



→ Valerie E. Alter

Special Counsel
1901 Avenue of the Stars
Suite 1600
Los Angeles, CA 90067

T: +1.310.228.3710
F: +1.310.228.3910
valter@sheppardmullin.com

Valerie Alter is a special counsel in the Business Trial Practice Group in the firm's Century City Office.

Areas of Practice

Valerie is a litigator and appellate practitioner who represents and advises clients on a wide range of cases and issues, including:

- **Commercial litigation**, such as contract disputes and class actions;
- **High stakes probate litigation**, such as trust contests and breach of fiduciary duty matters;
- **Intellectual property and media law matters**, such as right of publicity and trademark disputes; and
- **Constitutional litigation**, including First Amendment issues.

Valerie has drafted or otherwise provided advice on dozens of anti-SLAPP motions, and has advocated for and advised her clients in approximately 100 appellate matters.

Valerie leverages her broad procedural knowledge, both at the trial and appellate levels, drawing on her experience as a law clerk to the Honorable Sidney R. Thomas of the United States Court of Appeals for the Ninth Circuit. She provides strategic vision and skill managing collaborative, cost-efficient litigation teams to provide positive results for her clients at all levels of litigation.

When she's not practicing law, Valerie is active in her community. She is a Girl Scout troop leader and softball coach, active in her local public elementary school, and volunteers with an animal rescue organization.

Honors

Southern California Rising Star, *Super Lawyers*, 2009-2015

Experience

Published Appellate Opinions:

White v. Wear, 76 Cal. App. 5th 24 (2022)

Wong v. Wong, 43 Cal. App. 5th 358 (2019)

NEI Contr. & Eng'g, Inc. v. Hanson Aggregates Pac. Sw., Inc., 926 F.3d 528 (9th Cir. 2019)

San Diegans for Open Government v. San Diego State University Research Foundation, et al., 13 Cal. App. 5th 76 (2017)

Andermann v. Sprint Spectrum LP, 785 F. 3d 1157 (7th Cir. 2015)

Representative Experience Terminating In The Trial Court:

- Defeated motions for preliminary injunction and obtained favorable judgment in case seeing to enjoin the County of Los Angeles's ban on flavored tobacco products as unconstitutional, *J. Reynolds v. County of Los Angeles*, No. 20-cv-4880 DSF (KSx) (C.D. Cal. 2020) and *CA Smoke & Cape Ass'n v. County of Los Angeles*, No. 20-cv-4065 DSF (KSx) (C.D. Cal. 2020).
- Obtained favorable resolution in constitutional challenge to the County of Los Angeles's emergency curfew orders enacted in June 2020, *Price v. County of Los Angeles*, No. 20-cv-04911-SB-KS (C.D. Cal. 2020).
- Successfully represented Japanese entity in connection with claims for breach of contract, fraud, and promissory estoppel arising out of failed negotiations for a Japanese professional baseball contract.
- Represented charitable foundation in connection with trial related to capacity of donor thereto.
- Successfully represented trustee and resolved matter involving a trust contest and claims of elder abuse.
- Obtained partial summary judgment in favor of insurer on bad faith and other tort claims.
- Defeated motion for preliminary injunction, in part on procedural grounds, in a First Amendment case, leading to successful resolution of *HRDC v. County of Los Angeles*, No. 2:17-cv-04883-R-AS (C.D. Cal. 2017).
- Achieved summary judgment on trade secret claim. *OFS v. LADWP et al*, No. BC 589967 (LA. Sup. Ct. 2017).
- Advise municipal clients on First Amendment issues.

