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Education

J.D., Michigan State University, 2001
(*summa cum laude*; Editor-in-Chief,
Michigan State University Law Review)

M.S., Walsh College, 1998
(*magna cum laude*)

B.A., Michigan State University, 1993

Bar Admissions

California
Texas
Michigan

Experience

Trial Attorney, United States
Department of Justice, Civil Division
(Honors Program), 2003-2004

Judicial Law Clerk, Hon. Robert P.
Young, Jr., Michigan Supreme Court,
2001-2003

Judicial Extern, Hon. Richard F.
Suhreheinrich, U.S. Court of Appeals for
the Sixth Circuit, 2000

Legislative Aide, Michigan House of
Representatives, 1994-1998

Allen Lanstra's diverse practice focuses on complex, high-stakes litigation. From his extensive experience handling high-profile and discreet matters for large institutions, corporate leaders and public figures, Mr. Lanstra has developed a reputation as a tested and trusted counselor during crisis. In 2020, the *Los Angeles Business Journal* recognized him as a Top Litigator and Trial Lawyer in Los Angeles.

Representative Matters

Mr. Lanstra has obtained successful results in a wide range of matters, including commercial and business disputes, class actions, shareholder derivative actions, securities fraud, unfair competition and false advertising (including Cal. Bus. & Prof. Code §§ 17200, 17500 matters), computer fraud and abuse, corporate governance and investigations, business torts, constitutional law and political law.

Some of his many notable representations and achievements include:

- defending directors of Sempra Energy in federal securities litigation and federal and state court derivative actions following the SoCalGas leak at its Aliso Canyon facility;
- defending First Energy in class action litigation filed in Ohio state courts concerning tax forms provided to shareholders;
- defending Bank of America in class action litigation in federal court in California concerning tax forms provided to mortgage customers;
- representing Société Générale Private Banking (Suisse) SA in litigation in federal district court in Texas arising out of the Stanford Ponzi scheme;
- representing CytRx Corporation and/or its directors and officers in multiple state and federal securities class actions and derivative actions and an SEC investigation;
- defending CashCall, Inc. in a trial in the U.S. District Court (C.D. Cal.) commenced by the Consumer Financial Protection Bureau. This matter was recognized by the *Daily Journal* as a Top Defense Verdict of 2018;
- representing the Miami Marlins baseball club in a player salary arbitration;
- defending Toyota Motor Corporation and Toyota Motor Sales, U.S.A., Inc. as part of the lead counsel team in its "unintended acceleration" cases concerning alleged defects in Toyota's electronic throttle control system and comprising the defense of hundreds of consumer class actions alleging economic loss in U.S. District Court (C.D. Cal.) and Los Angeles County Superior Court (Complex Civil Litigation Program);
- representing MGA Entertainment, Inc. in its highly publicized and high-stakes "*Barbie v. Bratz*" copyright and trade secrets litigation against Mattel, Inc. over the intellectual property rights to the Bratz doll franchise in U.S. District Court (C.D. Cal.);

Allen L. Lanstra

Continued

- defending E.I. du Pont de Nemours and Company (DuPont) in two tracks of shareholder derivative litigation following Monsanto Inc.'s prior \$1 billion patent infringement verdict against DuPont, and successfully defending cases in the U.S. District Court (D. Del.), the Delaware Court of Chancery, the U.S. Court of Appeals for the Third Circuit, and the Delaware Supreme Court;
- second-chairing oral argument before the U.S. Supreme Court in conjunction with appointed counsel in *Bond v. United States* (2011);
- reaching a favorable settlement on behalf of HCP, Inc. in the punitive damages phase of *Ventas v. HCP* in U.S. District Court (W.D. Ky.);
- obtaining an arbitration award that found an LLC manager and member of a \$300 million real estate project in Los Angeles' Koreatown engaged in acts of deceit and willful misconduct;
- defending the founder, chairman and CEO of VeriSign, Inc., in an employment-related lawsuit filed by a former CAO that led to voluntary dismissal of the claims and ultimately a settlement whereby the plaintiff provided a written apology to VeriSign for the litigation;
- defending the former CEO of Qualstar Corporation in litigation alleging breaches of fiduciary duty and reaching a favorable settlement for the client based on counterclaims;
- representing the founders of Skype in trade secrets litigation;
- representing a prominent developer in the Inland Empire in multiple high-profile matters;
- performing diligence inquiries and analysis for numerous mergers and acquisitions; and
- representing a prominent developer in an arbitration dispute between LLC members involving water rights that resulted in a favorable settlement, permitting a substantial land development project in Southern California to move forward.

Prior Experience

Before joining Skadden, Mr. Lanstra clerked for Justice Robert P. Young, Jr. of the Michigan Supreme Court; served as an Honors Program attorney in the Civil Division of the U.S. Department of Justice in Washington, D.C., where he helped defend the United States in Federal Tort Claims Act litigation in Boston concerning FBI informants James "Whitey" Bulger and Stephen Flemmi; and entered private practice as a commercial and appellate attorney for a prestigious Midwest-based firm where he participated in a wide range of litigation matters.

Commitment to Pro Bono

Mr. Lanstra's *pro bono* representations have produced significant victories for his clients, including a published decision protecting disability rights in the California Court of Appeal. His contributions earned him the State Bar of California's Wiley W. Manuel Award for Pro Bono Legal Services.

