



## Paul W. Sweeney, Jr.

### Partner

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### OVERVIEW

Paul Sweeney is a member of the Los Angeles office's business litigation group where he focuses his practice on the defense of lawsuits and trials, both individual actions and class actions, alleging claims of unfair business practices (e.g., violations of California laws such as the Unfair Competition Law (UCL), the Consumer Legal Remedies Act (CLRA), and the False Advertising Law (FAL)), and violations of privacy laws (including such laws as the California Invasion of Privacy Act (CIPA)). He also represents clients in lawsuits involving commercial contracts, consumer contracts, business torts, civil rights, and various federal and state statutes and regulations. He has also handled employment arbitrations and lawsuits involving claims of discrimination, wage-hour violations, wrongful termination, and theft of trade secrets. He represents clients primarily in the manufacturing, retailing, technology, financial services, food and beverage, health care, and entertainment industries.

### PROFESSIONAL BACKGROUND

Paul served as a White House Fellow, where he worked for the White House Chief of Staff/Assistant to the President for Intergovernmental Affairs. Paul has also served as a volunteer prosecutor for the Los Angeles City Attorney's Office, Criminal Branch, where he handled misdemeanor jury trials. In 2022, Paul was named by Savoy magazine as one of the most influential African-American lawyers in the United States. He was also named Banking and Finance Visionaries for the *Los Angeles Times* in 2021 – 2022, *Minority Leaders of Influence* in 2021 and Most Influential Minority Attorneys in Los Angeles in 2019 by the *Los Angeles Business Journal*. And, for many years, Paul has been named to the Southern California Super Lawyers list

### PROFESSIONAL / CIVIC ACTIVITIES

- American Law Institute
- Hollywood Wilshire YMCA, Board of Directors
- Public Counsel, Board of Directors
- Thurgood Marshall College Fund, Board of Directors

## SPEAKING ENGAGEMENTS

- National Bar Association, Panelist: The Supreme Court: Civil Rights and Civil Liberties (2023)
- Association of Corporate Counsel, Southern California Chapter: Panelist, The California Privacy Rights Act of 2020 (CPRA): Key Impact Areas (2021)
- Live with the Supremes: Recap of the Most Important Decisions Impacting Corporations from the U.S. Supreme Court's 2017-18 Term (2019)
- K&L Gates Webinar: Panelist, Discrimination Law: Workplace Inequalities Are Alive and Kicking (2018)
- Association of Corporate Counsel, Southern California Chapter: Panelist, Getting the Most Out of Your Outside Counsel, and Panelist, Inside/Outside Counsel Relationships -- Addressing Issues of Bias (2018)
- K&L Gates Webinar: Panelist, Consumer Litigation: The Year in Review and the Years to Come - What to Expect in Consumer Litigation Under the Trump Presidency (2017)
- National Bar Association: Panelist, Attorney - Client Privilege in the Parent - Subsidiary Context (2017)
- National Bar Association: Panelist, The Current Telephone Consumer Protection Act Landscape & What You Need to Know to Avoid Liability (2016)
- Association of Corporate Counsel, Southern California Chapter: Panelist, Effective Use of Social Media in Litigation: Tools, Traps, and Tips (2014)
- National Bar Association: Panelist, Class Action Strategies (2011)
- Association of Corporate Counsel, Southern California Chapter: Panelist, Multi-State Investigations: What They Are and What to Do When Your Company Is the Subject of One (2006)
- Minority Corporate Counsel Association: Panelist, Strategies for Aggressively Countering Multi-Plaintiff Lawsuits (2003)

## EDUCATION

- B.S., University of Southern California, (*cum laude*)
- J.D., Columbia Law School

## ADMISSIONS

- Bar of California
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Central District of California

- United States District Court for the Northern District of California
- United States District Court for the Southern District of California

