



Gopi K. Panchapakesan

Partner

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Practices:

Fraud, Qui Tam, Civil RICO, Complex Business Litigation, Class Actions, White Collar Defense & Government Investigations

Gopi K. Panchapakesan is a first-chair trial lawyer whose practice focuses on the trial and arbitration of high-stakes business disputes. Most recently, Gopi won a \$164 million verdict against LuLaRoe – a multi-level marketing apparel company – in a two-month trial involving claims of fraud, fraudulent transfer, and breach of contract arising out of a \$1.8 billion business relationship.

He is an expert in defending class actions, as well as cases brought under the civil RICO statute and False Claims Act. Gopi's broad-based civil practice extends to cases involving commercial fraud, false advertising, unfair competition, trade secret misappropriation, contractual disputes, and employment matters.

Gopi also maintains an active white collar practice. He recently co-tried a three-month federal money laundering case and has successfully resolved environmental investigations brought by the California Attorney General and local air quality management districts.

Named to the *Daily Journals* Top 40 Under 40 list, Gopi has tried several arbitrations and jury trials as lead or co-lead counsel. He has successfully defended some of the most significant civil RICO litigation in California, cases that collectively alleged upwards of \$1 billion in damages. He also regularly defends multi-national corporations in sprawling consumer class actions involving claims of unfair competition and false advertising. Gopi also defends False Claims Act cases on behalf of government contractors and healthcare providers. Gopi has the expertise to efficiently litigate these matters and understands the pressure points that push a case to conclusion.

Gopi handles tough cases that require him to navigate complex and emerging legal issues. Gopi has recently defended cases involving:

- Website accessibility (an issue that now often arises in the context of False Claims Act cases and class actions);
- The protections afforded by the Communications Decency Act and First Amendment to websites (and their owners) regarding content posted by third parties;

- The heightened scrutiny facing direct selling and multi-level marketing companies; and
- The payment processing industry and the potential liability facing merchants, credit card companies, and financial institutions involved in certain types of transactions.

Companies, both publicly-traded and privately-held, and leading executives entrust Gopi to litigate their complex business disputes. His representative clients include: Carvana, Crimson Pipeline, Digital Realty Trust, Herbalife, Shopify, and Tyler Technologies.

Gopi regularly speaks on panels and publishes articles regarding class actions, the federal civil RICO statute, and trends in arbitration practice, most recently publishing the widely read article, “3 Ways Defendants Can Nip Civil RICO Claims in the Bud,” in *Law360*.

Gopi has served in numerous leadership roles with organizations that help foster diversity, equity, and inclusion (DEI) within the legal profession. He currently serves as VP of Professional Development for the South Asian Bar Association (SABA) of North America. Gopi previously served as the Co-President of the Southern California chapter of SABA. In 2022, he received SABA North America’s Rising Star Award. He has served as a fellow with SABA North America’s Leadership Institute and the National Asian Pacific American Bar Association’s Leadership Advancement Program. Gopi has also served on the Board of Directors of the Los Angeles Metropolitan Debate League.

Education & Admissions

- Harvard Law School, J.D., 2011
- Northwestern University, B.A., 2006

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- California, 2011

Notable Matters

Trials

Co-lead trial counsel for major apparel manufacturer, winning a \$164 million verdict against LuLaRoe in a two-month jury trial involving claims of fraud, fraudulent transfer, and breach of contract arising out of the parties’ \$1.8 billion business relationship.

Trial counsel for publicly traded nutritional products company in an eight-figure fraud and accounting malpractice case.

Trial counsel for former executive in a profit participation dispute concerning a large San Diego real estate development.

Trial counsel for former media conglomerate CFO in a federal criminal case involving issues relating to the Communications Decency Act, First Amendment, third-party content posted to websites, and payment processing. Secured acquittals on majority of counts, with an appeal pending on the remaining counts.

First-chaired arbitration involving complex breach of contract claims asserted against apparel company client, securing a seven-figure offset against claimed damages.

Class Actions

Representing major auto manufacturer in false advertising / unfair competition class action involving sale of prepaid maintenance plans.