Mr. Lanstra also regularly supervises and counsels the *pro bono* representations of Skadden attorneys. These collaborations have resulted in significant victories, including successful appeals regarding immigration and civil claims against the government before the U.S. Court of Appeals for the Ninth Circuit, obtaining important protections for the hearing impaired through impact litigation commenced in the U.S. District Court (C.D. Cal.), and influential *amici curiae* briefs submitted in federal and state courts. Mr. Lanstra was part of a Skadden team representing over 50 tenants in a habitability case, for which we were honored with the Inner City Law Center's Katharine Krause Award, which recognizes notable community contributions.

Team and Thought Leadership

Mr. Lanstra leads training and development for litigators in Skadden's Los Angeles and Houston offices. In that role, he is responsible for leading the training and mentoring of the litigation department's associates, with a focus on the development of litigation and trial skills, efficient management, and the continuous improvement of the delivery of client services. He also is active in hiring.

In addition to writing and speaking, Mr. Lanstra has taught law since his second year out of law school. At Loyola Law School in Los Angeles, he taught courses on state constitutional law and California initiatives and referenda. He taught state constitutional law, litigation with the federal government, and state civil procedure at the Michigan State University College of Law.

Faculty Appointments

Loyola Law School, 2010-2013

Michigan State University College of Law, 2003-2007

Associations

Board of Directors, Western Center on Law & Poverty

Board of Directors, Association of Business Trial Lawyers (ABTL) – Los Angeles (2014-2019)

Member, Los Angeles Area Chamber of Commerce

Member, Pasadena Chamber of Commerce

Authorships

“InDepth Feature: Data Protection & Privacy Laws 2020,” *Financier Worldwide*, November 2020

“Peremptory Challenge Bill Awaits Governor’s Signature,” *Los Angeles Daily Journal*, September 11, 2020

Q&A, “Privacy Class Actions,” *Corporate Disputes*, Jan.-Mar. 2020

“CCPA’s Cure Provision Can Provide Companies Relief From Class Treatment,” *Los Angeles Daily Journal*, May 14, 2019

“9th Circ. Decision Shows Limits Of Arbitrator Authority,” *Law360*, May 2, 2019

“Teaching Civility,” *ABTL Report*, Summer 2019

“Exploring the New California Consumer Privacy Act’s Unusual Class Action Cure Provision,” *Skadden Insights 2019*, April 23, 2019

“Do You Really Need That Expert Witness?” *Los Angeles Daily Journal*, February 20, 2019

“Ruling Provides Guidance on Demand Futility,” *Los Angeles Daily Journal*, February 27, 2018

“Managing Your Litigation Team for the Ultimate Benefit of the Client,” 29-2 *California Litigation*, 2016

“Specifying the Correct Order in a Notice of Appeal: *Rosillo v. Holten*,” *ABA Section of Litigation – Appellate Committee Case Note*, 2016

“A Veto Begets the 14th Amendment,” *Los Angeles Daily Journal*, February 19, 2016

“Enforceability of Corporate Forum-Selection Bylaws Continues to Strengthen,” *Skadden Insights* (2016) (republished on *Thomson Reuters/Westlaw Practitioner Insights*)

“The Collateral Effects of Deferred Prosecution Agreements to Corporations in Subsequent Civil and Regulatory Actions,” *Skadden Insights*, June 26, 2014

“Can the United States Enforce Domestic Adherence to Chemical Weapons Treaties?” *Bloomberg BNA — The United States Law Week*, October 15, 2013

“A Casebook for the Dean’s Reading List: Holland, McAllister, Shaman and Sutton, State Constitutional Law: The Modern Experience,” 59-4 *U. Kan. L. Rev.* 941 (2011)

“A Modern Constitutional Crisis,” *Los Angeles Daily Journal*, November 30, 2010

“Campaign Ads and Statutory Interpretation,” *Los Angeles Daily Journal*, October 18, 2010

“Supreme Court ‘Short List’ Should Include State Justices,” *Los Angeles Daily Journal*, April 13, 2010

“Mentoring Towards the Pursuit of Good Judgment: A Do and Don’t List for New Attorneys,” *ABTL Report, Fall 2009, vol. XXXI, no. 3*

“Your Name in Lights May or May Not Be Good for Your Client,” 28-4 *A.B.A. App. Prac. J.* (Fall 2009)

“The People’s Choice,” *Los Angeles Daily Journal*, June 10, 2009

“Resurrecting Michigan Constitutional Law,” 85-3 *Mich. B. J.* 40 (2006)

“Annual Survey of Michigan Law – Torts,” 48 *Wayne L. Rev.* 963 (2003)

“Annual Sixth Circuit Survey – Constitutional Law,” 2002 *Mich. St. L. Rev.* 273

“Does Judicial Selection Method Affect Volatility? A Comparative Study of Precedent Adherence in Elected State Supreme Courts and Appointed State Supreme Courts,” 31 *Sw. U. L. Rev.* 35 (2001)

“McDougall v. Schanz: Distinguishing the Authorities of the Michigan Legislature and the Michigan Supreme Court to Establish Rules of Evidence,” 2000 *Mich. St. L. Rev.* 857