

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 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
- Alterra Power Corporation and its executives in securing the quick dismissal of a tortious interference action on personal jurisdiction grounds

Mr. Hsiao was named one of the *Los Angeles Business Journal's* Leaders of Influence: Litigators & Trial Attorneys in 2023 and one of *Best Lawyers' 2024* Ones To Watch in America. He also was selected as a member of *Law360's* Securities Editorial Board in 2024. Mr. Hsiao serves as the litigation hiring partner for the firm's Los Angeles office, is a member of the LA Diversity, Equity & Inclusion Committee and is chair of the office's Asian and Pacific Islander Affinity Network.

Publications

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

"Skadden Discusses Significant Ninth Circuit
Ruling on Scierter 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 Scien-
ter," *Skadden Publication*, June 16, 2020

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