



Contact

**Bart H. Williams**

**Partner**

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Bart Williams is one of the nation's most sought after trial lawyers and commercial litigators. He has served as lead counsel for numerous companies in bet-the-company litigation. Bart has served as a counselor and trial lawyer for many Fortune 500 corporations in a variety of industries, including: sports, media and entertainment, financial services, consumer products, telecommunications and technology, pharmaceutical, and private equity. He has represented multiple major law firms in their most serious professional negligence cases. He has also represented celebrities, government officials and corporate executives individually in high-stakes matters. Bart's background as a former Assistant United States Attorney has also helped establish him as a "go to" lawyer for internal corporate investigations and white collar criminal defense matters.

A member of the American College of Trial Lawyers, Bart has compiled an impressive list of victories in jury and bench trials throughout the United States [View Matters List below]. He has been featured in numerous publications such as *Law360*, *The American Lawyer*, *Black Enterprise*, *Chambers USA* and the *Daily Journal*, which has repeatedly named him one of the top 100 lawyers in the State of California. In 2018, both *Benchmark Litigation* and *Chambers and Partners* named him as a finalist for National Trial Lawyer of the Year.

A leader within the Firm, Bart is a member of the Firm's seven-member Executive Committee and also serves as head of Proskauer's Los Angeles office.

Bart served as an assistant U.S. Attorney in the Central District of California where he concentrated on complex criminal prosecutions involving allegations of fraud or other business crimes. He obtained convictions in 11 out of 11 jury trials. He received several special commendations during his tenure, including one from the Honorable Louis J. Freeh, then-director of the FBI.

Bart is a graduate of Yale College and Yale Law School. He was a starting guard for four years on the Yale Varsity Basketball Team, and received the George McReynolds Award as the team's Most Valuable Defensive Player his senior year.

## Matters

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### Complex Civil Litigation

Notable representations in civil trials and arbitrations include:

- Lead trial counsel for Monsanto in a case brought by a woman claiming that use of the herbicide Roundup caused her non-Hodgkin's lymphoma. Following a five month trial, a California jury rejected the claims entirely, returning a defense verdict on all claims and awarding zero damages. The verdict in *Stephens v. Monsanto* was the second defense verdict in the Roundup mass tort litigation. All prior trials involving plaintiffs who claimed to have personally applied Roundup resulted in verdicts against Monsanto ranging from \$80 million to over \$2 billion. "[Bayer wins second straight verdict in a Roundup cancer case.](#)" *Reuters* December 9, 2021;
- Lead trial counsel for the major college athletics conferences, including the Pac12, BigTen, Big 12, ACC, and SEC, in a high-profile antitrust case brought by a class of Division I football and men's and women's basketball players alleging that NCAA limitations on compensation to athletes violate the antitrust laws. "[Who's Who in the NCAA Antitrust Trial.](#)" *Sports Business Journal*, August 13, 2018.

- Lead trial counsel for Johnson & Johnson (J&J), in two widely publicized product liability trials relating to J&J's talc-based Baby Powder and Shower to Shower products and their alleged link to ovarian cancer. After a month long trial in St. Louis, Bart urged the jurors to be inspired to clear J&J of liability just like *Dred Scott* jurors did in freeing him from slavery. The jury returned a complete defense verdict on all claims and awarded zero damages. "J&J Gets Its First Win in Missouri Talcum Powder Trials," *Law360* March 3, 2017. After a second trial in Los Angeles involving similar claims, the Court entered judgment notwithstanding the verdict for the J&J defendants. "Could Reversal of \$417M Calif. Verdict Foreshadow Doom for Talc Cases?," *National Law Journal* October 24, 2017.
- Lead trial counsel for NBCUniversal and KNBC Los Angeles in a one-month jury trial in Los Angeles Superior Court in a case brought by an award-winning investigative producer alleging age discrimination. After four days of deliberations, the court declared a mistrial after the jury announced that it was deadlocked. "NBC Benched Reporter" For Being 'Too Veteran,' Jury Told," *Law360* December 4, 2015.
- Lead trial counsel for Wells Fargo Bank in federal court in St. Paul, Minnesota, in a suit alleging mismanagement of pension investments in its securities lending program. Plaintiffs, including pension funds for nurses, nuns, local philanthropic organizations and a local university, alleged that Wells Fargo placed plaintiffs' securities worth billions of dollars into highly risky ventures and failed to disclose the deteriorating condition of the investments. Wells Fargo argued that it did not misrepresent its investment strategy and that the losses were attributable to the financial crisis. After a seven-week trial, the jury returned a unanimous verdict for Wells Fargo on all claims and awarded zero damages. "Wells Fargo Beats Suit Over Securities-Lending Losses," *Law360* August 8, 2013.
- Lead trial counsel at arbitration for one of the nation's largest banks in connection with claims by a California insurance fund that the bank had mismanaged pension investments in its securities lending program. The bank argued that the due diligence performed on the securities met the standard of care and that the losses suffered by the plaintiff were attributable to the

financial crisis. After a three-week arbitration, the arbitrator ruled that plaintiff should collect zero damages.

