



→ Jay Ramsey

Partner

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Jay Ramsey is a partner in the Business Trial Practice Group and Office Managing Partner of the firm's Century City Office. He is a Leader of the firm's Advertising Team and Consumer Class Action Defense Team and a member of the firm's Retail, Privacy and Cybersecurity, and Food & Beverage groups. He is also a leader of the firm's Out at Sheppard LGBTQ Group and was the firm's 2020 Leadership Council on Legal Diversity (LCLD) Fellow.

Areas of Practice

Jay enjoys a broad litigation practice, representing clients both in business disputes and in consumer class actions. He also advises clients pre-litigation on a variety of related matters. He has successfully represented clients at trial, on appeal, and in arbitration.

Business Disputes

Jay represents a broad range of clients in business disputes alleging breaches of contract, fraud, breaches of fiduciary duties, interference with economic relations, wrongful solicitation, trade secrets theft, copyright and trademark infringement, claims arising out of mergers and acquisitions, and other business torts. His experience includes:

- Representing manufacturers and developers, including in the aerospace and electronics industries, in disputes with their customers and suppliers, including claims for breach of contract, breach of warranty, and more.
- Representing companies in disputes regarding various software solutions, including disputes arising from ERP implementations, use of SaaS solutions, and more.
- Representing real estate investment companies and related parties in disputes arising out of acquisitions, investments, mergers, and more.
- Representing banks and other financial institutions in various disputes.
- Representing health care companies in business disputes and regulatory matters.
- Representing studios, producers, broadcasting companies, and other content producers in claims relating to distribution rights, profit participation, and other accounting issues.

Consumer Class Actions

Jay has defended major retailers, brands, product manufacturers, fintech companies, lead generators, advertising networks, food and beverage companies, insurers, health plans, hospitals, airlines, telecommunications companies, and more in a wide range of consumer class actions alleging violations of false advertising laws, unfair competition laws, consumer protection statutes, privacy laws, breach of warranty, and more. His experience includes defending against:

- False advertising claims
- False pricing claims
- Product liability claims
- Product warranty claims
- Telephone Consumer Protection Act (TCPA) claims
- Email marketing claims
- Call recording claims
- Debt collection claims
- Data breach and other privacy class claims

Advice and Counseling

Jay advises and counsels clients on a variety of marketing, advertising, pricing, privacy, and related e-commerce matters. Jay has advised and counseled on a variety of:

- Advertising campaigns
- Pricing strategies
- E-mail marketing regulations
- Telephone and SMS marketing regulations
- Call recording practices
- Privacy policies
- E-commerce terms and conditions

Experience

Notable Appellate Decisions

NEI Contracting & Eng'g Inc. v. Hanson Aggregates Pac. Sw., Inc., 926 F.3d 528 (9th Cir. 2019) – Appellate decision affirming complete trial victory and denial of certification in a CIPA class action.

Sabori v. Dollar Tree Stores, Inc., No. B284350 (Cal. Ct. App. Apr. 24, 2019) – Appellate decision affirming grant of summary judgment on invasion of privacy claim

Kayne v. Mense, B254975 (Cal. App. Mar. 25, 2016) – Appellate decision overturning trial court's award of treble damages under California Penal Code section 496

Rosolowski v. People Media, B250482 (Cal. App. Oct. 29, 2014) – Appellate decision affirming dismissal of claim under California Anti-SPAM law.

Articles

- 'One A Day' Will Not Keep Plaintiffs Away
Law360, 09.20.2018
- "No Class Certification In Call Recording Case," *Association of Business Trial Lawyers Report*, Summer 2014

