



Gregory M. Sergi
Senior Counsel

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Education

Duke University School of Law, J.D. and LLM in International and Comparative Law, magna cum laude, Order of the Coif, 2007

SDA Bocconi School of Management, Milan, Italy, Masters in International Economics and Management, 2002

Northwestern University, B.A., Economics, 1999

Clerkships

Law Clerk, the Honorable Pamela A. Rymer of the United States Court of Appeals for the Ninth Circuit, 2008-2009

Law Clerk, the Honorable D. Brock Hornby of the United States District Court for the District of Maine, 2007-2008

Externship

Extern, General Counsel for the United States Trade Representative

Practice Areas

Trials
Commercial Litigation
Intellectual Property
Securities
Antitrust
Legal Malpractice

Admissions

State Bar of California
District of Columbia Bar

Experience

Gregory M. Sergi is an experienced litigator whose practice focuses on complex civil litigation in federal and state courts. He was named by Southern California *Super Lawyers* as a “Rising Star” in antitrust litigation for each year from 2014 to 2018. Greg has litigated cases in trial and appellate courts across the country. He has handled a wide variety of matters, including cases involving antitrust, class action, constitutional, consumer protection, contract, legal malpractice, tort, trademark, trusts-and-estates, and unfair competition issues. He has won dismissal of claims in antitrust, securities, and trusts-and-estates cases. He has successfully defeated motions for class certification. He has successfully brought and defended against motions to exclude expert testimony. And he has prevailed in preliminary injunction proceedings.

Greg’s clients have included companies in the aviation, entertainment, financial services, legal, online retail, pharmaceutical, and shipping industries.

Most recently, Greg was part of Keller/Anderle’s team representing CashCall, Inc. in a landmark legal malpractice case (seeking nearly \$1 billion in damages) against a major international law firm. The case settled on the eve of trial after CashCall successfully defeated defendants’ motions to exclude CashCall’s damages expert, to apply judicial estoppel, and for a choice-of-law determination.

Greg received his J.D. and LLM in International and Comparative Law from Duke University School of Law, where he graduated *magna cum laude* and Order of the Coif. During law school, he was an articles editor for the journal *Law and Contemporary Problems*. He received his BA in economics from Northwestern University.

Following law school, Greg was a law clerk for the Honorable D. Brock Hornby of the United States District Court for the District of Maine and for the Honorable Pamela A. Rymer of the United States Court of Appeals for the Ninth Circuit. Before joining Keller Anderle in 2019, Mr. Sergi was an attorney with Munger, Tolles & Olson in Los Angeles and with Cleary Gottlieb in Washington, D.C.

Honors & Awards

- *Los Angeles Magazine*, Southern California Super Lawyers®, Antitrust Litigation (2022)
- *Los Angeles Magazine*, Southern California Super Lawyers, Rising Star in Antitrust Litigation (2014-2018)
- Order of the Coif

Representative Matters

- Representing BNSF, Union Pacific, CSX and Norfolk Southern railways as part of a national trial team against conspiracy allegations involving a fuel surcharge.
- Represented CashCall, Inc. (an Orange County-based consumer financial company) in a landmark legal malpractice case seeking nearly \$1 billion in damages against a major international law firm. *The case settled on the eve of trial.*
- Successfully obtained dismissal of claims asserted in California Superior Court against a national law firm involving the administration of a multi-billion dollar estate (*currently on appeal*).
- Represented a prominent online retailer in federal district court and the court of appeals in successfully defeating a challenge by three large medical device companies to the constitutionality of a state’s pricing and distribution regulations under the dormant Commerce Clause.
- Represented a pharmaceutical company in defending against antitrust, unfair competition, consumer protection, and unjust enrichment claims, including successfully opposing motions for class certification by two different proposed classes.
- Represented an aviation company in obtaining dismissal of antitrust and tort claims challenging exclusivity provisions with an aircraft manufacturer.
- Represented a private equity firm in obtaining a preliminary injunction in federal district court to enforce “change in control” provisions of a joint venture agreement.
- Represented a large financial institution in successfully obtaining the dismissal of securities claims relating to the acquisition of a major provider of residential mortgages.
- Represented an online retailer in administrative proceedings, including trial, brought by the Federal Trade Commission relating to trademark litigation settlement agreements that allegedly restrained keyword advertising on Internet search engines.
- Represented a large pharmaceutical company in a nationwide MDL in the defense of antitrust, unfair competition, consumer protection, and unjust enrichment claims challenging an alleged “reverse-payment” settlement of prior patent litigation.

Publications

- Contributor to ABA, ANTITRUST LAW DEVELOPMENTS, sections on civil government enforcement, private antitrust suits, and price discrimination (2010-2017).
- Co-author of chapter on tying and bundled discounts in ABA, ANTITRUST LAW AND ECONOMICS OF PRODUCTION DISTRIBUTION (2016).
- Contributor to ABA, CONSUMER PROTECTION LAW DEVELOPMENTS, sections on the CAN-SPAM Act and Telephone Consumer Protection Act (2011-2016).
- Contributing Editor to ABA Section of Antitrust Law, *A Primer on the Federal Price Discrimination Laws* (2015).
- Stuart N. Senator and Gregory M. Sergi, *Noerr-Pennington: Safeguarding the First Amendment Rights to Petition the Government*, Competition Law Journal (Spring 2014).
- Gregory M. Sergi, *RPM Counseling in a Leegin/Non-Leegin World*, The Price Point (Publication of the ABA Section of Antitrust Law) (Summer 2013).
- Gregory M. Sergi & Clemens Ziegler, *Getting the Deal Through When Time Is of the Essence – Antitrust Strategies for Time Sensitive Transactions*, ABA Section of Antitrust Law, The Threshold (Spring 2010).
- Silja Baller & Gregory Sergi, *A Negotiator's Guide to Regional Trade Agreements: Considerations from an East-Asian Perspective*, The World Bank (2008).
- Steven L. Schwarcz & Gregory M. Sergi, *Bond Defaults and the Dilemma of the Indenture Trustee*, 59 ALA. L. REV. 1037 (2008).