- Lead trial counsel for a prominent Los Angeles law firm sued for professional negligence in connection with its representation of Sonja Morgan, a star of the reality television show, *The Real Housewives of New York*. After a three-week arbitration proceeding in which Ms. Morgan alleged that the client's negligent handling of a jury trial resulted in a multi-million dollar verdict against her and her company, Sonja Morgan Productions, the arbitrator issued a decision in favor of Bart's client on all claims and ruled that Ms. Morgan should collect zero damages.
- Lead trial counsel for plaintiff Rambus, Inc. in connection with its multi-billion dollar anti-trust claims against two of the world's largest computer memory manufacturers, Micron Technology, Inc. and Hynix Semiconductor, Inc. Defendant Samsung Electronics America, Inc. settled this and other cases for cash and equity investments totaling \$900 million. The trial against the remaining defendants, Micron Technology and Hynix Semiconductor, set a record in San Francisco Superior Court for the length of jury deliberations (eight weeks), after which the jury returned a 9 to 3 verdict for defendants.
- Lead trial counsel for the Motion Picture Association of America and six major motion picture studios in litigation against Real Networks, maker of a DVD player/copier that allegedly violated the Digital Millennium Copyright Act. After a six-day evidentiary hearing, the studios obtained a preliminary injunction in federal court in San Francisco prohibiting the sale of Real DVD. Real Networks then dismissed the matter (including its antitrust counterclaims) and agreed to pay the studios \$4.5 million in attorneys' fees. While the hearing was being litigated, CNET News reported on May 22, 2009: "*Real has hired some very able attorneys from the firm Wilson Sonsini to represent it. But should it go to trial, Real would do well to hire a lawyer with the same kind of charisma and courtroom presence as Bart Williams. He's the lawyer . . . who is representing the MPAA. I'm no legal expert, but I've got eyes and the judge appeared to be more engaged when Williams addressed her. . . . Cases are supposed to be judged on facts but I'm guessing every advantage helps.*" ["What to Expect from the RealDVD Decision," CNET News, May 23, 2009.](#)

- Lead trial counsel in successful defense of Brighton Collectibles, Inc., one of the nation’s leading manufacturers and retailers of women’s leather goods and accessories, and its founder, Jerry Kohl, in a breach of contract action brought by the president of the management company responsible for operating 23 of Brighton’s retail stores. After a three-week trial in Los Angeles Superior Court, the jury returned a unanimous defense verdict on all claims and awarded zero damages.
- Trial counsel for Michael Ovitz, former President of the Walt Disney Company and the Co-Founder of Creative Artists Agency, in a two-month trial in Delaware Chancery Court involving Disney shareholder claims that Mr. Ovitz’s compensation during his term as President was excessive. The court found in favor of Mr. Ovitz on all claims and rejected in its entirety plaintiffs’ claim that Mr. Ovitz’s \$140 million in compensation should be returned. The Delaware Supreme Court affirmed the Chancellor’s findings in all respects.
- Lead trial counsel for a major national law firm sued for professional negligence by Alliance Atlantis, then the largest film distribution company in Canada. After a three-week trial the jury returned a unanimous defense verdict and awarded zero damages.
- Lead trial counsel for a national private security firm in an action alleging a nationwide practice of retaliatory termination. After a 13-week trial in Oakland-Alameda County Superior Court, the jury returned a unanimous defense verdict and awarded zero damages.

Some of Bart’s other notable representations in high stakes civil cases include:

- Lead counsel for Miramax in a pending breach of contract, copyright infringement and trademark action brought against writer/director Quentin Tarantino relating to his recently announced plans to auction off seven “exclusive scenes” from the 1994 motion picture *Pulp Fiction* in the form of non-fungible tokens (“NFTs”).
- Lead counsel for the National Football League in pending actions brought by apparel distributors and NFL merchandise purchasers alleging that the NFL’s agreements with Fanatics, Inc., a manufacturer, supplier and distributor of licensed sportswear and merchandise, violate state and federal antitrust laws.

- Co-lead counsel for Shamrock Capital Advisors, LLC and related entities in connection with pending claims brought by the founders and early employees of FanDuel alleging that FanDuel's merger with European bookmaker Paddy Power Betfair improperly diluted the plaintiffs' interests in FanDuel.
- Lead counsel for Church & Dwight in a patent infringement action brought by GEMAK Trust in the District of Delaware alleging infringement by Church & Dwight widely sold laundry and detergent products.
- Lead counsel for British Telecommunications ("BT") in a patent infringement action filed in July 2018 in Delaware District Court against Fortinet, Inc. ("Fortinet"), an American cyber security corporation that develops and offers a number of security products and services.
- Lead counsel for the National Football League in connection with antitrust claims brought by the City Oakland against the NFL and all of its clubs alleging that the city was damaged by the Raiders' move to Las Vegas.
- Lead counsel for Wells Fargo Bank in connection with several highly publicized matters in state and federal courts, including cases alleging that the bank engaged in unlawful sales practices, as well as pending matters alleging disparate impact race discrimination with regard to mortgage lending.
- Lead counsel for television producer Conrad Riggs in his breach of partnership action in Los Angeles Superior Court against reality television mogul Mark Burnett and Mark Burnett Productions, producers of *Survivor*, *The Apprentice*, *The Contender* and many other successful shows. The case settled on confidential terms after three years of litigation.
- Lead counsel for Philip C. "Dr. Phil" McGraw in connection with a nationwide class action in Los Angeles Superior Court alleging unfair competition and false advertising claims relating to Shape Up! Dietary supplements, shakes and nutrition bars. The matter settled after two years of litigation.

