

## Marisol C. Mork

**Partner**

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### About Marisol

Marisol Mork is an experienced counselor and litigator who the *Los Angeles Business Journal* named in 2021 to its list of top women lawyers in California and named in 2020 to its list of the most influential leaders and executives in Los Angeles – the LA 500.

Marisol advises global clients in a wide range of business enterprises. As co-leader of the firm's Advertising, Media & Brands Industry Group, Marisol counsels clients on consumer protection issues and litigation risks in the advertising, marketing and media sectors. She also partners with clients on brand protection measures and serves as anticounterfeiting counsel to a well-known US multinational consumer product corporation.

In contentious matters, Marisol has represented clients in courts throughout the US and has arbitrated disputes in Europe and Asia. Her experience in complex business litigation includes false advertising and unfair competition consumer class actions, data privacy class actions, location-based services technology, trademark litigation and disputes, business controversies in the food, beverage and cannabis industries, and cross-border commercial disputes.

She has been selected as a Southern California Rising Star, a distinction that recognizes the top 2.5% of lawyers in the region under the age of 40 or those in practice for 10 years or fewer.

Marisol is a member of the Litigation Section of the American Bar Association and the Hispanic National Bar Association. She was a 2019 Leadership Council on Legal Diversity fellow and served as a 2020 LCLD Pathfinder Program Facilitator.

Prior to her career in law, Marisol was a fifth-grade teacher on the Navajo Nation, New Mexico, as a Teach for America corps member.

### Experience

#### Class Action Cases

- Currently serving as lead counsel defending Volkswagen Group of America and Audi of America in a number of putative class actions arising from an alleged data incident that assert various common law and statutory claims, including claims for damages pursuant to the California Consumer Privacy Act (CCPA).

- Serving as counsel defending the former Chief Deputy City Attorney of Los Angeles in a putative federal class action alleging collusion between the City Attorney's Office and plaintiffs' lawyers in a prior lawsuit against the City's Department of Water and Power, purportedly depriving ratepayers of full recompense for overcharges, violating 42 U.S.C. § 1983 and the civil RICO statute.
- Serving as lead counsel defending Cintas Corporation in numerous wage and hour representative actions that have been coordinated for proceedings in the Los Angeles Superior Court.
- Served as counsel defending Sprout Foods in a number of putative class actions alleging false advertising by failing to disclose the presence of trace amounts of heavy metals in baby food products, following the publication of a Staff Report by a Subcommittee on Economic and Consumer Policy for the US House of Representatives expressing industry-wide concerns.
- Resolving by amicable settlement a putative federal class action brought by prison inmates and a criminal defense lawyer against a prison telephone service provider accused of recording privileged calls and falsely advertising the privacy of those calls.

### **Complex Civil and Cross-border Matters**

- Currently representing ONEflight International, Inc. in a federal lawsuit pending in the Eastern District of New York, defending allegations that it falsely advertised and represented its services in violation of New York's General Business Law.
- Currently representing Sunflora Inc. in a federal lawsuit pending in the Central District of California asserting breach of contract claims against former business partners regarding the growth of its CBD stores in Southern California.
- Securing the complete dismissal of breach of contract claims asserted against coffee accessory manufacturers and trademark holders, Smartco International (Asia) Limited, Smartco International (HK) Limited and Eternal East (HK) Limited, by a former exclusive distributor in an action pending in the Western District of Washington and currently representing the Smartco entities in a related Ninth Circuit appeal.
- Represented Fashion Nova in a federal lawsuit pending in the Central District of California, defending allegations by Playboy of trademark infringement, and asserting counterclaims seeking the invalidation of those marks to Playboy's so-called "Bunny Costume."
- Securing a nine-figure arbitration award for the claimant in an arbitration before the Netherlands Arbitration Institute in Amsterdam that sought to enforce its contractual and intellectual property rights in certain technology providing Location Based Services to monetize popular geosocial networking applications used by hundreds of millions of people around the world.
- Representing the largest chatbot development and hosting platform in a pre-litigation trademark infringement dispute.
- Defending Powerboard, LLC in a trademark infringement action relating to its self-balancing hoverboards that resolved by amicable settlement.
- Representing Zippo, owner of the BLU trademark, for its innovative line of torch flame butane lighters, in a federal trademark dispute against the subsidiary of Lorillard that sells "blu" e-cigarettes.
- Defending Breville, a pioneer in fruit and vegetable juicers, in federal false advertising litigation against a group of competitors promoting their line of masticating juicers as extracting and preserving more vitamins, minerals, enzymes and other nutrients than competitive centrifugal juicers.

- Representing America's sugar cane growers, sugar beet farmers and refiners of natural sugar in a federal false advertising lawsuit against Archer-Daniels-Midland, Cargill, other processors of high fructose corn syrup (HFCS) and their trade group, the Corn Refiners Association, for falsely advertising the various formulations of HFCS as "corn sugar," as "natural," and that "your body can't tell the difference."
- Defending multinational companies in environmental matters, including the defense of soil and groundwater contamination claims and cost recovery associated with extensive remediation efforts.
- Counseling a major occupant safety systems manufacturer in product liability actions involving claims of wrongful death and serious injury.
- Representing clients in the defense of wrongful termination and discrimination actions, including claims of disability, race and gender discrimination.
- Obtaining favorable results for a pro bono client before the Board of Immigration Appeals.

## Credentials

### Education

- Loyola Law School, J.D., 2009
- Amherst College, A.B., *magna cum laude*, 2002

### Admissions

- California, 2009

### Courts

- U.S. Ct. of App., Ninth Circuit
- U.S. Dist. Ct., C. Dist. of California, 2016
- U.S. Dist. Ct., S. Dist. of California, 2016
- U.S. Dist. Ct., N. Dist. of California, 2011
- U.S. Dist. Ct., W. Dist. of Washington, 2021

### Memberships & Affiliations

- Member, Litigation Section of the American Bar Association
- Member, Hispanic National Bar Association

## Recognitions

- Selected as a Southern California Rising Star, a distinction that recognizes the top 2.5% of lawyers in the region under the age of 40 or those in practice for 10 years or less

## Expertise

### Services

- Labor & Employment
- Litigation
- Intellectual Property & Technology

- Government Investigations & White Collar

## Industries

- Advertising, Media & Brands

## Speaking Engagements

- Panelist, "Class Action: The Next Phase," Food Enforcement and Compliance Conference, Washington DC, March 21, 2019.
- Panelist, "Food and Dietary Supplement Class Action Litigation: Developments and Strategies," FDLI's 2019 Annual Conference, Washington, DC, May 2-3, 2019.

## About our firm

One of the world's strongest integrated law firms, providing insight at the point where law, business and government meet. We deliver commercially focused business solutions by combining our legal, lobbying and political capabilities and invaluable connections on the ground to a diverse mix of clients, from long-established leading corporations to emerging businesses, startup visionaries and sovereign nations. More than 1,500 lawyers in over 40 offices across four continents provide unrivaled access to expertise.