Zachary Faigen

Skadden

Counsel, Los Angeles

Litigation; Artificial Intelligence

T: 213.687.5273
zachary.faigen@skadden.com

Education

J.D., UCLA School Of Law, 2013 (Order of the Coif)

B.A., Princeton University, 2005

Bar Admissions

California

Associations

Board of Directors, Inner City Law Center

Co-Chair (Vice President), Board of Trustees, The Willows School (2019-present)

Zack Faigen practices complex civil litigation in state and federal court, representing clients in a wide range of cases, including securities and other class action litigation, shareholder derivative actions, antitrust lawsuits, contract disputes and fraud claims. Mr. Faigen has worked on numerous matters, including:

- Tower Semiconductor Ltd. in a patent and trade secret dispute in connection with semiconductor patents
- Keurig Dr. Pepper and American Bottling Co. in an alleged breach-of-contract action
- RTI Infrastructure, RTI Solutions and several of its executives in multijurisdictional litigation involving a variety of tort and contract claims
- Centene Corporation in a:
  - putative class action arising out of an alleged data breach
  - federal securities class action and follow-on derivative action arising out of a corporate merger
- Credit Acceptance Corp. in an antitrust suit stemming from a patent dispute associated with computer programming and AI-related issues
- a social media company in a case regarding audience targeting and machine-generated algorithms
- Cheetah Mobile Inc., a China-based mobile and computer applications developer, in multiple federal securities actions arising out of alleged misstatements related to a business dispute involving Google mobile ads
- The Conrad N. Hilton Foundation in a probate action seeking to invalidate a large bequest to the charity
- Jumei International Holding Ltd. in a putative federal securities class action arising out of a take-private transaction
- FirstEnergy Corp. in a putative shareholder class action alleging fraud and breach of contract
- several "Big Four" accounting firms in multiple actions involving claims arising out of alleged tax shelter activities
- Questcor Pharmaceuticals, Inc (now Mallinckrodt Pharmaceuticals) in a federal securities class action litigation

Mr. Faigen is committed to his *pro bono* practice, having represented clients in matters ranging from immigration defense to First Amendment challenges. He also is a member of the Los Angeles office's Hiring Committee.

In recognition of his work, Mr. Faigen was named one of *Best Lawyers*' 2024 Ones To Watch in America.

Publications

"DOJ Maintains Antitrust Focus With Latest Probe Into Live Nation, Ticketmaster," *Daily Journal*, December 7, 2023

"9th Circuit Calls Into Question Viability of Future Nationwide Class of Indirect Purchasers," *Daily Journal*, November 17, 2021

"Skadden Discusses California Decision Upholding Uber's Federal Forum Charter Provision," *The CLS Blue Sky Blog*. December 4, 2020

"Within Three Months, a Second California State Court Enforces a Federal Forum Charter Provision for Securities Act Claim," *Skadden, Arps, Slate, Meagher & Flom LLP*, November 25, 2020

"Ninth Circuit Holds That Allegations in Whistleblower Complaint May Be Corrective Disclosure, but Short-Seller Posts Are Not," *Skadden, Arps, Slate, Meagher & Flom LLP*, October 13, 2020

"11th Circ. Ruling Threatens Class Rep Incentive Awards," *Law360*, October 8, 2020

"The Line Between Anti-Competitive Behavior and Hypercompetitive Behavior," *Daily Journal*, August 21, 2020

Ninth Circuit Holds That Courts Should Scrutinize Economic Plausibility of Securities Fraud Complaints in Evaluating Scienter," *Skadden, Arps, Slate, Meagher & Flom, LLP*,June 16, 2020

"Protecting the 'Choice' in Your Choice-of-Law Clause," *Corporate Disputes Magazine*, April-June 2020