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alumni news

SheppardMullin

SPRING 2021

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MESSAGE FROM THE CHAIR

As a nation and as a firm, we are saddened by the eight murders last month in Atlanta. While we may never know the gunman's motives, the killings are again focusing us on the increased incidents of violence and xenophobia in our country against Asian, Asian-Americans and Pacific Islanders (AAPI).

Almost a year ago, Sheppard Mullin signed on to the [Stand Against Hate Statement](#) issued by the National Asian Pacific American Bar Association (NAPABA) in response to an increase in incidents of bias and violence against AAPI communities in the United States. In fact, this was one of the catalysts for the establishment of our Inclusive Engagement Task Force (IETF). Tragically, since the statement was issued last May, reported incidents have continued to rise at an alarming rate.

Discrimination against AAPI communities is not new. They have suffered targeting on the basis of their heritage and race dating back to the Chinese Exclusion Act in 1882, and running through the internment of Japanese-Americans during World War II and discrimination against Asian and Muslim communities following 9/11 to the present.

Against this backdrop, our IETF continues its work to promote racial justice in America. Pro bono hours, many contributed to the IETF's work, are at an all-time high. Our internal speaker series continues to draw broad participation across the firm. We have made meaningful contributions to deserving and effective organizations. There is much to be done but together we are making a difference.

Sheppard Mullin stands in solidarity with all AAPI members of our community and condemns such discrimination, prejudice and acts of violence. We are absolutely committed to inclusivity in all aspects of our firm, and will continue to promote our core values of diversity and inclusion, which require us to acknowledge the continuing impact of both historical and ongoing discrimination, let down our defenses, take action and persevere.



Guy Halgren

Chair

ghalgren@sheppardmullin.com

NEWLY PROMOTED PARTNERS

We are pleased to announce that 13 attorneys were promoted in our 2021 partnership class, effective March 1, 2021.

“These accomplished 13 women and men, resident in eight of our offices, embody Sheppard Mullin’s long-standing commitment to client service,” said Chairman Guy Halgren. “2020 was a challenging year for many reasons, and these attorneys were instrumental in helping their clients navigate these unprecedented times.”

The newly elevated partners include:



ALUMNI SPOTLIGHT INTERVIEW: DAVID CANNON



David Cannon

*Litigation Counsel
Square, Inc.
San Francisco*

*Formerly Business Trials Group, 2014-2019
San Francisco Office*

We are delighted to profile former Sheppard Mullin partner David Cannon, now Litigation Counsel at Square, Inc. (“Square”) in San Francisco, CA.

Career Path

David was born and raised in Montana, coming out to the San Francisco Bay Area to attend UC Berkeley, where he received his B.A. in English Language and Literature in 1989.

From there, David obtained his Master of Arts from the University of Virginia in 1993, and then his J.D. from UC Hastings College of the Law in 2000. During law school, he worked as a legal department intern at HP in 1998, then served as an extern to Hon. Marilyn Hall Patel of the U.S. District Court for the Northern District of California in 1999.

David was a litigation partner in Sheppard Mullin’s San Francisco office from February 2014 to May 2019, joining the firm with partners Ray Marshall and Krystal Bowen from Bingham McCutchen. He was a litigation partner at Bingham from 2000 to 2014, and did a three-month stint at the San Francisco District Attorney Office’s Loaner Program in 2007, where he prosecuted several trials.

Current Roles and Responsibilities

Square was founded in 2009 in San Francisco by Twitter CEO Jack Dorsey. It’s been a publicly-traded company on the New York Stock Exchange since 2015 and is now a multi-billion dollar company with more than 4,000 employees globally.

The legal department primarily focuses on two sides of the company: the payments side (the card reader device we are familiar with from purchasing goods and paying at restaurants) and CashApp (similar to Venmo, which allows person-to-person money transfers). They also just launched an FDIC-approved bank, Square Financial Services, on March 2, 2021. Square’s legal department, led by General Counsel Sivan Whiteley (who also worked with David at Bingham), has more than 200 lawyers, some who do compliance work.

David serves as Litigation Counsel in Square's San Francisco office. His responsibilities are wide ranging, handling all litigation large and small. On the large end of the scale, he's working on a big antitrust case arising from recent short squeeze phenomenon involving Square's CashApp product (buying/selling stocks). Another big matter involves working on a Telephone Consumer Protection Act (TCPA) class action with Sheppard Mullin's litigation team.

