



→ Heather L. Plocky

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Heather Plocky is a partner in the Business Trial Practice Group in the firm's Los Angeles office. She is a Leader of the firm's Los Angeles Recruiting Committee and a member of the firm's Women Lawyers Group National Leadership Council.

Areas of Practice

Heather represents clients in a variety of commercial and business litigation matters in both state and federal court. Her experience includes whistleblower retaliation claims under Sarbanes-Oxley, Dodd-Frank, and California law, complex business disputes, toxic torts, product liability claims, class action defense, securities litigation, and real estate disputes. She has experience handling matters in a diverse array of industries, including banking and finance, energy, aerospace, automotive, and fashion.

Heather is experienced in California and federal civil procedure, including filing and responding to complaints, conducting fact and expert discovery, leading teams in handling complex discovery and e-discovery, conducting motion practice, and engaging in appellate work. Her practice includes conducting investigations, handling regulatory matters, and litigating claims in arbitration. Heather is also a member of the firm's Financial Services, Toxic Torts/Product Liability, and Multifamily Housing teams.

Externally, Heather serves on the Advisory Board for the Western Center on Law and Poverty.

Experience

Representation of diversified financial services company in federal whistleblower retaliation lawsuits, and corresponding securities class actions and derivative actions.

Successfully defeated in arbitration a whistleblower retaliation action under federal and state law on behalf of a federal savings bank, which was confirmed in California state court.

Secured complete victory for federal savings bank in action seeking over \$400 million in damages for alleged breaches of contracts, fraud, and violations of banking regulations, securities laws, and labor laws.

Secured dismissal of toxic tort wrongful death action for energy company.

Conducted investigation brought by the Office of the Comptroller of the Currency ("OCC") based on consumer allegations, including faulty mortgage loans and undercapitalization.

Representation of automotive dealership in product liability action.

Represented utility in defense of wildfire lawsuits alleging tort and inverse condemnation claims.

Represented national retailer in class action alleging false advertising and unfair competition.

Obtained order from the California Court of Appeal reversing a harassment restraining order against our pro bono client.

Obtained order from the California Court of Appeal affirming a Superior Court decision awarding guardianship of a child to our pro bono client.

Articles

- *Ten Tips For Defeating SOX and Dodd-Frank Whistleblower Claims*, Corporate Counsel, January 7, 2020.
- *Navigating the Course of Relation Back: Krupski v. Costa Crociere S.P.A. and Standardizing the Relation-Back Analysis*, 44 Loy. L.A. L. Rev. 1197 (2011).

Class Action Defense Strategy Blog Articles

- "The Ninth Circuit Declares That Individualized Damages Issues Alone Never, Ever Preclude Certification of a Rule 23(b)(3) Class," October 8, 2015

Climate Change & Clean Technology Blog Articles

- "Revising Flammability Standards to Reduce Flame Retardants in Furniture," June 27, 2012

Real Estate, Land Use & Environmental Law Blog Articles

- "Recent Water and Pesticide Regulatory Guidance," March 21, 2012
- "Proposition 65 Private Party Settlement Guidance Provides Clarity and a Limitation on Releases in the Public Interest," March 15, 2012
- "Enforcement of California Low-Carbon Fuel Standard Blocked," January 6, 2012

Practices

E-Discovery

Financial Services Litigation

International Arbitration

Litigation

Toxic Tort and Product Liability

Industries

Financial Services

Mortgage Banking

Multifamily Housing

Education

J.D., Loyola Law School, 2011, *magna cum laude*, *Order of the Coif*, Senior Technical Editor of the *Loyola of Los Angeles Law Review*

B.A., University of California, San Diego, 2008, *summa cum laude*

Admissions

California

U.S. District Court for the Central District of California

U.S. District Court for the Southern District of California

Ninth Circuit Court of Appeals