

Partner, Los Angeles and Houston
Litigation



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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) (2003-04)

Judicial Law Clerk, Hon. Robert P.
Young, Jr., Michigan Supreme Court
(2001-03)

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

Legislative Aide, Michigan House of
Representatives (1994-98)

Allen Lanstra leads clients through litigation matters by leveraging his experience in crisis navigation and developing and implementing informed strategies. He has earned a reputation as a trusted counselor, collaborative leader and skilled trial attorney whose judgment is respected throughout the legal industry.

Representative Matters

Mr. Lanstra's diverse practice and experience has helped obtain successful results for clients 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 and 17500 claims), corporate governance and investigations, business torts, constitutional law, and numerous novel and unique situations. In recognition of his work, the *Los Angeles Business Journal* has named him a Top Litigator and Trial Lawyer in Los Angeles.

Some of his many notable representations and achievements include:

- defending the board of directors of Sempra Energy in federal securities litigation and federal and state court derivative actions following the SoCalGas leak at its Aliso Canyon facility
- representing Société Générale Private Banking (Suisse) SA in litigation in federal district court in Texas arising out of the Stanford Ponzi scheme, which included the navigation of cross-border and Hague Convention processes
- defending First Energy in class action litigation filed in Ohio state courts concerning tax forms provided to shareholders
- representing ExxonMobil in arbitration concerning a right of first refusal
- defending Bank of America in class action litigation in federal court in California concerning tax forms provided to mortgage customers
- 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 for the Central District of California commenced by the Consumer Financial Protection Bureau, which 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 the U.S. District Court for the Central District of California 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 the U.S. District Court for the Central District of California

Allen L. Lanstra

Continued

- defending E.I. du Pont de Nemours and Company (DuPont) in two tracks of shareholder derivative litigation following Monsanto's prior \$1 billion patent infringement verdict against DuPont, including successfully defending cases in the U.S. District Court for the District of Delaware, 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*
- 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 chief administrative officer 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 Inland Empire developer in multiple high-profile matters
- 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
- representing and advising hundreds of other clients in litigation, as well as litigation-related and regulatory challenges

Prior Experience

Mr. Lanstra clerked for Justice Robert P. Young, Jr. of the Michigan Supreme Court and 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. He later 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. Before law school, Mr. Lanstra worked in the Michigan Legislature and ran political campaigns.

Commitment to *Pro Bono*

Mr. Lanstra's dedication to *pro bono* work has produced significant victories for clients, including a published California Court of Appeal decision that secured protections for disability rights, which earned him the State Bar of California's Wiley W. Manuel Award for Pro Bono Legal Services.

Mr. Lanstra regularly supervises and counsels fellow Skadden attorneys on their *pro bono* representations. These collaborations have resulted in successful immigration and civil appeals before the U.S. Court of Appeals for the Ninth Circuit and influential *amici curiae* briefs submitted in federal and state courts. Mr. Lanstra worked with the Skadden team that was honored with the Inner City Law Center's Katharine Krause Award in recognition of its representation of over 50 tenants in a habitability case.

Team and Thought Leadership

Mr. Lanstra leads attorney development for litigators in Skadden's Los Angeles and Houston offices. In this role, he is responsible for leading the training and mentoring of the offices' litigation associates, with a focus on the development of litigation and trial skills, efficient and effective team and talent management and continuous improvement of client service.

In addition to writing and speaking on legal topics, Mr. Lanstra has taught state constitutional law and California initiatives and referenda at Loyola Law School in Los Angeles, as well as 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 (2010-13)

Michigan State University College of Law (2003-07)

Associations

Director, Western Center on Law & Poverty (2015-21)

Director, Legal Aid Foundation of Los Angeles (2014-17)

Director, Association of Business Trial Lawyers (2015-19)

Member, California Arbitration

Member, Los Angeles Area Chamber of Commerce

Member, Pasadena Chamber of Commerce

Authorships

“Career Advice for First-Year Law Associates,” *Bloomberg Law*, September 20, 2022

“Comparison with Business and Commercial Litigation in Mexico,” *Business & Commercial Litigation in Federal Courts* (5th ed. 2021-2022)

“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*, January 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