

## MVP: Latham & Watkins' Elizabeth Deeley

By Sarah Jarvis

*Law360 (October 15, 2020, 3:35 PM EDT)* -- Elizabeth Deeley of Latham & Watkins LLP's technology practice helped negotiate a no-damages settlement for Facebook in a class action over a data breach and helped secure a partial dismissal in a proposed class action over the social media giant's estimates of its advertising reach, earning her a spot as one of Law360's 2020 Technology MVPs.

### **WHY SHE'S A TECHNOLOGY ATTORNEY:**

Deeley — who is based in San Francisco and has represented companies including Twitter, Lyft and the online car retail business Carvana — says she's fascinated by the work her clients do and the opportunity being a technology attorney gives her to have a "mini-expertise" in a variety of areas.

She said she was intrigued by finding creative ways legally to defend the business models of disruptor companies, which she said may be under attack in various ways.

"I think that's what's driven me to it and why I handle matters for technology companies — it's just so very interesting and cool."

### **HER BIGGEST ACCOMPLISHMENT THIS YEAR:**

Deeley's work in the technology industry this past year included defeating two proposed classes seeking monetary damages over a Facebook data breach in November for a case in which the parties agreed this year to a deal that does not require the company to pay monetary damages. The settlement awaits a judge's preliminary approval.

She also helped secure the dismissal of breach of contract claims against Facebook in a case that accuses the company of inflating the potential reach of ads on its platform.

But Deeley said her biggest accomplishment this year was not in the technology field. Rather, she said, it was securing a \$1 billion judgment for UBS AG against two defunct affiliates of the bankrupt hedge fund Highland Capital Management LP in a contract dispute.



While she frequently works on the defense side, she also occasionally represents plaintiffs. She said that after the 2008 financial crisis, the debacle with Highland arose over which party was responsible for losses on the failed securitization of certain assets.

Deeley said that in addition to the \$1 billion judgment, the case was rewarding because of her pride in the team she helped assemble, noting that it was diverse on various levels and that even the most junior associates got a chance to stand up in court. She said she was committed to giving junior attorneys good work opportunities.

"I was given that chance as a junior attorney, so I feel very much a strong commitment to doing that for the next generation and the next generation after that," she said.

#### ***HER BIGGEST CHALLENGE THIS YEAR:***

Deeley said that while she has been fortunate enough to evade the suffering caused by the coronavirus pandemic, she has had to work online to carry out what was previously in-person court work, such as participating in hearings and taking depositions.

She said it was a new challenge to handle those tasks via conference call or Zoom, where it's harder to read the room.

"You don't get the full picture of someone and the body language — all those little things that I'm used to being able to see and use to my client's advantage, she said. "I don't have that now, so it's a little bit of a shift."

#### ***WHAT MOTIVATES HER:***

Deeley said she was energized by watching the development of young attorneys, saying that seeing junior attorneys impress the court and take pride in their work is the most rewarding part of the practice at this point in her career.

She remembers how exciting and daunting it was to be a junior associate, noting there are fewer opportunities today for young attorneys, given the size of the firm's cases and the high stakes.

"Getting those opportunities for young people and watching them knock it out of the park is just exciting and rewarding for me," she said.

#### ***HER ADVICE FOR JUNIOR ATTORNEYS:***

Deeley advises young lawyers to build their confidence by focusing on preparation and taking the initiative to get involved with cases and be creative with their ideas.

Since young attorneys face a learning curve, on top of being in an adversarial environment, Deeley said all lawyers had that "fear factor" when they first started.

"Have confidence in yourself," she said. "You're here for a reason, and you can do this."

— *As told to Sarah Jarvis. Additional reporting by Dean Seal, Lauren Berg, Hannah Albarazi and Mike LaSusa.*

*Law360's MVPs are attorneys who have distinguished themselves from their peers over the past year through high-stakes litigation, record-breaking deals and complex global matters. A team of Law360 editors selected the 2020 MVP winners after reviewing more than 900 submissions.*

---

All Content © 2003-2020, Portfolio Media, Inc.