

CONTACT

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MARIO A. MOYA

Mario Moya has built a thriving legal practice based on sound counsel and tenacious, strategic advocacy.

His practice encompasses a wide range of legal matters on behalf of individuals and companies nationwide. His extensive experience litigating and resolving complex business disputes is complemented by his experience providing advice and counsel to clients in a variety of business settings. He is the rare breed of attorney with the breadth of experience to confront any legal challenge with ease, mastery and effectiveness.

As a seasoned litigator, he has represented plaintiffs and defendants in a wide variety of disputes, including corporate governance litigation, consumer class actions, securities litigation, wage & hour disputes, employment discrimination, attorneys' fee disputes, mass-torts, and general commercial litigation. He has conducted several notable internal investigations on behalf of hedge funds, investment managers, and large Fortune 500 companies. He also has experience defending clients against charges of wire fraud, bank fraud, securities fraud, insider trading and other federal crimes.

Mario has a unique skill set that combines extensive litigation experience with modern technical savvy. He is interested in how technology intersects with the law, especially in matters concerning online privacy, e-commerce, intellectual property, employee privacy, and regulatory matters.

In his spare time, he travels, fiddles with software, listens to eclectic Spotify playlists, and reads an absurd amount of non-fiction. He believes in the power of technology to deliver cutting edge legal services, and he is excited about new developments in artificial intelligence. He has devoted hundreds of hours to litigating constitutional and civil rights matters pro bono, and he encourages young attorneys to do the same.

EDUCATION

J.D., Stanford Law School
(2005)

A.B., Princeton University
(2001) - Economics

B.S. - Oregon State University
(2015) - Computer Science

LICENSURES

California, Texas & New York

U.S.D.C. - N.D. Cal.

U.S.D.C. - C.D. Cal.

U.S.D.C. - E.D. Cal.

U.S.D.C. - S.D. Cal.

U.S.D.C. - S.D.N.Y.

U.S.D.C. - N.D. Tex.

U.S.C.A. - Ninth Circuit

CLERKSHIP

Hon. Jerry L. Buchmeyer,
U.S. District Court - Northern
District of Texas at Dallas

PRIOR EXPERIENCE

Clarence, Dyer & Cohen LLP, San Francisco, CA

Coblentz, Patch, Duffy & Bass LLP, San Francisco, CA

Fried, Frank, Harris, Shriver & Jacobson LLP, New York, NY

REPRESENTATIVE MATTERS

- Obtained Ninth Circuit's reversal of district court's imposition of terminating sanctions on attorneys' fee petition in coordinated federal employment discrimination actions.
- Successfully moved to dismiss federal consumer class action lawsuit against broadband Internet provider for management of internet traffic over broadband networks and alleged violations of federal Computer Fraud and Abuse Act.
- Successfully dismissed federal consumer class action filed against broadband internet provider concerning enforceability of early termination fees.
- Represented plaintiff's attorney in defense of declaratory judgment action brought by former clients seeking to invalidate contractual right to fees.
- Represented commercial bank seeking to recover \$14 million owed on promissory note and personal guaranties.
- Successfully represented hedge fund during investigation by Securities and Exchange Commission into complex financial transactions involving credit default swaps, collateralized debt obligations and synthetic instruments.
- Represented investment adviser during coordinated investigation conducted by the Securities and Exchange Commission and U.S. Department of Labor.
- Represented foreign client in defamation action brought against anonymous internet user; conducted expedited discovery against internet service provider to ascertain identity of anonymous user.
- Represented state inmate in civil rights lawsuit under 42 U.S.C. §1983 for deliberate indifference to medical needs; case prosecuted through jury trial.
- Represented global financial institution as tenant in rent-reset arbitration before the American Arbitration Association concerning prime Manhattan office space.
- Represented homeowners' association in arbitration of budgetary dispute and ancillary fiduciary litigation filed against commercial owners of mixed use development.
- Prepared memorandum to Board of Directors of public company assessing potential litigation against financial ratings agency.
- Advised multiple clients on all aspects of internet commerce law, including terms of service, privacy policies, and compliance with Federal Trade Commission directives.
- Advised and counseled building owner in dispute concerning encroaching billboard at midtown NYC office building.
- Conduct internal investigation of alleged prohibited contacts between company employees and government officials.
- Successfully moved to dismiss corporate governance litigation filed in Delaware Court of Chancery.
- Served as one of two trial counsel for individual defendant at federal criminal trial for bank fraud and wire fraud.
- Assisted public utility in all aspects of civil litigation, fact investigations, and parallel proceedings arising from mass tort lawsuit involving catastrophic explosion.
- Defended utility provider in numerous personal injury lawsuits and employment disputes.
- Member of trial defense team in large-scale federal criminal prosecution of public utility.

PUBLICATIONS

- “Litigating Locational Privacy After U.S. v. Jones,” California Attorneys for Criminal Justice (2012)
- “Employee Privacy After Quon & Jones,” ALI-ABA CLE presentation 2012 (co-author)
- “Private parts aren't private: Florence v. Bd of Chosen Freeholders,” Daily Journal, April 19, 2012 (co-author)
- “8 Best Practices for Website Legal Compliance,” Moya Law Blog, July 29, 2016
- “The Importance of Effective Internal Investigations,” Moya Law Blog, Nov. 18, 2016
- “Non-compelled Financial Restatements May Support SOX 304 Clawback Claims,” Moya Law Blog, Feb. 21, 2017