



→ Sascha Henry

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Sascha Henry is a partner in the firm's Los Angeles office. She is Practice Group Leader of the Business Trial Practice Group and leads the firm's Food and Beverage Industry Team.

Areas of Practice

Sascha defends clients in complex business litigation and consumer class actions:

- She recently prevailed on a motion for summary judgment in a putative nationwide class action that the client misled consumers about the fill of its beverages.
- She prevailed on a motion for summary judgment in a putative class action alleging the client, a national restaurant chain, misled consumers about its food.
- She also prevailed on two motions to dismiss in false advertising class actions, arguing that no reasonable consumer could be deceived by the alleged description of a beverage size.
- She defeated class certification of an alleged nationwide class action involving allegations of false labeling of food.
- She argued a case before the California Second District Court of Appeal, and the court then affirmed summary judgment in favor of the client in a complex business matter.
- In 2011, she prevailed in a complex business fraud case, resulting in a jury verdict of over \$300 million for the client after a lengthy trial.

Sascha's experience includes actions involving:

- Alleged violations of California's Unfair Competition Law and False Advertising Law and other state's equivalents, including Florida's Unfair and Deceptive Trade Practices Act and New York's General Business Law §350
- Breach of contract
- Alleged theft of trade secrets
- Business torts

Sascha has also litigated disputes regarding trade secrets, shareholder rights, privacy rights, defamation, truth in lending laws, sovereign immunity and Insurance Code violations. She also counsels clients regarding business practices as they relate to consumers of goods and services.

Sascha's experience includes litigating in state and federal trial courts, as well as appellate work in the California Court of Appeal and the Ninth Circuit Court of Appeals.

Honors

- Southern California Super Lawyer, *Super Lawyers*, 2018-2020
- Best Lawyers in America, Litigation, *Best Lawyers*, 2018-2022
- Recommended Lawyer: Media, Technology and Telecoms - Advertising and Marketing: Litigation, *Legal 500*, 2019
- Most Influential Women Lawyers, *Los Angeles Business Journal*, 2019
- Top Women Lawyers, *Daily Journal*, 2012, 2014 and 2020
- Top 20 Under 40, *Daily Journal*, 2012
- Attorney of the Year, *The Recorder*, 2012

Experience

Class Actions:

- Represented beverage retailer in false advertising class action. Prevailed on motion for summary judgment.
- Represented national restaurant chain in class action over alleged false advertising. Prevailed on motion for summary judgment, and defeated class certification.
- Represented national restaurant company in class action over alleged false advertising.
- Represented beverage retailer in two false advertising class actions. Prevailed on both on motion to dismiss.
- Represented supplement manufacturer in false advertising class action relating to product labeling. Prevailed on motion to dismiss.
- Represented national restaurant chain in false advertising class action relating to menus. Defeated class certification and matter resolved favorably for client.
- Represented supplement manufacturer in false advertising class action. Prevailed on motion to dismiss.
- Represented cosmetic manufacturer in false advertising class action. Resolved by favorable settlement.
- Represented insurer in class action alleging class was owed interest on deposits paid. Prevailed on summary judgment and judgment was affirmed on appeal.
- Represented law firm in class action against allegations of malpractice. Resolved by favorable settlement.
- Represented storage facility in class action against allegations of statutory violations related to insurance program. Resolved by favorable settlement.
- Represented internet-based company in class action alleging false advertising and unfair business practices. Resolved by favorable settlements.
- Represented lender in class action alleging class members' privacy rights were violated. Prevailed in arbitration, and judgment in favor of client was affirmed on appeal.
- Represented app developer in class action alleging class members' privacy rights were violated. Case against client dismissed.

- Represented lender in class action alleging class members were deceived into paying undisclosed fees. Prevailed on summary judgment, and judgment was affirmed on appeal.

Complex Business Cases:

- Represented real estate developer in dispute regarding sales commissions. Prevailed on summary judgment and judgment was affirmed on appeal.
- Represented insurer against policyholder in complex fraud and deception case. Prevailed after lengthy jury trial.
- Represented technology company in license dispute. Resolved in client's favor.
- Represented lenders in connection with fraud committed by borrowers. Resolved by favorable settlement.
- Represented manufacturer in complex dispute with distributor. Resolved by favorable settlement.
- Represented online marketing service in dispute with marketing vendor. Resolved by favorable settlement.
- Represented pharmaceutical company in dispute with vendor. Prevailed in arbitration, and judgment in favor of client was affirmed on appeal.

Published Appellate Decisions:

Shaeffer v. Califia Farms, LLC, 44 Cal. App.5th 1125 (2020)

State Comp. Ins. Fund v. Sup. Ct., 184 Cal. App. 4th 1124 (2010)

Articles

- Food & Beverage Industry's 2022 Litigation Outlook
Food Manufacturing, 01.05.2022
- Food & Beverage Class Actions: What You Need to Know for 2021
Food Manufacturing, 01.06.2021
- What's Trending in Food and Beverage Class Actions?
Food Manufacturing, 01.23.2020
- Slack-Full Litigation: Recent Developments and Tips to Minimize Risk
Association of National Advertisers, 11.2019
- The Evolution Of Food & Beverage Class Actions: What You Need To Know For 2018
Food Manufacturing, 04.20.2018
- Food and Beverage Class Actions: Trends and Potential Developments
American Bar Association: The Woman Advocate, 05.24.2016
- Food & Beverage Class Actions: Early and comprehensive legal frameworks and defense strategies
Metropolitan Corporate Counsel, 03.29.2016
- The New Normal: The Need for Damages Proof To Certify Consumer Classes Post-Comcast
Bloomberg BNA: Class Action Litigation Report, 03.28.2014
- 'Natural' suits persist absent FDA definition
Los Angeles Daily Journal, 01.06.2014

