



→ Juthamas Judy Suwatanapongched

Associate

333 South Hope Street
Forty-Third Floor
Los Angeles, CA 90071

T: +1.213.617.5534

F: +1.213.443.2788

jsuwatanapongched@sheppardmullin.com

Ms. Suwatanapongched is an associate in the Business Trial Practice Group in the firm's Los Angeles office.

Areas of Practice

Ms. Suwatanapongched represents clients in complex business litigation and consumer class actions involving:

- Breach of contract
- Fraud
- Violations of California's Unfair Competition Law, False Advertising Law and Consumers Legal Remedies Act
- Privacy rights
- Breach of fiduciary duties
- Unlawful detainer
- Commercial loan defaults
- Lender liability

Ms. Suwatanapongched is known and valued as a collaborative, approachable, attentive and detail-oriented litigator. Her clients rely on her clear communication, organization, and management skills to execute their litigation strategies. Ms. Suwatanapongched handles all stages of litigation, from case filing to dispositive motions to mediation, arbitration, trial, and judgment enforcement.

Ms. Suwatanapongched leads teams of associates and legal staff in handling complex discovery and e-discovery and is a member of the firm's E-Discovery Team.

Activities

Ms. Suwatanapongched is an active member of the Asian/Pacific Islander American ("APIA") community and enjoys utilizing her skills to help the APIA community at large. In November 2012, Ms. Suwatanapongched helped found and launch the Thai American Bar Association ("TABA") and served as its Founding President. TABA is the first organization to support Thai and Thai-American legal professionals in the United States. She currently serves on TABA's Advisory Board. Ms. Suwatanapongched also assisted in the formation of the Thai American Samakkee Coalition ("Samakkee"), a national organization that promotes the unity and interests of Thais and Thai Americans in the United States.

Ms. Suwatanapongched currently serves on the Advisory Board of the Asian Pacific American Bar Association of Los Angeles ("APABA"), where she has served on the Board of Governors since 2007 and was its President in 2015. As former APABA Scholarship Fund Chair for more than 10 years, she coordinated the Law School Fellowship Committee, which awards an annual \$5,000 scholarship to a law student who spends a summer working at a Los Angeles County nonprofit organization in a unit that serves the APIA community.

In addition to her external leadership roles, Ms. Suwatanapongched is an active member of Sheppard Mullin's diversity group, the Diversity and Inclusion Attorney Network ("DIAN"), serves as DIAN's Office Leader for Los Angeles, and is a representative on Sheppard Mullin's Associates Forum.

Honors

Top Attorney, *Pasadena Magazine*, 2017

Southern California Rising Star, *Super Lawyers*, 2014-2019

Experience

Ms. Suwatanapongched represents large and small businesses in the consumer product (beverage, food, cosmetics and retail), financial, real estate, data and electronic service, aerospace, medical device, and health care industries, among others. She has helped her clients favorably resolve the following disputes:

Complex Business Disputes

Represented real estate development company in litigation involving fraudulent transfer and conspiracy. Second-chaired and obtained unanimous defense verdict after several days of jury trial.

Represented aerospace client in arbitration related to breach of contract dispute. Resolved by favorable settlement.

Represented online services company in dispute related to outages at customer's site. Resolved by favorable settlement.

Represented real estate companies and subsidiaries in commercial unlawful detainer cases. Resolved by obtaining judgments for possession and evictions, favorable settlements and lease amendments.

Represented international frozen food manufacturer in breach of contract dispute in arbitration. Obtained arbitration award in client's favor.

Represented financial institution in foreclosure and lender liability action with guarantors of defaulted loan. Prevailed on summary judgment.

Represented medical device manufacturer in dispute with financial institution involving unauthorized diversion of client's credit card payments to a third party. Resolved in client's favor.

Integral member of team of attorneys across several law firms in representation of insurer related to complicated excess insurance claims. Resolved by favorable settlements.

Class Actions

Represented beverage manufacturer in class action involving unfair competition and false advertising related to product labeling. Prevailed on motion to dismiss.

Represented hospital in class action involving emergency room charges. Prevailed on summary judgment.

Represented lender in class action alleging class members' privacy rights were violated. Prevailed in arbitration, and judgment in favor of client affirmed on appeal.

Represented canned food manufacturer in class action involving unfair competition and false advertising related to product labeling. Resolved by favorable settlement.

Represented retail chain in class action related to collection of customers' data. Resolved by favorable settlement.

Represented retail chain in multiple separate class actions and class actions consolidated in multi-district litigation related to collection of customers' data. Resolved by favorable settlement

Articles

Class Action Defense Strategy Blog Posts

- "*Baker v. Microsoft Corporation* Revisited: Video Gaming Company Seeks to Stop Class Action Plaintiffs From Shortcutting the Appeals Process," May 8, 2015
- "*Baker v. Microsoft Corporation*: Ninth Circuit Court of Appeals Decision in Class Action Against Video Gaming Company May Make It More Difficult to Defeat Class Actions," April 28, 2015
- "*Dennis v. Kellogg Company*: Ninth Circuit Court of Appeals Sets Aside Class Action Settlement Because Terms Did Not Meet Legal Standards for *Cy Pres* Distribution," September 17, 2012
- "California Court of Appeal Clarifies Breach of Warranty Law in Class Actions and Vacates Order Certifying Class of Consumers in *American Honda Motor Company, Inc. v. Superior Court*," December 9, 2011
- "California Court of Appeal Holds Class Action Waiver in Commercial Contract Not Unconscionable," September 21, 2010
- "Second Circuit Court of Appeals Finds Arbitration Provision Waiving Class Actions Unenforceable And Applies *Stolt-Nielsen* to Deny Class Arbitration," July 30, 2010

Video Game Law Blog Posts

- "*Baker v. Microsoft Corporation* Revisited: Microsoft Seeks to Stop Class Action Plaintiffs From Shortcutting the Appeals Process," May 14, 2015
- "*Baker v. Microsoft Corporation*: Game Companies Beware, Ninth Circuit Court of Appeals Decision May Make It More Difficult to Defeat Class Actions," April 15, 2015
- "Redbox Collection of ZIP Codes Does Not Violate Song-Beverly Privacy Rights," July 11, 2014
- "Kid Gamers: Safe Harbors for Video Game Providers," February 28, 2014
- "Machinima: Machine + Cinema," March 16, 2010

Memberships

Advisory Board/Former Founding President, Thai American Bar Association

Advisory Board/Past President, Asian Pacific American Bar Association of Los Angeles

Member, Los Angeles County Bar Association

Member, National Asian Pacific American Bar Association

Member, Association of Business Trial Lawyers

Practices

Litigation

Industries

Esports & Games

Food and Beverage

Education

J.D., University of Southern California, 2009; Staff, *Interdisciplinary Law Journal*; Internal Vice President, Asian Pacific American Law Students Association

B.A., Northwestern University, 2005; Senior Thesis with Distinction; President, Thai Club

Admissions

California

Illinois

U.S. District Court for the Northern, Eastern, Southern and Central Districts of California

U.S. Court of Appeals for the Ninth Circuit

Languages

Thai