Winston P. Hsiao

Skadden

Partner, Los Angeles

Litigation



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Education

J.D., UCLA School of Law, 2010
(Order of the Coif)

B.A., Yale University, 2007

Bar Admissions

California

Experience

Law Clerk, Justice Norman Epstein, The California Courts of Appeal, Second District

Associations

Pro Bono Advisory Council, Asian Americans Advancing Justice-LA

Board of Governors, Southern California Chinese Lawyers Association

Advisory Board, Asia Society Southern California

Member, *Law360* Securities Editorial Board

Winston Hsiao's practice focuses on complex civil litigation, primarily in state and federal courts and private arbitration. He represents clients in a wide range of suits, including securities and shareholder litigation, trade secret actions, contract disputes, defamation claims, unfair competition claims, fraud actions and employment mobility litigation.

Mr. Hsiao's clients include U.S. and international companies in a variety of industries, including financial services, tech, video games, pharmaceuticals, biotechnology, consumer products, insurance, logistics and food. Among others, he has represented:

- Centene Corporation, along with current and former offices and directors, in securing a full dismissal with prejudice of a class action derivative litigation in the U.S. District Court for the Eastern District of Missouri concerning Centene's multibillion-dollar acquisition of Health Net, Inc.
- the underwriting syndicate in securing a full dismissal with prejudice of a putative securities class action that alleged false or misleading statements concerning the initial public offering of Obalon Therapeutics
- El Pollo Loco Holdings in securing multiple dismissals of federal securities class action claims alleging misrepresentations concerning the causes of slowed growth trends
- an insurance brokerage in securing favorable resolutions in various litigations in state and federal court against departing employees and their new employers, including successfully moving for, and defending against, requests for temporary restraining orders
- Coty Inc. in an action arising from Coty's acquisition of 51% of Kylie Jenner's company, King Kylie, in which Mr. Hsiao successfully secured the denial of Seed Beauty's application for a temporary restraining order against Coty and King Kylie
- Taylor Commercial Foodservice, a subsidiary of Middleby Corporation, in successfully opposing a preliminary injunction in connection with a California state court trade secret and trade libel action concerning the development of an internet-of-things device and platform for Taylor's soft-serve ice cream machines
- PricewaterhouseCoopers LLP in securing summary judgment of two tax accounting malpractice actions in Nevada and Oregon state courts
- KPMG in multiple actions involving claims of fraud, indemnity, negligence and contract enforcement, among others
- Questcor Pharmaceuticals, Inc. (now Mallinckrodt Pharmaceuticals) in a federal securities class action and derivative litigation alleging misrepresentations concerning, among other things, the effectiveness of the company's flagship product
- New Oriental Education & Technology Group Inc. in securing a quick and low settlement of a federal securities class action filed following an SEC inquiry

In recognition of his work, Mr. Hsiao has been ranked by *Chambers USA* in its Litigation: Securities category and received the National Asian Pacific American Bar Association's Best Under 40 award in 2024. He has also been recognized as a Future Star by *Benchmark Litigation* and named to its 40 and Under list; honored by *Lawdragon* as part of its 500 X — The Next Generation list and as one of its 500 Leading Litigators in America; recognized as one of *Best Lawyers*' Ones To Watch in America; and featured in the *Los Angeles Business Journal*'s Leaders of Influence — Thriving in Their 40s, Minority Attorneys and Litigators & Trial Attorneys lists. He was also selected as a member of *Law360*'s Securities Editorial Board in 2024 and 2025. Mr. Hsiao serves as the litigation hiring partner for the firm's Los Angeles office.

Publications

"Inside the Courts," *Skadden Publication*, Recurring publication

"Skadden Discusses Significant Ninth Circuit Ruling on Scienter in Securities Fraud," *The CLS Blue Sky Blog*, June 22, 2020

"Ninth Circuit Holds That Courts Should Scrutinize Economic Plausibility of Securities Fraud Complaints in Evaluating Scienter," *Skadden Publication*, June 16, 2020

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