David also handles large scale regulatory investigations, and a good number of smaller cases are handled directly by Square's in-house legal team. They also serve as a resource for internal questions from business executives inside the company.

Importance of Outside Counsel

David noted that, "One thing that's useful with outside counsel is understanding all their products and how they work. For example, if it's a case about CashApp investing, you should know how that works."

He also appreciates outside counsel being able to work with the tools that they use. Square uses several communications systems and a primary one is Slack. He commented that, "When cases are hot and heavy, we will set up a Slack group with outside counsel so firms need to be able to set up the technology and the lawyers need to know how to use it. We also use Google Docs (not the Microsoft Suite of products), so outside counsel must be able to work with these tools."

Sheppard Mullin lawyers working for Square include Brian Anderson (who did product counseling for CashApp and helped with CashApp's 2020 NASCAR sponsorship of Bubba Wallace), Shannon Peterson (working on a privacy class action), and Snehal Desai (who was seconded there).

Pandemic Effect

Personally, David has been working from his home in San Francisco since March 3, 2020. Even before the pandemic hit, Square's CEO Jack Dorsey was talking about a distributed workforce, and both Twitter and Square now have a "work from home forever" policy in place and they don't need to ever return to the office. David's family is even considering moving to Tahoe!

On the business side, the pandemic has overall had a positive effect on Square. David commented that "On the seller side (payment system), it was hurt initially because so many restaurants and other small businesses were closed. But the company did some innovative things along the way, such as creating the QR codes that restaurants use for menus as a solution for businesses. We also quickly ramped up to help small businesses get PPP funds."

David continued, "On the CashApp side, it really took off during the pandemic. In many ways, it's used for banking purposes without traditional bank accounts, and many people received stimulus funds through it."

Career Advice for Young Lawyers

David advises young associates to "be aware that for business development purposes, things move very quickly when a new case hits. For example, when a new litigation matter is filed, we might complete the RFP process within 3-4 days." He also encouraged young lawyers to consider working in-house, as it's interesting and fast-paced, with never a dull day.

Preparing for His Role at Square, Inc.

David's time working for Sheppard Mullin and other law firms prepared him well for his current in-house role, as he handles a wide variety of matters and different types of cases that draw upon the skills he developed.

His past work at law firms included construction and employment litigation, class action work, securities cases, and investigations, among others. At Sheppard Mullin, his litigation work included representing the City of Oakland in several cases related to fires.

Sheppard Mullin Memories

David's favorite memories at Sheppard Mullin were the practice group meetings and partner retreats, which were always fun social occasions.

He also appreciates all the great support for the SMART Program that the San Francisco office provided, including stuffing backpacks full of school supplies each Fall. San Francisco partner Morgan Forsey continues to be very helpful and provides counseling for the SMART Program.



Sheppard SF team stuffing backpacks at SMART HQ in 2017

Life Outside Work

David has served as Vice Chair of the Board of Directors for the SMART Program in San Francisco since 2013. The SMART Program (thesmartprogram.org) is a comprehensive eight-year program that provides low-income students in San Francisco access to an exceptional education and the skills needed to thrive in college. SMART provides a unique eight-year continuum of support that starts in 4th grade and goes all the way to college, including school support, after-school enrichment, summer programming, and college preparation.

He previously served on the board of San Francisco Heritage. Since 1971, San Francisco Heritage has protected the City's architectural and cultural landmarks in the face of rapid change, including advocacy for historic resources, education programs, and tours and rental of the 1886 Haas-Lilienthal House.

David is a big outdoors person – he skis often, mountain bikes, and does frequent pandemic hikes around the Bay Area. David is married and has an 8th grade son, and they live in San Francisco's Cow Hollow neighborhood. One fun experience coming out of the pandemic has been the driveway cocktails with his immediate neighbors, taking place every third night. It's been a great way to get to know his neighbors better during the shelter in place, and he expects it will continue long after.

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We thank David for taking the time to share his insights with us about his post-Sheppard Mullin career and wish him continued success.

ALUMNI MOVES AND NOTABLE NEWS

Below are a few recent in-house alumni moves and other notable achievements. Let us know if you've changed jobs so we can feature your move in a future edition.



Tammy Brandt is now Chief Legal Officer of FaZe Clan in Los Angeles, CA. She was formerly a corporate associate in our Los Angeles office from 2005 to 2007.



