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TOP Women Lawyers 2024



Melanie M. Blunschi

Latham & Watkins

LITIGATION & TRIAL

SAN FRANCISCO & SILICON VALLEY

With nearly two decades of experience since her start at Latham & Watkins, Melanie Blunschi specializes in class action defense matters, particularly for technology companies.

She has developed a deep understanding of securities cases, which require a thorough grasp of a company’s operations to effectively address allegations of fraud.

“When I moved from our L.A. office to the Bay Area about 10 years ago, I broadened

my practice to include other types of class actions, including consumer and privacy actions, because it was important for me to be able to help my clients with the full spectrum of high-stakes class action risks they might face,” Blunschi said.

Now, she’s co-chair of Latham’s Bay Area litigation and trial department.

Blunschi has enjoyed a string of wins for Apple. Notably, she played a pivotal role in a case concerning alleged security vulnerabilities in Apple products, which the Ninth Circuit ultimately dismissed.

The case revolved around claims that nearly all Apple devices sold since 2010 were defective due to these vulnerabilities. However, Blunschi successfully argued that Apple had acted promptly and appropriately to mitigate the issues, with no known exploitation of the vulnerabilities occurring.

“We demonstrated—and the Ninth Circuit agreed—that Apple’s actions were fully consistent with the law and that they protected consumers,” she said.

Earlier this year, Blunschi also led the team that achieved a first-round dismissal with prejudice in an opportunistic challenge to Apple’s approach to executive compensation and disclosures of compensation in proxy statements.

She said the plaintiff argued that the board had granted Apple’s executives “excess compensation” and should have sliced and diced various data in different ways in the proxies.

“The court issued a comprehensive order one day after my oral argument, dismissing the case with prejudice in a significant decision protecting the board of directors’ discretion regarding executive compensation,” Blunschi said.

On the securities front, she had a very big week in April when she argued two appeals before the Ninth Circuit, four days apart, to defend dismissals in securities cases.

The first was for online gaming company Skillz — Blunschi and her team won at the District Court level, with the court recognizing that Skillz had not made any false statements to the market about its financials or its gaming platform capabilities.

“But it was a factually complicated case, which can be tough at the pleadings stage,” Blunschi said. “It was a very hot bench, but it was very exciting because the judges totally got it (and one made a fantastic analogy to 1980s Atari games), and I was thrilled to get our win affirmed within a few weeks. We’re still waiting on the ruling in the other case with fingers crossed, so I won’t jinx that here!”