

Michelle Doolin

Partner



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San Diego

Class Action Litigation
 Commercial Litigation
 Cyber/Data/Privacy
 Labor and Employment
 Retail and Consumer Products
 Product Compliance and Product Litigation
 Fashion, Apparel and Beauty
 CooleyREG

Michelle is chair of Cooley's elite class action practice and serves as the go-to attorney for retail and consumer product companies facing consumer class actions involving advertising, consumer, privacy, and employment laws. Michelle has defended top companies in 150+ consumer class actions and has obtained success at all stages of litigation.

Her representative clients include 1Life Healthcare, Ann Inc., BevMo, Condé Nast, Cole Haan, Dick's Sporting Goods, Fifth Generation, Gap, Google, Guess, J.Crew Group, Jenner Communications, Johnson Health Tech, King Kylie, KKW Beauty, Kylie Jenner Inc., Living Spaces, Nike, Nintendo, Poppi, Provide Commerce, Sony, Swarovski, Talking Rain, The Children's Place, The TJX Companies, The Yankee Candle Co., Tiffany & Co., Time, Tito's Handmade Vodka, and the University of Southern California.

Michelle represents several Kardashian-Jenner brands, and in 2022 she [won a high-profile jury trial in Los Angeles](#), successfully [defending the Kardashian-Jenner family](#) against claims brought by a plaintiff seeking more than \$100 million in damages for allegations of defamation and intentional interference with the plaintiff's E Entertainment Television network talent agreement. Her representation of the Kardashian-Jenner brands includes a diverse range of business disputes, advertising claims and employment disputes.

Michelle's class action experience includes:

- California class actions brought under the state's Song-Beverly Credit Card Act regarding collection of personal information
- Nationwide and California class actions alleging false and deceptive advertising under California's Consumers Legal Remedies Act, Unfair Competition Law, and False Advertising Law
- Nationwide and California class actions alleging product defects and asserting various claims for breach of express, implied, and statutory warranties, as well as false and deceptive advertising and unfair competition
- Class actions alleging violations of the federal Telephone Consumer Protection Act (TCPA)
- Privacy litigation, including suits brought under the federal Video Privacy Protection Act (VPPA) and California's "Shine the Light" law
- Nationwide gift card class actions brought under the federal Credit Card Accountability Responsibility and Disclosure Act, as well as federal and state-specific class actions brought under various state gift card laws
- Wage-and-hour class actions brought under federal and state law involving overtime calculation, exempt classification, meal and rest periods, vacation policy, unlawful deductions from wages, and employment

applications, as well as federal Worker Adjustment and Retraining Notification (WARN) Act and California Private Attorneys General Act actions

- Federal and state class actions brought under the Americans with Disabilities Act (ADA)

Michelle has provided extensive counseling to and represented numerous retailers in 50+ class actions brought under the Song-Beverly Act. She led the team that obtained a major victory for companies doing business in California with the first published appellate court decision in a class action where the court ruled that the statute did not apply to return transactions and had a one-year limitation period. In another class action under the act, Michelle successfully led the team that obtained a federal court decision holding that plaintiffs are not entitled to a jury trial. She also led the team that defeated class certification in a case brought against Nike that alleged violations relating to the collection of customer information. On behalf of BevMo, Michelle successfully obtained the dismissal of a class action alleging violations of the Song-Beverly Act in relation to items ordered online. On behalf of the Gap, she argued before the California Supreme Court in a class action regarding the types of personal information covered by the statute.

She has significant experience litigating cases styled as nationwide product defect class actions that assert various claims for breach of express, implied and statutory warranties, as well as false and deceptive advertising, and unfair competition on behalf of consumer product companies. Notably, in several matters for Sony, Michelle led teams that obtained dismissal of all claims with prejudice. In addition, she obtained the dismissal of a class action involving recalled treadmills filed against Johnson Health Tech.

Michelle also has defended clients in privacy class actions. She obtained the dismissal of class actions alleging violations of California's "Shine the Light" law brought against Condé Nast, Hearst and Time. On behalf of StubHub, she led the team that defeated class certification in one of the first Fair and Accurate Credit Transactions Act cases filed against an online business. Michelle also secured the US Court of Appeals for the Ninth Circuit's affirmance of the dismissal of a class action brought against Sony entities related to the VPPA.

She has extensive familiarity with the TCPA, and regularly counsels clients on the statute and defends them in related class actions. In addition, Michelle has in-depth knowledge of nationwide and state gift card laws, and she frequently defends her clients in class actions asserting violations of those laws.

Michelle also is experienced in defending higher education institutions in class actions. She currently is defending the University of Southern California in two nationwide class actions, one brought by USC students seeking restitution of tuition and fees following the transition from in-person to remote learning due to the COVID-19 pandemic, and another challenging some of USC's late fees as unlawful under various California consumer protection statutes.

She has experience coordinating California class actions and practicing before the federal Judicial Panel on Multidistrict Litigation, and she has successfully moved to transfer and centralize class cases for clients including TJX, Payless ShoeSource and LivingSocial.

Michelle also has handled numerous public access cases under the ADA and counseled clients on myriad ADA-related issues.

The Daily Journal has twice listed Michelle as one of the Top 100 Women Litigators in California. She was ranked as a leading business litigator by Southern California Super Lawyers, a leading class action/mass torts lawyer by San Diego Super Lawyers, and a leading litigator by Benchmark Litigation. Best Lawyers recognized Michelle in its Mass Tort Litigation/Class Action – Defendants and Commercial Litigation categories, and named her Lawyer of the Year in Mass Tort Litigation/Class Actions – Defendants. She also has been recognized by Lawdragon for her class action litigation work.

Before attending law school, Michelle worked as a financial analyst with Loral Aeronutronic.

Education

University of San Diego School of Law

JD, 1995

California State University, Long Beach

BS, 1991

Admissions & Credentials

California

Massachusetts

Court Admissions

US Supreme Court

US Court of Appeals for the Ninth Circuit

US Court of Appeals for the District of Columbia Circuit

All California Federal and State Courts

All Massachusetts Federal and State Courts

Rankings & Accolades

The Legal 500 US: General Commercial Disputes and Product Liability, Mass Tort and Class Action – Defense: Consumer Products

Chambers USA: Litigation: General Commercial – California: San Diego

Southern California Super Lawyers: Business Litigation

Best Lawyers: Commercial Litigation and Mass Tort Litigation/Class Actions – Defendants

Best Lawyers: Lawyer of the Year for Mass Tort Litigation/Class Actions – Defendants

Benchmark Litigation: Future Star

Daily Journal: Top 100 Women Litigators in California

Benchmark Litigation: Litigation

San Diego Super Lawyers: Class Action/Mass Torts

Lawdragon 500: Leading Global Cyber Lawyers – Class Action Litigation, including Privacy

Memberships & Affiliations

San Diego County Bar Association