

Samantha Kirby

Associate



skirby@cooley.com

+1 650 843 5319

Palo Alto

Securities Litigation + Enforcement
Issues and Appeals

White Collar Defense and Investigations
Pro Bono

Samantha focuses her practice on high-stakes securities class actions, shareholder derivative litigation, and appellate matters. She has represented public and private companies, boards of directors, and individuals in state and federal courts and arbitration. Sam has drafted numerous dispositive motions and appellate briefs in the areas of securities law, immigration, and the Affordable Care Act, among others. She also maintains a robust pro bono practice, with a particular focus on criminal justice and immigration.

Sam has successfully represented clients in the life sciences and technology industries, including:

- Defending current officers of NVIDIA in a securities fraud class action in the US District Court for the Northern District of California and the US Court of Appeals for the Ninth Circuit
- Defended current and former officers of Tableau in a securities fraud class action in the US District Court for the Southern District of New York
- Defended former officers of NewLink Genetics in a securities fraud class action in the US District Court for the Southern District of New York and the US Court of Appeals for the Second Circuit
- Represented a biotechnology trade association in amicus briefing on the Securities Act of 1933 before the New York Supreme Court, Appellate Division
- Defended Good Technology and former directors and officers against breach of fiduciary duty and appraisal claims in the Delaware Court of Chancery

Other representative appellate matters include:

- Represented Senate Democrats in Supreme Court defense of the Affordable Care Act to protect health care coverage for hundreds of millions of Americans
- Represented former immigration judges and former members of the Board of Immigration Appeals in amicus briefing on the Convention Against Torture before the US Court of Appeals for the First Circuit
- Represented client seeking relief under the Convention Against Torture, which was secured after proceedings before the Board of Immigration Appeals, US Court of Appeals for the Ninth Circuit, and Immigration Court

Prior to joining the firm, Sam served as a law clerk to the Honorable John B. Owens of the US Court of Appeals for the Ninth Circuit.

While in law school, Sam served as the managing editor of the Michigan Law Review. Through Michigan

Law's Federal Appellate Litigation Clinic, she obtained habeas corpus relief for her client after briefing and arguing the case before the US Court of Appeals for the Sixth Circuit. Sam was awarded Michigan Law's Irving J. Stenn, Jr. award for leadership, as well as Certificates of Merit in Federal Courts and Transnational Law.

Prior to law school, Sam worked in Chicago leading communications, policy, and development initiatives at a nonprofit organization dedicated to promoting interfaith social action.

Education

University of Michigan Law School
JD, 2015

Northwestern University
BA, 2008

Admissions & Credentials

California

Court Admissions

US Court of Appeals for the First Circuit

US Court of Appeals for the Second Circuit

US Court of Appeals for the Ninth Circuit

US District Court for the Northern District of California

US District Court for the Southern District of California

US District Court for the Eastern District of California

US District Court for the Central District of California