



→ Melissa M. Mikail

Associate

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Melissa M. Mikail is an associate in the Business Trial Practice Group in the firm's Orange County office.

Areas of Practice

Melissa represents clients in a range of commercial and business litigation matters. She has litigated claims in both state and federal court involving breach of contract, fraud, unfair competition, class action, false advertising, breach of fiduciary duty, right of publicity, and trademark and copyright disputes. Her securities litigation practice includes shareholder derivative claims, class actions, SEC enforcement actions and internal investigations. Melissa has also represented clients in franchise litigation and negotiations.

Melissa provides comprehensive litigation services for every stage of the litigation, including pre-lawsuit advisement and negotiation, discovery, law and motion, settlement, mediation and pre-trial preparation.

Melissa is a committed pro bono attorney and has an extensive record of giving back to her community. She represented parents in adoption proceedings and handles asylum cases.

Melissa received her J.D. from Harvard Law School where she engaged in courtroom advocacy and argument while representing indigent clients in felony criminal matters as part of the Harvard Criminal Justice Institute. During law school, Melissa received the Dean's Award for Community Leadership. She served as a judicial extern to the Honorable Geraldine S. Hines for the Massachusetts Supreme Judicial Court.

Most recently, Melissa clerked for the Honorable Consuelo B. Marshall of the Central District of California. During her clerkship, Melissa managed five jury trials and two bench trials for civil matters. Melissa managed cases from the filing of the complaint to the issuance of judgments.

Honors

Sheppard Mullin's Bob Williams Community Betterment Award, 2021

2020 Bob Gerber Pro Bono Award, which honors and recognizes Sheppard Mullin attorneys and staff who demonstrate a significant commitment to pro bono.

Articles

- Extraterritorial Application of the Computer Fraud and Abuse Act
IP Watchdog, 05.29.2020

Corporate and Securities Law Blog Posts

- "Supreme Court Limits SEC's Enforcement Power to Penalize Fraud," June 28, 2024
- "California Court of Appeal Holds that a Corporation's Direct Cause of Action for Breach of Fiduciary Duty is Legal Rather than Equitable, Requiring a Trial by Jury," September 15, 2022
- "SEC Commissioner Calls for a Brave New Approach to Corporate Penalties," March 18, 2021
- "Delaware Supreme Court Confirms That Federal Forum Provision Is Facially Valid, Reversing Court of Chancery," March 19, 2020
- "California Court of Appeal Enforces Delaware Forum Selection Bylaw," January 25, 2020
- "Delaware Court of Chancery Declares Ineffective Exclusive Federal Forum Provision for 1933 Act Claims," January 14, 2019

Trade Secrets Law Blog Posts

- "Extraterritorial Application of the Computer Fraud and Abuse Act," June 25, 2020
- "Members Of The Fashion and Retail Industry: Trade Secret Claims Are In Vogue These Days," July 13, 2020

Practices

Litigation

Class Action Defense

Securities Enforcement

Securities Litigation

Intellectual Property

Antitrust and Competition

Industries

Advertising

Blockchain

Blockchain and Fintech

Entertainment, Technology and Advertising

Food and Beverage

Government Business

Education

J.D., Harvard Law School, 2018

B.A., University of California, Riverside, 2015, *summa cum laude*, *Phi Beta Kappa*

Clerkships

Law clerk to the Honorable Consuelo B. Marshall, Central District of California

Extern to the Honorable Geraldine S. Hines, Massachusetts Supreme Judicial Court

Admissions

California

U.S. District Court for the Central District of California

Languages

Arabic