Ross Boughton is now Associate General Counsel, Labor & Employment at Lucid Motors USA in Newark, CA. He was an employment associate in our Los Angeles office from 2005 to 2012.



Laurie Harrison is now Chief Legal Officer of AgileThought in Boston, MA. She was a corporate associate in our Los Angeles office from 2005 to 2006.



Seong Kim is now Senior Vice-President and Head of Global Legal Affairs at Samsung Display Company in Seoul, South Korea. He was a litigation partner in our Century City office from 2016 to 2020.



Michael Lancaster is now Contracts Counsel with Collins Aerospace in Chula Vista, CA. He was a finance associate in our Los Angeles office from 2017 to 2018.



Ryan Lund is now Counsel for Realty Income in San Diego, CA. He was a real estate special counsel in our Del Mar Office from 2013 to 2020.



Matt Moak is now Executive Director, Community Development Administration for the St. Louis City Council in St. Louis, MO. He was a litigation associate in our Los Angeles office from 1986 to 1989.



Charuni Patibanda is now New Castle County's Economic Development Director in Wilmington, DE. She was formerly a real estate associate in our Los Angeles office in 2019.



Yangling (Alice) Yang is now IP Counsel at OPPO US Research Center in Palo Alto, CA. She was an IP associate in our Palo Alto office from 2018 to 2021.

Congrats to all our alumni! We regularly post in-house job opportunities from clients and friends of the firm on the Sheppard Mullin alumni site under "Career Opportunities." We welcome in-house job postings from you; please send to alumni@sheppardmullin.com.

HELPING CLIENTS SUCCEED

Sheppard Mullin lawyers work on a range of litigation and transactions to help our clients succeed. Here are just a few examples of our work over the last quarter:



LITTLEJOHN & Co.

Littlejohn – We represented Littlejohn & Co., LLC and Platinum Equity in the sale of Interior Logic Group Holdings, LLC, a provider of interior design, supply chain and installation management solutions to several of the nation's largest single-family homebuilders, to sell to Blackstone for \$1.6 billion. The deal was led by New York partner **Shon Glusky**.



MAJESCO

Majesco – The firm represented Majesco, a global provider of cloud insurance platform software, in its acquisition of ClaimVantage, an international provider of enterprise claims software as well as absence and accommodation management for the Life & Annuities market segment. The acquisition of ClaimVantage comes just three months after the \$729 million Thoma Bravo acquisition of Majesco, on which Sheppard Mullin also advised Majesco. The deal team was led by New York partner **Valérie Demont**.



MoneyLion®

MoneyLion – We obtained a published opinion from the U.S. Court of Appeals for the Ninth Circuit dismissing a putative class action brought against client MoneyLion. The plaintiff alleged that MoneyLion, operator of a smartphone app offering financial services to its customers, violated California's Unfair Competition Law, False Advertising Law and Consumers Legal Remedies Act by refusing to allow her to cancel her membership when she fell behind on her fees, deposits and loan payments. MoneyLion moved to compel arbitration and the district court granted the motion and dismissed the action. Plaintiff then appealed. The Ninth Circuit affirmed the district court's conclusion that MoneyLion's membership agreement's arbitration provision was valid and enforceable, accepting all of our team's arguments and adopting the same reasoning set forth in our briefs. Century City partners **Fred Puglisi** and **Jay Ramsey** led this matter.



NEXTERA®
ENERGY
RESOURCES

NextEra Energy Resources – We represented NextEra Energy Resources in the \$1.1 billion financing of its Woods and Beargrass wind project portfolios. The projects are expected to provide more than 1 gigawatt of energy, enough to power approximately 300,000 homes. The deal team was led by Chicago partners **Kathy Leveck** and **Andy Ratts**.



PGA Tour and Stonebrae Golf Club – We won an ADA suit seeking damages, fees, and injunctive relief against the PGA Tour and Stonebrae Golf Club in Hayward, CA. The suit was brought by a spectator who complained about access and viewing for the Ellie Mae Classic event on the Korn Ferry Tour stop at Stonebrae. Sheppard Mullin represented the Tour and the Club in the lawsuit. The plaintiff and defendants filed cross motions for summary judgment. The Court denied the plaintiff's motion and granted defendants' motion finding that the claims were moot, ending three years of litigation and three years of fees demanded by the plaintiff. Orange County partner **Greg Hurley** and associate **Brad Leimkuhler** led this matter.



