

Maximillian W. Hirsch

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Litigation



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Education

J.D., Columbia Law School, 2014

B.A., University of California,
Los Angeles, 2011

Bar Admissions

California

Publications

Author, "Rethinking Commonality:
Class Certification for Uber Drivers,"
American Bar Association, September
30, 2015

Max Hirsch litigates complex matters before trial and appellate courts. Representative matters in which Mr. Hirsch has been involved include:

- Kia Motors Corporation and Kia Motors America in obtaining a defense verdict after a bench trial against claims of trademark infringement brought by Allstate Insurance Company. The *Daily Journal* named the decision one of the Top Verdicts of 2017. Mr. Hirsch has also worked on the appellate briefing before the Ninth Circuit;
- Credit Acceptance Corporation in obtaining summary judgment on antitrust claims seeking approximately \$1 billion in damages arising from the allegedly fraudulent acquisition and enforcement of a patent in the indirect auto lending market. The *Daily Journal* named the decision one of the Top Verdicts of 2017;
- Agility Logistics, a Kuwaiti logistics company that was the prime vendor for all food supplied to the U.S. military in Iraq during the Iraq War (2003-10), in one of the largest government contracting fraud prosecutions in U.S. history. The criminal and FCA cases ended in a global settlement that was very favorable for the company. To settle the criminal case, a multiple-count felony indictment in which the government alleged that Agility defrauded and overcharged the government in connection with its nearly \$9 billion prime vendor contract, the government accepted a plea to a single misdemeanor count for overcharges in the amount of \$551. As part of the global settlement, the government immediately lifted suspensions for all Agility companies so that Agility could promptly begin pursuing new contracting opportunities with the U.S. government; and
- a client in an internal investigation stemming from whistleblower allegations relating to potential accounting irregularities.

Mr. Hirsch also has a strong commitment to *pro bono* work, as shown by his membership on Skadden's Immigration Impact Leadership team and his representation of a putative class of consumers alleging they were defrauded by a pet-retail chain in Southern California, for which his team was twice rewarded with the ALDF Advancement of Animal Law Pro Bono Achievement award. His other notable *pro bono* matters include successfully enjoining an unconstitutional law placing restrictions on obtaining a marriage license in the State of Louisiana, representing an inmate who was sentenced to life in prison without the possibility of parole as a juvenile in his resentencing hearing, representing an inmate on his appeal from a defense verdict in his lawsuit alleging excessive force against the prison guards, representing a political candidate bringing a First Amendment challenge to California's Top Two primary system, representing a family of asylum seekers who were forced out of Mexico by threat of death, and representing over 50 plaintiff-tenants in their lawsuit against a slumlord.