Class Action Defense Strategy Blog Posts

- "Ninth Circuit Concludes That Common Issues Do Not Predominate Where Retailer's In-Store Signs and Oral Sales Statements Place Each Putative Class Member's Exposure to Misleading Statements in Doubt," February 13, 2014

Media Mentions

Management by Fear Is Becoming Ineffective at Law Firms

The American Lawyer, 11.17.2021

Too Cute? Appeals Court Nixes Claim Over 'No Sugar Added' Label on Cuties Juice

The Recorder, 02.06.2020

Law360's Weekly Verdict: Legal Lions & Lambs

Law360, 03.15.2018

9th Circ. Clears Starbucks In Underfilled Iced Drink Suit

Law360, 03.13.2018

Law360's Weekly Verdict: Legal Lions & Lambs

Law360, 01.12.2018

Starbucks Wins Toss Of Underfilled Latte Class Action

Law360, 01.05.2018

Judge Not Hot On Suit Alleging Starbucks Shorts Lattes

Law360, 11.07.2017

Law360's Weekly Verdict: Legal Lions & Lambs

Law360, 08.25.2016

Food Labeling Cases Prove Tough For Plaintiffs' Lawyers

Daily Journal, 01.09.2015

5 Tips For Defeating A Class Cert. Bid

Law360, 06.24.2014

Top Women Lawyers - Sascha Henry

Daily Journal, 05.07.2014

Famine and Feast

Inside Counsel, 04.01.2014

Speaking Engagements

- Co-Chair, "CLE International's 4th Annual Food Law Seminar," UCLA Law Faculty Center, Los Angeles, California, June 6-7, 2019
- Co-Chair, "CLE International's Food Law Seminar," Denver, Colorado, April 19-20, 2018

- Speaker, "Consumer Fraud and Product Labeling," CLE International Class Actions Conference, Los Angeles, California, November 8, 2017
- Co-Chair, "CLE International's Food Law Seminar," Austin, Texas, May 11-12, 2017
- Co-Chair, "CLE International's Food Law Seminar," Washington, D.C., March 17-18, 2016
- Speaker, "The Class Standing Doctrine: How Close Must Putative Class Claims Be to Those of the Class Representative," CLE International Conference, Washington, D.C., October 3, 2013
- Speaker, "Class Action Laws In Motion: A Brief Overview of Some Monumental Changes over the Past Six Months," CLE International Conference, Chicago, October 4, 2012
- Speaker, "Recent Trends in False Advertising Law: The Import of *Kwikset* and *Mazza*," CLE International's Class Actions Conference in Los Angeles, May 17, 2012

Events

Food Litigation in 2022: Analyzing Class-Actions Claims and Other Litigation Activity Affecting the Food and Beverage Industry
Chicago, IL, 07.13.2022

PFAs Litigation and Policy Concerns
Webinar, 06.08.2022

6th Annual Food Law Conference
Current Trends & Perspectives Beyond the Beltway
Virtual, 03.11.2022

CLE International's 5th Annual Food Law Conference
03.02.2020 and 03.03.2020

CLE International's 3rd Annual Food Law Conference
Innovative Foods & Other Hot Topics
April 19-20, 2018

CLE International's 2nd Annual Food Law Conference
A Comprehensive Review of the Evolving Legal Landscape
May 11-12, 2017

Memberships

- Member, Board of Directors of the Constitutional Rights Foundation
- Member, Outside Advisory Board of the Resnick Center for Food Law & Policy at UCLA Law School
- Member, Association of Business Trial Lawyers, Board of Governors, 2012 - 2017; Co-Chaired Dinner and Lunch Program Committees
- Member, Food Law Committee California State Bar, 2015 - present
- Member, Food and Supplements Subcommittee, Section of Litigation, American Bar Association, 2015 - 2017
- Member, Leadership California's Executive Advisory Council, 2015 to 2017; past board member

- Member, Los Angeles County Bar Association
- Member, Class Actions and Derivative Suits Committee
- Member, Women's Advocate Committee, Section of Litigation, American Bar Association

Podcasts & Webinars

Nota Bene Episode 38: How Regulations Surrounding the Food Industry are Evolving with Michael Roberts and Sascha Henry
06.05.2019

Practices

Class Action Defense
Litigation

Industries

Advertising
Financial Services
Food and Beverage
Healthcare
Insurance
Mortgage Banking

Education

J.D., University of Minnesota Law School, 1997, *cum laude*
B.A., Pennsylvania State University, 1994

Admissions

California
U.S. Court of Appeals for the Fourth Circuit
U.S. Court of Appeals for the Ninth Circuit
U.S. Court of Appeals for the Eleventh Circuit
U.S. District Courts for the Central, Southern and Northern Districts of California
U.S. District Court for the Eastern District of Michigan