After moving for summary judgment, successfully resolved federal civil RICO and unfair business practices class action for publicly-traded nutritional product company.

Represented online social gaming company in federal class action brought under Washington's Recovery of Money Lost at Gambling Act (RMLGA).

Successfully resolved series of class actions on behalf of several skilled nursing facilities accused of understaffing in violation of state and federal regulations.

Defeated class certification on behalf of large retail bookseller in a wage and hour class action.

Obtained final approval of a class action settlement on behalf of a publicly-traded nutritional product company, defeating objections made by several class members and obtaining regulatory approval.

Complex Civil Litigation

Successfully resolved California False Claims Act case asserted against publicly-traded government contractor involving website accessibility issues

Represented Taiwanese conglomerate and other lead defendants in a 34-defendant civil RICO and alter ego action. Plaintiff sought over \$80 million in trebled RICO damages. After winning critical motions on the eve of trial, the case was successfully resolved for a nominal amount.

Representing former media conglomerate executive in sprawling civil forfeiture case, involving nearly \$200 million in seized assets.

Represented Labor Commissioner of the State of California, successfully defeating motions to compel arbitration, thereby preserving the Commissioner's jurisdiction to hear certain disputes.

Represented payment processor in connection with terminated joint development agreement, successfully resolving case for a confidential amount.

Arbitrations

Represented major cannabis company in confidential arbitration with former executive concerning claims of wrongful termination and disputed stock options grant.

Represented global biomedical company in international arbitration concerning joint development agreement terminated by the counterparty; case was successfully resolved in client's favor for a confidential amount.

Successfully resolved FINRA arbitration concerning the sale of mortgage-backed securities.

White Collar Defense & Investigations

Tried federal money laundering case on behalf of former media conglomerate CFO. Case involved issues pertaining to the Communications Decency Act, First Amendment, third-party content posted to websites, and payment processing.

Resolved action brought against a big-box retailer by the South Coast Air Quality Management District, in which the government alleged the retailer sold products in violation of air quality standards.

Represented major pipeline and renewable energy company in various matters involving state and local government authorities, successfully securing pre-litigation resolutions.

Successfully avoided charges against former employee of major consulting and engineering company in connection with remediation of hazardous waste.

Pro Bono

Successfully represented several families living in dilapidated housing on skid row in Los Angeles and procured a \$750,000 settlement on behalf of the tenants in a partnership with the Inner City Law Center.

Awards & Associations

Awards

- 40 & Under List, *Benchmark Litigation*, 2024
 - Top 40 Under 40, *Daily Journal*, 2023
 - Lawdragon 500 X - The Next Generation, 2023-present
 - Best Lawyers in America, Criminal Defense: White-Collar, Best Lawyers®, 2024-present
 - Rising Star, South Asian Bar Association of North America, 2022
 - Southern California Rising Stars, *Super Lawyers Magazine*, 2018-present
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Associations

- California Editorial Advisory Board Member, *Law360*, 2023
- Vice President of Professional Development, South Asian Bar Association of North America, 2023-2024
- Co-Chair, South Asian Bar Association of North America, Law Partners Section, 2023
- Fellow, Leadership Council on Legal Diversity (LCLD), 2022
- Fellow, South Asian Bar Association Leadership Institute, 2022
- Fellow, Leadership Advancement Program, National Asian Pacific American Bar Association, 2019
- Co-President, South Asian Bar Association of Southern California, 2020-2021
- Member, Board of Directors, Los Angeles Metropolitan Debate League, 2016 – 2019

Articles & Publications

- Co-Author, "Dueling Experts: What *Olean* Might Mean for the Future of Class Certification in the Ninth Circuit," *California Litigation*, Vol. 35, Issue 3, January 2023
- Author, "3 Ways Defendants Can Nip Civil RICO Claims In The Bud," *Law360*, December 2020
- Co-Author, "The Changing Scope of Arbitrability and Appealability," *National Law Journal*, August 2019
- Co-Author, "The Far-Reaching New Domestic Injury Rule Under Civil RICO," *Law360*, June 2017