

Alex Kasner

Associate



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Antitrust Litigation and Enforcement
Commercial Litigation
Cyber/Data/Privacy
Internet and Social Media
Issues and Appeals

Alex is an experienced trial and appellate litigator focused on complex civil matters and appellate litigation. Alex has represented a wide range of businesses – including internet, digital media and technology companies – in high-stakes litigation raising novel questions of law. Alex has experience in a broad array of substantive legal areas, with particular focus on competition, content moderation, online speech and privacy. Alex's work includes groundbreaking cases involving Section 230 of the Communications Decency Act, the Sherman Act, the First Amendment, the Video Privacy Protection Act, the Computer Fraud and Abuse Act, and the Illinois Biometric Information Privacy Act. He has represented clients through all stages of litigation, from drafting complaints and dozens of dispositive motions to successfully defending companies in federal jury trials and American Arbitration Association (AAA) proceedings. A seasoned appellate advocate, Alex has argued appeals in federal and state court, and he has authored numerous amicus briefs in the US Supreme Court and the US Courts of Appeals. Alex also has a substantial track record in defamation law as a litigator and counselor for clients.

Alex's practice is dedicated to his clients' most procedurally and substantively complex issues. He has drafted multiple successful anti-SLAPP (strategic lawsuits against public participation) motions to dismiss defamation claims brought against his clients in federal and state courts. He also has successfully defended the constitutionality of state law, convinced an arbitral panel to foreclose any grant of general damages as a matter of law, compelled third-party arbitration, and secured an anti-suit injunction against transnational litigation. In addition, Alex has extensive experience working with expert witnesses, including defending the depositions of damages, industry, and cybersecurity experts, as well as drafting *Daubert* motions.

Alex was born and raised near Sacramento, California. He received his BA – Phi Beta Kappa, with honors and distinction – in political science from Stanford University and was awarded the Firestone Medal for Excellence in Undergraduate Research for best departmental honors thesis. Alex received his JD from Stanford Law School, where he was awarded the Steven M. Block Civil Liberties Award for best paper in civil liberties, the Scribes Law-Review Award for best student note in the US, and Gerald Gunther Prizes. Alex also participated in Stanford's Religious Liberty Clinic and served as a Bradley Fellow for Constitutional Law. He was an articles editor for the Stanford Law Review and co-editor in chief of the Stanford Law & Policy Review. In addition, he worked as a summer law clerk with the appellate staff of the US Department of Justice's Civil Division.

After graduation, Alex served as a judicial law clerk to Judge David F. Hamilton of the US Court of Appeals for the Seventh Circuit. He began his professional legal practice at a prominent US law firm in Washington, DC, before joining Cooley.

Alex's recent representative experience includes:

- Representing major technology companies in federal defamation suits stemming from platform content moderation, including successfully achieving a grant of the client's anti-SLAPP motion to dismiss (S.D. Fla.; N.D. Cal.)
- Drafting amicus briefs in the US Supreme Court, US Courts of Appeals, and state courts of last resort on pathbreaking cases involving voting rights, the First Amendment, Section 230 of the Communication Decency Act, LGBTQIA+ rights, corporate choice-of-law questions, and asylum standards
- Representing global technology, retail, and travel companies against privacy and cybersecurity lawsuits, including in cases involving the Computer Fraud and Abuse Act, the Biometric Information Privacy Act, and the Video Privacy Protection Act (N.D. Ill.; D. Del.; S.D.N.Y.; D. Mass.; N.D. Ohio)
- Representing a world-renowned research university in federal class action litigation asserting a Sherman Act Section 1 claim based on financial aid practices (N.D. Ill.)
- Briefing and arguing appeals before the Seventh Circuit and Maryland Court of Special Appeals on behalf of clients seeking review of their criminal convictions and sentences
- Defending a major technology company in a federal jury trial against breach of contract and tort claims, resulting in a successful jury verdict of no liability for the client (N.D. Cal.)

Publications

- "Over-Prescription Is Bad Medicine: The Case Against a Knee-Jerk Revision of Antitrust Injury," 33 Competition 1 (2023)
- "Local Government Design, Mayoral Leadership, and Law Enforcement Reform," 69 Stanford Law Review 569 (2017)
- "The Original Meaning of Constitutional Inventors: Resolving the Unanswered Question of the MadStad Litigation," 68 Stanford Law Review Online 24 (2015)
- "National Security Leaks and Constitutional Duty," 67 Stanford Law Review 241 (2015)
- "Leveski and the Weakening Industry-Wide Public Disclosure Bar in Qui Tam Litigation," 2 Stanford Journal of Complex Litigation 185 (2014)
- "Arena Development and Environmental Review Reform Under SB 743," 25 Stanford Law & Policy Review 203 (2014)

Education

Stanford Law School
JD, 2015

Stanford University
BA, 2012

Admissions & Credentials

California
District of Columbia

Court Admissions

US Supreme Court
US Court of Appeals for the District of Columbia Circuit
US Court of Appeals for the Federal Circuit

US Court of Appeals for the First Circuit

US Court of Appeals for the Second Circuit

US Court of Appeals for the Seventh Circuit

US Court of Appeals for the Ninth Circuit

US Court of Appeals for the Eleventh Circuit

US District Court for the Northern District of California

US District Court for the Central District of California

Rankings & Accolades

The American Lawyer: Litigator of the Week Winner (2021); Shout Out (2023)

Super Lawyers: Rising Star (2023)

Memberships & Affiliations

American Bar Association (ABA)

National LGBT Bar Association