



## → Jay Ramsey

### **Partner**

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Jay Ramsey is a partner in the firm's Century City Office. He is a leader of the firm's Consumer Class Action Defense Team and a member of the firm's Retail, Advertising, Privacy and Cybersecurity, and Food & Beverage groups. He is also a leader of the firm's Out at Sheppard LGBTQ Group and is the firm's 2020 Leadership Council on Legal Diversity (LCLD) Fellow. Jay is a leader the recruiting committee in the firm's Century City office.

### **Areas of Practice**

Jay enjoys a broad litigation practice, representing clients in class action litigation and complex business disputes. He also advises clients pre-litigation on a variety of related matters. He has successfully defended clients at trial, on appeal, and in arbitration.

### ***Consumer Class Actions***

Jay has defended major retailers, brands, product manufacturers, fintech companies, lead generators, advertising networks, food and beverage companies, insurers, health plans, hospitals, airlines, telecommunications companies, and more in a wide range of consumer class actions alleging violations of false advertising laws, unfair competition laws, consumer protection statutes, privacy laws, and more. His experience includes defending against:

- False advertising claims
- False pricing claims
- Product liability claims
- Telephone Consumer Protection Act (TCPA) claims
- Email marketing claims
- Call recording claims
- Debt collection claims
- Data breach and other privacy class claims

### ***Complex Business Litigation***

Jay represents a broad range of clients in complex business disputes alleging breaches of contract, fraud, breaches of fiduciary duties, interference with economic relations, wrongful solicitation, trade secrets theft, copyright and trademark infringement and other business torts. His experience includes:

- Representing studios, producers, broadcasting companies, and other content producers in claims relating to distribution rights, profit participation, and other accounting issues.
- Representing aerospace companies, other manufacturers, and contractors in disputes with their customers and suppliers, including claims for breach of contract, breach of warranty, and more

## **Advice and Counseling**

Jay advises and counsels clients on a variety of marketing, advertising, pricing, privacy, and related e-commerce matters. Jay has advised and counseled on a variety of:

- Advertising campaigns
- Pricing strategies
- E-mail marketing regulations
- Telephone and SMS marketing regulations
- Call recording practices
- Privacy policies
- E-commerce terms and conditions

## **Experience**

### **Notable Appellate Decisions**

*NEI Contracting & Eng'g Inc. v. Hanson Aggregates Pac. Sw., Inc.*, 926 F.3d 528 (9th Cir. 2019) – Appellate decision affirming complete trial victory and denial of certification in a TCPA class action.

*Sabori v. Dollar Tree Stores, Inc.*, No. B284350 (Cal. Ct. App. Apr. 24, 2019) – Appellate decision affirming grant of summary judgment on invasion of privacy claim

*Kayne v. Mense*, B254975 (Cal. App. Mar. 25, 2016) – Appellate decision overturning trial court's award of treble damages under California Penal Code section 496

*Rosolowski v. People Media*, B250482 (Cal. App. Oct. 29, 2014) – Appellate decision affirming dismissal of claim under California Anti-SPAM law.

## **Articles**

- 'One A Day' Will Not Keep Plaintiffs Away  
*Law360*, 09.20.2018
- "No Class Certification In Call Recording Case," *Association of Business Trial Lawyers Report*, Summer 2014

### **Class Action Defense Strategy Blog Posts**

- "Avoiding Formation Challenges To Your Arbitration Clause With Consumers," July 20, 2020
- "Questions To Ask When Changing Your Arbitration Clause," June 29, 2020
- "An Arbitration Clause Health Check," June 22, 2020
- "Ninth Circuit Confirms that Class Action Plaintiffs Must Plausibly Establish Future Intent To Re-Purchase To Maintain Claims for Injunctive Relief," September 12, 2018

- "Outlet And Factory Class Actions Take A Hit: California Court of Appeal Confirms Companies Can Sell Made-For-Outlet Product At Outlet Or Factory Stores," September 11, 2017
- "Ninth Circuit Confirms that a Cy Pres Only Settlement Can Work In Privacy Class Action" September 11, 2017
- "Class Action Plaintiffs In The Ninth Circuit Can No Longer Obtain Immediate Appellate Review Of Orders Denying Class Certification," June 13, 2017
- "Attacking Class Action Allegations On The Pleadings Can Be A Successful Strategy," March 29, 2016
- "In Sprint Victory, Judge Posner and the Seventh Circuit Hold That Arbitration Is Required in a TCPA Class Action Even Though the Alleged Violation Occurred After the Termination of the Contract," May 19, 2015
- "Another Blow to Call Recording Class Actions," December 2, 2014
- "Are Call Recording Class Actions Doomed?" February 27, 2014

## Fashion & Apparel Law Blog

- "Coronavirus And The Retail Industry: Pricing and Advertising Issues," March 5, 2020
- "Coronavirus And The Retail Industry: Delivery Issues," March 5, 2020
- "Coronavirus And The Retail Industry: Customer Interactions and Safety," March 3, 2020

## Healthcare Law Blog

- "Do Routine Calls by Health Plans to Patients and Health Plan Members Constitute "Telemarketing" Under the Telephone Consumer Protection Act? Not Today!," January 19, 2017

## Speaking Engagements

"Legal Issues to Consider in a COVID-19 World," Virtual Reality Location-based Entertainment Summit, October 15, 2020.

## Events

Product Labeling & Advertising Claims Check-Up  
Webinar, 10.14.2020

Preparing for a Post-COVID World - What Retailers Need to Get in Place Now  
Webinar, 04.23.2020

Navigating Complex Legal Issues Resulting From COVID-19: What Retailers Need to Know  
Webinar, 03.18.2020

## Podcasts & Webinars

Product Labeling & Advertising Claims Check-Up Webinar  
10.14.2020

Class Action Threats Facing the Consumer Finance Industry in the Age of COVID  
06.25.2020

Preparing for a Post-COVID World: What Retailers Need to Get in Place Now  
04.23.2020

## Practices

Litigation

Entertainment and Digital Media

Privacy and Cybersecurity

Advertising

Class Action Defense

## Industries

Advertising

Private Equity

Retail

## Education

J.D., The George Washington University School of Law, 2010

B.A., University of California, Los Angeles, 2007, *magna cum laude*

## Admissions

California