Representative Trial And Appellate Experience:

- Successfully defended on appeal probate orders regarding representation of a conservatee and the right to bring litigation on his behalf. *Conservatorship of the Estate of Tedesco*, 2019 Cal. App. Unpub. LEXIS 6244 (2019); *Tedesco v. White*, 2019 Cal. App. Unpub. LEXIS 6248 (2019).
- Obtained affirmance of order decertifying a class based on lack of standing. *NEI Contr. & Eng'g, Inc. v. Hanson Aggregates Pac. Sw., Inc.*, 926 F.3d 528 (9th Cir. 2019). Similarly obtained affirmance of denial of plaintiff's request for attorneys' fees in the same case. *NEI Contr. & Eng'g, Inc. v. Hanson Aggregates Pac. Sw., Inc.*, 771 Fed. Appx. 451 (9th Cir. 2019).
- Successfully represented media client in connection with anti-SLAPP motion involving unsuccessful allegations of self-dealing in violation of California Government Code section 1090. *San Diegans for Open Government v. San Diego State University Research Foundation, et al.*, 13 Cal. App. 5th 76 (2017), *petition for review dismissed* (2019)
- Won summary judgement and prevailed on appeal in a contest of the trust of Douglas Tompkins, founder of The North Face and Esprit apparel companies. This judgment had the effect of preserving hundreds of millions of dollars for the creation and expansion of national parks in Chile and Argentina. *Walker v. Ryker et al.*, 2018 Cal. App. Unpub. LEXIS 6664 (CA Ct. App. 2018).
- Defeated privacy claims brought against media client arising from broadcast and prevailed on appeal. *P.S. v. Scripps Media, Inc.*, 2017 Cal. App. Unpub. LEXIS 2971 (CA Ct. App. 2017).

- Compelled arbitration in putative class action and later prevailed on appeal. *Andermann v. Sprint Spectrum LP*, 785 F.3d 1157 (7th Cir. 2015).
- Secured summary judgment on trademark and unfair competition claims and prevailed on appeal. *Webceleb, Inc. v. Proctor & Gamble, Co. et al.*, 554 Fed. Appx. 606 (9th Cir. 2014).
- Obtained affirmance of order denying motion for preliminary injunction that sought to enjoin broadcast of television show. *Arenas v. Shed Media US, Inc.*, 462 Fed. Appx. 709 (9th Cir. 2011).
- Achieved total victory for entertainment client where lower court had granted in part and denied in part anti-SLAPP motion. *Cammarata v. Bright Imperial*, 2011 Cal. App. Unpub. LEXIS 665 (Cal. Ct. App. 2011). Obtained affirmance of award of attorneys' fees. *Cammarata v. Bright Imperial*, 2011 Cal. App. Unpub. LEXIS 3221 (Cal. Ct. App. 2011)
- Filed petition for review resulting in rejection of arbitrary and capricious action by federal government agency.
- Successfully represented trustee on appeal of a trial court's denial of an anti-SLAPP motion in connection with a breach of trust case.
- Represented petitioners in trial court and on appeal in connection with contested orders in conservatorship case.
- Obtained writ relief in connection with erroneous denial of motion for summary judgment in qui tam case.

Articles

- Ninth Circuit Fumbles the Ball In Videogame Likeness Cases
BNA Insights, 09.10.2013
- Can Intentional or Knowingly Reckless Misuse of Copyrighted Material Be Considered "Fair Use?"
Communications Lawyer, Volume 26, Number 3, 07.2009
- Fair Use And The Right Of Publicity: A Search For A More Balanced Approach
Media Law Resource Center, 12.2008
- It's Not Just Make-Believe Anymore
Media, Privacy and Defamation Law Committee Newsletter, Fall 2008

Corporate & Securities Law Blog Posts

- "California Court of Appeal Holds that SEC Filings May Be Protected Activities Under Anti-SLAPP Statute,"
January 14, 2022

Practices

Litigation

Appellate

Private Wealth and Fiduciary Litigation

Appellate

Class Action Defense

Education

J.D., Stanford Law School, 2005, *Order of the Coif*, Editor-In Chief and Articles Editor, *Stanford Technology Law Review*

B.A., University of North Carolina at Chapel Hill, 2002, *highest honors*, *Phi Beta Kappa*, Morehead Scholar

Clerkships

Law clerk to the Honorable Sidney R. Thomas, 9th Circuit Court of Appeals

Admissions

California

United States Supreme Court

U.S. District Court, Eastern District of California

U.S. District Court, Central District of California

U.S. District Court, Northern District of California

U.S. District Court, Southern District of California

U.S. Court of Appeals for the Seventh Circuit

U.S. Court of Appeals for the Ninth Circuit

U.S. Court of Appeals for the Federal Circuit

Languages

Spanish