## THOUGHT LEADERSHIP POWERED BY HUB

- April 2022, April 2022 Accolades
- February 2022, February 2022 Accolades
- May 2021, May 2021 Accolades
- April 2021, April 2021 Accolades
- 11 February 2021, Conversations About Race: Reverend James M. Lawson Jr.
- 14 January 2021, California Voters Approve (Another) Overhaul of California Consumer Privacy Laws: Meet the California Privacy Rights Act
- 2 September 2020, California Prepares for Potential Overhaul of Privacy Laws: The California Privacy Rights Act Qualifies for the General Election Ballot
- 26 June 2020, Conversations About Race: Dr. Harry Williams
- 31 March 2020, COVID-19: No Impact on 1 July Enforcement Date Set For California Consumer Privacy Act of 2018 (CCPA)
- 22 November 2019, We CCPA Through a Glass, Darkly: Employers' Compliance with the New California Consumer Privacy Act in 2020 and Beyond
- August 2018, Discrimination Law: Workplace Inequalities Are Alive and Kicking
- 31 October 2016, Fewer Choices for Employers, More Choices for Employees – The California Legislature Is at It Again

## OTHER PUBLICATIONS

- "USA Patriot Act," presented at Labor and Employment Law: Challenges for the Financial Service Industry seminar in K&LNG's Los Angeles and San Francisco office, June 18 & 19, 2002
- "Mountain Man," *California Law Business*, April 1, 2002

## NEWS & EVENTS

- 18 August 2022, More Than 350 K&L Gates Lawyers Named Among 2023 Best Lawyers in America, Ones to Watch
- 5 November 2015, K&L Gates Partner Appointed Chairperson of Public Counsel's Board of Directors

- 21 September 2015, K&L Gates Continues Decade-long Commitment as Title Sponsor of Corporate Counsel Women of Color's Annual Career Strategies Conference
- 9 June 2015, K&L Gates Adds Leading National Commercial Disputes Partner in U.S.

## AREAS OF FOCUS

- Commercial Disputes
- Class Action Litigation Defense
- Data Protection, Privacy, and Security
- Employment Disputes and Investigations
- Financial Institutions and Services Litigation

## EMERGING ISSUES

- Environmental Social Governance (ESG)

## REPRESENTATIVE EXPERIENCE

- In 2023, defended major financial institution in action alleging violation of terms of customer account agreements.
- In 2022, defended major manufacturer in class action alleging capture and recording of personal information in violation of the California Invasion of Privacy Act.
- In 2022, won a case in the California Court of Appeals affirming the dismissal of a trade secrets action brought against a major beverage manufacturer.
- In 2021, defended major manufacturer in civil rights action.
- In 2020, defended major beverage and food manufacturer in false and deceptive advertising class action.
- In 2019, defended major beverage and food manufacturers in false advertising and unfair business practices class actions.
- In 2019, defended major retailer in class action alleging false advertising and unfair business practices in connection with discounted pricing of retail merchandise.
- In 2019, defended global financial institutions in wage hour class actions.
- In 2018, defended major food service retailer in wage hour class action.
- In 2017, obtained dismissal of antitrust/trade regulation class action on behalf of major food service company.

- In 2016, defended major retailer in class action lawsuit alleging violations of the California Invasion of Privacy Act.
- In 2016, won appeal in the United States Court of Appeals, Ninth Circuit, defending financial institution in class action lawsuit alleging violations of federal statutes, including the Truth in Lending Law.
- In 2016, won summary judgment on behalf of technology manufacturing company in a disability discrimination case.
- In 2015, won AAA arbitration on behalf of internet company defending against breach of contract claims.
- In 2013, won summary judgment of age discrimination lawsuit filed against major footwear, apparel and equipment manufacturer.
- In 2012, obtained dismissal of consumer class action filed against major food and beverage manufacturer and retailer.
- In 2011, obtained decertification of previously certified class action alleging unfair business practices, on behalf of major financial institution.
- In 2009, won appeal in the United States Court of Appeals, Ninth Circuit, representing major telecommunications company accused of engaging in wrongful business conduct.
- In 2005, served as lead-counsel defending entertainment conglomerate in a two-week discrimination trial in Los Angeles Superior Court in which jury rendered a defense verdict.