Class Action Defense Strategy Blog Posts

- "The Tides are Turning on a Wave of California Privacy Litigation," March 8, 2023
- "More on McGill: Ninth Circuit Affirms Order Enforcing Arbitration of Public Injunctive Relief Claims," February 22, 2021
- "Avoiding Formation Challenges To Your Arbitration Clause With Consumers," July 20, 2020
- "Questions To Ask When Changing Your Arbitration Clause," June 29, 2020
- "An Arbitration Clause Health Check," June 22, 2020
- "Ninth Circuit Confirms that Class Action Plaintiffs Must Plausibly Establish Future Intent To Re-Purchase To Maintain Claims for Injunctive Relief," September 12, 2018
- "Outlet And Factory Class Actions Take A Hit: California Court of Appeal Confirms Companies Can Sell Made-For-Outlet Product At Outlet Or Factory Stores," September 11, 2017
- "Ninth Circuit Confirms that a Cy Pres Only Settlement Can Work In Privacy Class Action" September 11, 2017
- "Class Action Plaintiffs In The Ninth Circuit Can No Longer Obtain Immediate Appellate Review Of Orders Denying Class Certification," June 13, 2017
- "Attacking Class Action Allegations On The Pleadings Can Be A Successful Strategy," March 29, 2016
- "In Sprint Victory, Judge Posner and the Seventh Circuit Hold That Arbitration Is Required in a TCPA Class Action Even Though the Alleged Violation Occurred After the Termination of the Contract," May 19, 2015
- "Another Blow to Call Recording Class Actions," December 2, 2014
- "Are Call Recording Class Actions Doomed?" February 27, 2014

Fashion & Apparel Law Blog

- "Coronavirus And The Retail Industry: Pricing and Advertising Issues," March 5, 2020
- "Coronavirus And The Retail Industry: Delivery Issues," March 5, 2020
- "Coronavirus And The Retail Industry: Customer Interactions and Safety," March 3, 2020

Healthcare Law Blog

- "Do Routine Calls by Health Plans to Patients and Health Plan Members Constitute "Telemarketing" Under the Telephone Consumer Protection Act? Not Today!," January 19, 2017

Retail Law Blog

- "NY's Gendered Pricing Law: Will It Curb the Pink Tax," November 4, 2020

Media Mentions

Law360's Legal Lions Of The Week
Law360, 08.11.2023

Class Action Group Of The Year: Sheppard Mullin
Law360, 02.07.2023

Speaking Engagements

"Legal Issues to Consider in a COVID-19 World," Virtual Reality Location-based Entertainment Summit, October 15, 2020.

Events

Web Tracking Wonders: Navigating Laws in the Interactive Media Maze
Webinar, 05.15.2024

Class Action Threats in 2023 And Beyond - A Webinar Series
Webinar Series, 2023

No Class, Just a Massive Headache: Mass Arbitrations
Class Action Threats in 2023 and Beyond - A Webinar Series
Webinar, 08.29.2023

3rd Annual Ad Law Symposium
Webinar, 05.16.2023

RILA Retail Law Conference
ASK A GC: Mike Mahoney, LL Bean
Webinar, 10.26.2021

Hot Topics in Retail Advertising – Pricing and Environmental Claims
Webinar, 04.28.2021

Product Labeling & Advertising Claims Check-Up
Webinar, 10.14.2020

Preparing for a Post-COVID World - What Retailers Need to Get in Place Now
Webinar, 04.23.2020

Navigating Complex Legal Issues Resulting From COVID-19: What Retailers Need to Know
Webinar, 03.18.2020

Podcasts & Webinars

Third Annual Ad Law Symposium
05.16.2023

Ad Law Symposium
05.04.2022

Hot Topics in Advertising – Pricing and Environmental Claims
04.28.2021

Product Labeling & Advertising Claims Check-Up Webinar
10.14.2020

Class Action Threats Facing the Consumer Finance Industry in the Age of COVID
06.25.2020

Preparing for a Post-COVID World: What Retailers Need to Get in Place Now
04.23.2020

Practices

Litigation
Entertainment, Technology and Advertising
Privacy and Cybersecurity
Advertising
Class Action Defense

Industries

Advertising
Artificial Intelligence
Private Equity
Retail, Fashion & Beauty

Education

J.D., The George Washington University School of Law, 2010
B.A., University of California, Los Angeles, 2007, *magna cum laude*

Admissions

California