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Daily Journal's Top 100 Lawyers



Melinda L.
Haag

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San Francisco

Securities Litigation,
White Collar Defense
& Investigations

In April, Melinda L. Haag and her team won the dismissal with prejudice of a putative securities class action against PayPal over the company's regulatory compliance. They had won the dismissal of an earlier version of the complaint eight months before.

Haag gives much of the credit to her "very brilliant securities litigation partners on the East Coast, Audra Soloway, Daniel Kramer and Geoffrey Chepiga." *Kang v. PayPal Holdings*, 3:21-cv-06468 (N.D. Cal., filed Aug. 20, 2021).

But another important factor was that she and her trial team were brought into the case early. "I think the smart thing to do is to bring in the trial team from the outset because that informs the strategy quite significantly," she said.

Haag, the former U.S. attorney for the Northern District of California who now co-chairs her firm's white-collar and regulatory defense group, said doing that is becoming more common. "I think [clients] find that ... if there aren't people on the team that have an eye on the trial — if that happens — then strategies are undertaken that might not work in the trial context."

Still, sometimes, the trial team is not brought in early. In April, she settled a securities class action, already set for trial, after only joining the case the preceding October. *Roberts v. Zuora Inc.*, 3:19-cv-03422 (N.D. Cal., June 14, 2019).

Haag is scheduled to try two cases in the coming months. In November, she is set to defend a class action against a mortgage company over its fees.

She had the class decertified at one point, but the judge reinstated the case following a U.S. Supreme Court ruling in another case. *Weiner v. Ocwen Financial Corp.*, 2:14-cv-02597 (E.D. Cal., filed Nov. 5, 2014).

Then, in April, she is scheduled to defend Apple in a securities class action that claims the company and two employees misled shareholders about falling phone sales in China. In Re: Apple Inc. Securities Litigation, 4:19-cv-02033 (N.D. Cal., filed April 16, 2019).

In other matters, she is defending a company that buys and then rents houses against a California False Claims Act lawsuit filed on behalf of San Diego and 17 other cities. Based primarily on data analytics, the whistleblower alleges the company systematically failed to obtain building permits to renovate thousands of houses statewide. *City of San Diego v. Invitation Homes Inc.*, 3:22-cv-00260 (S.D. Cal., filed Feb. 5, 2022).

And she is lead counsel to Amazon in a lawsuit filed by the D.C. attorney general over delivery drivers' rights to tips. The suit alleges unfair practices related to a prior multimillion-dollar settlement between the company and the FTC. "In our view, there's nothing false or misleading about telling the customers that 100% of the tips are going to drivers because ... that is a true statement," Haag said. *District of Columbia v. Amazon.com Inc.*, 2022-CAB-005698 (D.C. Super. Ct., filed Dec. 7, 2022).

—Don DeBenedictis