### White Collar Criminal Defense

Bart has successfully represented numerous companies and individuals identified as targets of grand jury investigations, including the brother of a former president of the United States, a sitting

U.S. District Court judge, entertainment industry executives, the general counsel of a multinational corporation and other corporate executives. He has also represented politicians and other prominent figures in connection with both state and federal corruption probes.

Notable criminal trial victories include:

- Lead trial counsel for Keith Kaplan, the president of sales of Latitude 90, a publicly traded internet advertising company, who was charged in the U.S. District Court for the Central District of California with conspiracy to inflate the company's revenues and with causing the company to have false books and records. After a two-week trial, despite the testimony of two executives who had pleaded guilty and were cooperating with the government, the jury acquitted Mr. Kaplan on all charges after two hours of deliberation.
- Lead trial counsel for Paul Koh, a senior Hyundai Motor America executive, who was charged criminally in U.S. District Court for the Central District of California with violating the Federal Election Campaign Act. The jury acquitted Mr. Koh on all charges after a two-week jury trial in Los Angeles, California.

## Internal Corporate Investigations

Bart has conducted numerous internal corporate investigations in the U.S. and abroad on behalf of Fortune 500 companies, universities and nonprofit organizations. Those investigations – involving companies doing business in Brazil, Canada, Colombia, Mexico, Norway, the Philippines, Thailand and Venezuela, among other countries – have involved a variety of subject matters, including corporate embezzlement, the Foreign Corrupt Practices Act and potential securities laws violations.

- In 2015, Bart was hired by the State Bar of California to conduct an internal investigation of whistleblower claims that its CEO had breached his duties to the Bar's Board of Trustees. Following the preparation of the report, the CEO was terminated.

### Practices

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Antitrust, Appellate, Discrimination, Harassment & Title VII, Employment Litigation & Arbitration, Litigation, Product Liability & Consumer Litigation, Trial Strategies, White Collar Defense & Investigations

## Industries

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Entertainment, Financial Services, Life Sciences, Sports, Technology, Media & Telecommunications

## Education

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Yale Law School, J.D.

Potter Stewart Prize, best team performance in Finals of Moot Court Competition

Yale University, B.A.

## Admissions & Qualifications

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California

## Memberships

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Member, Board of Trustees, UCLA Jules Stein Eye Institute, 2022-present

Member, Board of Directors, LA84 Foundation, 2021-present

Member, Board of Advisors, Founding Co-Chair, Los Angeles Metropolitan Debate League, 2011-present

Member, Board of Trustees, Charles Drew University of Medicine and Science, 1999-2010; Chair, 2004-2010

Member, Board of Directors, Alliance for Children's Rights, 1998-2019; Chair, 2011-2014

Former Co-Chair, American Bar Association – Litigation Section, Government Litigation Committee and Task Force on the Independent Counsel Act

Former Adjunct Professor of Law, Loyola Law School

Adjunct Professor of Law, National Institute for Trial Advocacy

Lecturer, UCLA School of Law

## Awards & Recognition

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Chambers Global: USA: Litigation: Trial Lawyers 2022

Sports Business Journal Power Players: Outside Counsel 2021

Chambers USA: Nationwide: Band 1, Litigation: Trial Lawyers 2021-2022

Fellow, American College of Trial Lawyers (inducted 2014)

Benchmark Litigation, Top 100 Trial Lawyers in America 2018-2022

Benchmark Litigation, National Litigation Star 2017-2022

Los Angeles Business Journal, Minority Leaders of Influence 2021-2022



Los Angeles Business Journal, Leaders In Law: Litigators and Trial Lawyers 2020  
Daily Journal, Top 100 Lawyers in California, 2010 and 2015-2021  
Los Angeles Business Journal Most Influential Minority Attorney 2019, 2020  
Chambers USA: California, General Commercial Litigation: White Collar Crime &  
Government Investigations 2008-2022  
Chambers USA: California, Litigation: Commercial Litigation 2016-2022  
The Legal 500 United States: Dispute Resolutions: Leading Trial Lawyer 2022  
The Legal 500 United States: Litigation: White Collar Criminal Defense 2017-2018  
The Legal 500 United States: General Commercial Disputes 2017-2018, 2020-2022  
(Leading Lawyer 2022)  
The Legal 500 United States: Antitrust: Civil Litigation/Class Actions 2019-2021  
The Legal 500 United States: Sports  
Law360 MVP: Trials 2018  
Best Lawyers in America Lawyer of the Year 2018, 2022  
Best Lawyers in America 2007-2022  
Super Lawyers 2004-2020  
Minority Corporate Counsel Association: Rainmaker 2018  
LMG Life Sciences: Life Sciences Star 2018-2021