class action, including securing a post-dismissal settlement that required the plaintiffs to pay Viking’s attorneys’ fees
- **Sybo Games** in securing the dismissal of a nationwide class action alleging privacy violations in connection with the world’s most popular app-based video game
- **Occidental Petroleum** in multiple securities class actions alleging various misrepresentations to shareholders in publicly filed documents. After an aggressive defense to the claims, the cases settled on terms favorable to Occidental
- **Hyundai and Kia Motors Corporations** in the dismissal of a nationwide class action alleging vehicle defects that resulted in vehicle fires causing serious injuries and property damage
- **People’s Liberation** in securities class actions and derivative actions alleging securities fraud and corporate waste. The case was dismissed outright with no payment from the company or its directors to the plaintiffs
- **Samsung Electronics America, Inc.** in securing the dismissal of a putative federal nationwide class action brought on behalf of late-model smart TV owners alleging breach of contract and fraud. This was recognized by the *Daily Journal* as one of the Top Verdicts of 2021 in California

- **Samsung Electronics Co., Ltd.** in securing the dismissal of more than \$250 billion in claims asserted in 26 class actions for product defects and violations of the Federal Wiretap Act
- **Westfield America** in the dismissal of multiple class actions alleging fraud and violation of state consumer protection laws in connection with its gift card programs
- **Assicurazioni Generali** in the dismissal of multiple class actions

Civil Proceedings

- a complete trial victory for **Kia Motors Corporation** and **Kia Motors America, Inc.**, defeating allegations that the automaker and its U.S. subsidiary infringed a registered trademark. This case was selected by the *Los Angeles Daily Journal* as one of its Top Defense Verdicts of 2017
- dismissal of multibillion-dollar fraud, breach of contract, and unfair competition claims asserted against **Wahaha Group** and **related individuals and entities** by Groupe Danone regarding a series of joint ventures to distribute beverage products throughout Asia
- **Woori Bank of South Korea** in securing the dismissal of claims exceeding €8 billion in an action in the Southern District of New York, including securing sanctions and contempt orders against the plaintiff and its counsel, and a criminal referral to the Department of Justice
- dismissal of \$16 billion RICO, antitrust and conspiracy claims against **various individuals and entities** for developing peer-to-peer technology
- recovery of more than \$400 million on behalf of **Visteon** in litigation regarding funds held back as part of a large corporate transaction
- a \$52 million judgment in favor of **Korea Development Finance Corporation**, a Korean private equity firm, against TagAZ, a large Russian automobile manufacturer
- multimillion-dollar verdict in favor of Korean real estate developer **Shinyoung Securities Co., Ltd.** in arbitration stemming from a dispute with a co-investor and manager of a \$300 million real estate project
- successful constitutional challenge to California insurance statute on behalf of **Assicurazioni Generali S.p.A.** in the United States Supreme Court
- terminating sanctions and a lucrative judgment on behalf of a **prominent musician** in litigation brought against a management company

- preliminary and permanent injunctions on behalf of **Atomico Ventures** in litigations brought against individuals and entities that stole valuable information and trade secrets from the company
- dismissal of fraud and tortious interference claims brought against **Alterra Power** by a large publicly traded corporation regarding a power facility in Iceland
- preliminary and permanent injunctions and substantial monetary recovery on behalf of a **music file sharing company** following domestic litigation and international arbitration, which resulted in our adversary being placed into involuntary bankruptcy proceedings
- **Occidental Petroleum** in the dismissal of multifaceted claims brought by a partner in one of its oil producing properties

Criminal Proceedings

- a large **Asian electronics manufacturer** in the successful defense of criminal proceedings initiated over alleged intrusions on consumer privacy rights
- **executives of SDI Future Health** in connection with a 137-count federal health care fraud indictment. After proving a 4th Amendment violation that resulted in the suppression of more than 40 million pages of potential evidence, the government agreed to resolve the case for a plea to a single misdemeanor tax count, with no jail time or monetary fines imposed
- a **prominent Chinese businessman** in the successful defense of criminal tax evasion claims
- a **publicly listed Internet company** in connection with a multi-jurisdictional government investigation into allegedly fraudulent marketing practices
- a **large Hollywood studio** in connection with an FBI investigation into a widespread fraud committed by its CFO and Controller
- a former consultant for a state-owned **European oil producer** in connection with an FCPA investigation into alleged bribes paid to Iranian government officials
- a **Silicon Valley executive** in connection with claims stemming from alleged stock options backdating
- a **well-known American businessman** in connection with claims of alleged insider trading
- multiple internal investigations for a **large oil producer** regarding alleged FCPA violations, embezzlement and misconduct by corporate executives, and claims of intentionally overstating oil reserves