

Counsel, 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 Lawyer's Association

Advisory Board, Asia Society Southern  
California

Winston Hsiao's practice focuses on complex civil litigation in state and federal courts. He represents clients in a wide range of suits, including securities and shareholder litigation, tax shelter and accounting malpractice, trade secret actions, contract disputes, unfair competition claims and fraud claims.

Mr. Hsiao also has represented clients in private arbitrations, internal investigations, criminal matters and appeals. His clients include U.S. and international companies in the financial services, tax consulting, pharmaceuticals, biotechnology, medical insurance, energy, education, consumer products, logistics and food industries. 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.;
- Cytrx Corporation in securing a dismissal of federal securities class action claims, leading to a quick and low settlement;
- the underwriters for a public offering by a medical device company in securing a dismissal with prejudice of a federal securities class action litigation alleging misrepresentations concerning the effectiveness of the company's flagship medical device;
- El Pollo Loco Holdings in securing multiple dismissals of federal securities class action claims alleging misrepresentations concerning the causes of slowed growth trends;
- 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. 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; and
- Alterra Power Corporation and its executives in securing the quick dismissal of a tortious interference action on personal jurisdiction grounds.

## Publications

"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, Arps, Slate, Meagher & Flom LLP*, June 16, 2020

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

Roundtable Participant, "Risks Facing Directors & Officers," *Financier Worldwide*, October 2019