Year-End Transactions (including for Bank of America) – Our Los Angeles finance team closed four high-profile transactions involving more than \$1 billion in December 2020. Transactions included: representing Bank of America, N.A., as lead arranger, in a \$680 million financing to a supermarket chain; representing Bank of America, N.A., as lead arranger, in a \$180 million financing to a casino in Nevada; representing a real estate investment firm in a \$200 million repurchase agreement; and representing a company in a complicated \$115 million financing, which closed on New Year's Eve, a short three weeks after the company received initial drafts of loan documents. The transactions were led by Los Angeles partner **Charbel Lahoud**.



UPCOMING EVENTS

Due to the pandemic, our CLE programs have shifted from in-person to webinars for the near term. Upcoming webinars where our lawyers are speaking include, among others:

- **Art & Music and NFT Boom: What and How Intellectual Property Rights Are Implicated**
(Beverly Hills Bar Association Entertainment Law Section, April 5, 2021)
- **Breaking Barriers: Diverse Leaders in Law**
(SMRH Webinar, April 8, 2021)
- **NYC's Proposed Hotel Special Permit: What You Need To Know** (SMRH Webinar, April 14, 2021)
- **California Labor & Employment Law Update**
(SMRH Webinar, April 21, 2021)
- **GC's Guide To Cyber Risk: Understanding The Questions To Ask And How To Evaluate The Answers**
(ABA, April 26, 2021)
- **Vertical Deals in Healthcare: Key Antitrust Takeaways**
(SMRH Webinar, April 27, 2021)
- **Supply Chain Management: A Study in Sustainability, Traceability, Economic, and Environmental Impacts**
(Food Law Institute, May 12, 2021)

Please visit our [Events](#) page to learn more about upcoming webinars including dates, time, speakers and registration information. You can also view recordings of past webinars at www.sheppardmullin.com/newsroom-events.html.



SHEPPARD MULLIN ESTABLISHES ENDOWED DIVERSITY SCHOLARSHIP AT UCLA LAW SCHOOL

In February, Sheppard Mullin announced the creation of the Sheppard Mullin Endowed Scholarship in Law at UCLA School of Law. The firm will fund the scholarship with an initial \$100,000. The scholarship will exist in perpetuity.

“As an alumnus, I am especially proud of our longstanding relationship with UCLA School of Law,” said Sheppard Mullin Chairman Guy Halgren. “This new partnership is driven by our mutual commitment to diversity, equity and inclusion and our dedication to creating opportunities for students from underserved communities who are facing challenges. Law school students are the future of our profession so it is important that we proactively help promising new students and champion the next generation of great lawyers.”

The scholarships will be awarded to students at the beginning of their law school careers and the application process will take place at the admissions stage. Focusing on diversity, equity and inclusion, Sheppard Mullin and UCLA School of Law will work together to select students who demonstrate significant financial need and have overcome considerable obstacles in life such as socio-economic disadvantage, disability, being the first in their family to attend college, attending under-resourced schools, or other hardships and challenges.

UCLA Law School alumni may contribute to the endowment fund if they wish. Any donations or contributions from our UCLA law alumni should go through the [Law Firm Challenge](#), which will go towards growing our scholarship fund. If you have questions, please contact Ashley Napper, UCLA's Associate Director of Leadership Giving at LFC@law.ucla.edu.

Firm Named Among America's Best Employers and Recognized for Outstanding Client Service

While we are proud of the many accolades that Sheppard Mullin receives, two recent ones are especially noteworthy:



Forbes magazine recently recognized the firm as one of America's best mid-size employers. We were one of only eight law firms listed and was ranked the highest of all law firms.



The firm also made its first appearance on the elite BTI Client Service A-Team, ranking 22nd among the BTI Client Service 30. BTI Consulting Group is the only source for measuring client service solely from the client perspective.

CONTACT US

For more information about our alumni program, to notify us of a job change, subscribe to a blog, or register for events, please contact Alumni Program leader Michelle O'Driscoll. We look forward to hearing from you and staying in touch.



Michelle O'Driscoll

*Alumni Program Senior Manager,
Sheppard Mullin*

modriscoll@sheppardmullin.com

alumni@sheppardmullin.com

FOLLOW US ON SOCIAL MEDIA (@SHEPPARDMULLIN)

We encourage you to follow us on social media to hear the latest developments, from daily blog posts to upcoming events to pro bono news.



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