

Rising Star: Latham's Whitney Weber

By **Steven Lerner**

Law360 (July 24, 2024, 2:02 PM EDT) -- Whitney Weber of Latham & Watkins LLP earned a complete defense verdict for NextGen Healthcare in a rare "holders' claim" case and a dismissal of a federal securities class action for Peloton, earning her a spot among the technology law practitioners under age 40 honored by Law360 as Rising Stars.

Her biggest case:

Weber was part of the team representing NextGen Healthcare when a jury cleared the company in 2021 in a novel securities case from an investor seeking \$400 million in damages. It was the first-ever jury verdict in California involving a "holder's claim," where investors allege they were planning to sell shares but changed their minds based on statements made by the company.

What made the case challenging was that it occurred amid the COVID-19 pandemic.

"The trial kept getting postponed," Weber said. "In the middle of trial, there was a COVID outbreak in the courthouse."

Weber said the trial started with social distancing and no masks before switching to mask requirements due to the outbreak.

"Having to wear masks in the courtroom ... made it a lot more difficult just to do examinations, and speaking, because of having to speak a lot louder, [and] not being able to see people's facial expressions as well," Weber said.

Weber had worked on the case for years, since she was a junior associate, because the matter had made its way around the appellate court system. She said working with the firm's top litigation attorneys during the case was special because they were remarkable mentors.

Weber also represented NextGen in 2023 when the California Court of Appeals affirmed the jury verdict from 2021.

2024

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Whitney Weber
Latham

Age: 38

Home base: San Francisco

Position: Partner

Law school: Vanderbilt Law School

First job after law school: Latham associate

Her proudest moment:

Weber said the proudest moment in her career was sitting with the entire team at the defense table during the NextGen Healthcare trial when the verdict was announced.

It was a sweet conclusion that Weber and her fellow attorneys had been working toward for nearly a decade at that point.

"That was definitely, I think, the proudest moment of my career in thinking about how many things had transpired over that nearly 10-year period to get there, including having really strong mentorship from the people above me, making partner in the middle of it and then mentoring people who were coming up," Weber said.

Her most interesting recent case:

Weber was part of the team representing home exercise business Peloton Interactive Inc. in 2023 when a judge tossed a class action accusing the company of misleading investors about the COVID-19 demand spike.

It was interesting because Peloton is a household name and, Weber said, because it paved the way for similar cases where COVID-19 demand issues are at play.

"It sort of became a blueprint for other cases that are alleging COVID demand spikes and then what happens in a post-COVID-demand world seeing stock prices drop," Weber said.

What motivates her:

Weber likes working with both internal teams at Latham and external in-house teams in developing effective arguments around complex issues and making them easy to understand.

"That process of building a narrative and making what could be complicated issues simple is what really motivates me the most," Weber said.

Why she's a securities attorney:

Securities cases tend to be high-profile and allow attorneys who work on them to learn a lot about the companies they represent, according to Weber.

"You're always learning about, within the tech industry, for instance, how does this one type of hardware work versus how does this type of software work," Weber said.

How she thinks the legal industry will change in the next decade:

Artificial intelligence will play a huge role in the legal industry over the next 10 years, according to Weber.

With that in mind, Weber said, Latham has developed a task force to study how AI will affect the legal field.

"I think that's obviously going to be one of the biggest changes in terms of the legal market and this

industry, both from a client perspective as well as from a client services perspective over the next decade," Weber said.

--As told to Steven Lerner. Additional reporting by Lauren Berg and Katryna Perera. Editing by Linda Voorhis.

Law360's Rising Stars are attorneys under 40 whose legal accomplishments belie their age. A team of Law360 editors selected the 2024 Rising Stars winners after reviewing nearly 1,200 submissions. Attorneys had to be under 40 as of April 30, 2024, to be eligible for this year's award. This interview has been edited and condensed.

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