



Amelia L. B. Sargent

PARTNER

TEL 213.955.9240
EMAIL asargent@willenken.com
FAX 213.955.9250

Amelia's Biography

A deep thinker and intuitive strategist, Amelia Sargent brings the best of academia's rigor and curiosity to her complex business litigation practice, applying a bold but meticulous approach to her clients' toughest problems. Amelia has been named a 2021 "Future Star" by *Benchmark Litigation*, and for 2020 has been recognized in the inaugural edition of *Best Lawyers*' "One to Watch" and among *SuperLawyers*' "Southern California Rising Stars."

Amelia's practice focuses on trial and appellate litigation for clients in a wide range of industries—from electric car start-ups, to established biopharmaceutical companies, to mobile game developers—with a particular focus on intellectual property and trade secret disputes. Clients turn to Amelia for her steady judgment and guidance, and her ability to weave the law and facts together into a compelling—and ultimately winning—narrative.

Amelia's recent matters include:

- On behalf of a Korean-based LED manufacturer, won simultaneous motions for summary judgment dismissing \$16 million in cross-claims by its U.S.-distributor, and then won the appeal before the Ninth Circuit.
- Represented as lead counsel nine executives and employees at an electric vehicle start-up against allegations of trade secret misappropriation and other claims brought in a confidential

Education

Stanford Law School, J.D., 2011

University of California, Berkeley,
Ph.D., 2011

University of Toronto, M.A., 2003

Georgetown University, B.A., 2002

Bar Admissions

Admitted to the State Bar of California

United States Supreme Court

United States Court of Appeals for the
Ninth Circuit

United States Court of Appeals for the

arbitration by their former employer—who was represented by a BigLaw giant.

- Represents university professors as *amici curiae* before the United States Supreme Court in *Republic of Hungary v. Simon* (No. 18-1447) and *Federal Republic of Germany v. Philipp* (No. 19-351).
- Represented the Kingdom of Spain as *amicus curiae* at both the trial and appellate level in the highly watched cultural property case *Cassirer v. Thyssen-Bornemisza Collection Foundation*, No. 19-55616, — Fed.Appx. — (9th Cir. Aug. 17, 2020).

Amelia was also the driving force in forming Willenken’s art, cultural, and educational institutions industry group, which provides representation and counseling in a wide range of matters. Amelia teaches “Art and the Law” at the University of California, Hastings College of Law. Through regular contributions to the American Bar Association Section of International Law: Art & Cultural Heritage Law Committee’s quarterly newsletter, publications in academic journals, and presentations at industry conferences such as ALI-CLE’s Legal Issues in Museum Administration, Amelia also shares her specialized knowledge of this area with the wider legal community.

Prior to joining Willenken, Amelia practiced at Munger, Tolles & Olson LLP. She has a Ph.D. from the University of California, Berkeley in Comparative Literature, and enjoys reading cookbooks and traveling.

Honors

Amelia has been named a 2021 “Future Star” by *Benchmark Litigation*, and for 2020 has been recognized in the inaugural edition of *Best Lawyers’* “One to Watch” and among *SuperLawyers’* “Southern California Rising Stars.”

Higher education honors include:

- John Hart Ely Book Prize for Outstanding Performance in Legal History (Stanford, 2010)
- Gerald Gunther Book Prize for Outstanding Performance in Civil Procedure (Stanford, 2008)
- Phi Beta Kappa

Fourth Circuit

United States District Court for the Northern District of California

United States District Court for the Eastern District of California

United States District Court for the Central District of California

United States District Court for the Southern District of California

Practice Areas

Complex Commercial Litigation

Art, Cultural, and Educational Institutions

Entertainment Litigation

Intellectual Property Litigation

Copyright

Trade Secrets and Employee Mobility

Trademark and Trade Dress



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Winning Matters

- [The Ninth Circuit Affirms Willenken's Victory of Summary Judgment on Behalf of Major LED Manufacturer](#)
- [Willenken Vigorously Defends Electric Vehicle Start-Up Team Against Aggressive Opponent](#)
- [Willenken Obtains Total Victory for Major LED Manufacturer In Eight-Figure Cross-Border Dispute](#)

Cases

The following is a representative sample of Amelia's casework:

- *Nascent Electric Vehicle Company v. Former Employees*. As lead counsel for nine executives and employees, successfully resolved allegations of trade secret misappropriation, violation of non-solicitation obligations, and breach of fiduciary duties relating to the formation of a new electric vehicle start-up after they resigned from a competitor company.
- *Global Biopharmaceutical Company v. Large Health Benefit Manager*. After extensive research, drafted the case strategy that guided the firm's representation of and ultimately secured a favorable settlement for one of the world's largest biopharmaceutical companies in a complex breach of contract action involving some of the largest sponsored health plans in the country.
- *Leading Manufacturer of Insulated Water Bottles v. Product Distributor*. Crafted the driving strategy and narrative for a case—set to go to trial in 2020—in which the client, a leading manufacturer of insulated water bottles, alleged breach of fiduciary duties, misappropriation of trade secrets, and violation of confidentiality obligations against its former employees.
- *David Cassirer v. Thyssen-Bornemisza Collection Foundation*. In the highly-watched cultural property case, submitted *amicus* briefs on behalf of the Solicitor General of the Kingdom of Spain at both the trial and appellate levels, regarding the application of Spanish principles of adverse possession.
- *Lumens Co., Ltd. v. GoEco LED LLC et al.* Argued and won summary judgment on behalf of Lumens Co. Ltd., a Korean LED manufacturer, against \$16 million in cross-claims brought by a reseller, and then successfully presented oral argument to the U.S. Court of Appeals for the Ninth Circuit upon the defendant and counterclaimant's appeal, which affirmed the victory.
- *Monster Energy Company v. The Nature's Bounty Co. et al.* Represented The Nature's Bounty Co. and its sports nutrition



Amelia Sargent
PARTNER

subsidiary, MET-RX, in a trademark dispute with Monster Energy Company with respect to a marketing campaign encouraging athletes to embrace their inner “monster,” which was resolved on favorable terms prior to summary judgment.

- *Frey v. Southern California Gas Company and Sempra Energy*. Enabled favorable resolution of case on behalf of the major California utility after filing the opening summary judgment motion on subject matter jurisdiction and pre-emption.
- *Eric Fuller v. Ticketmaster LLC*. Wrote and filed a motion to compel arbitration on behalf of Ticketmaster, successfully decreasing the value of the case to the single claim, in a putative nationwide class action suit.
- *Republic of Hungary, et al. v. Rosalie Simon et al. and Federal Republic of Germany v. Alan Phillip, et al.* Filed an *amicus* brief in the Supreme Court for two university professors, in two high-profile matters involving litigation over Holocaust-era assets, addressing whether international comity could still provide a basis for a court to decline jurisdiction over a foreign sovereign, if the Foreign Sovereign Immunities Act provided that no immunity existed.

Speaking Engagements

- Co-Presenter, “**Managing the Risks and Rewards of Trade Secrets: A Guide for In-House Counsel**,” **ACC Georgia Webinar** (September 30, 2020)
- Co-Presenter, “ABCs of Art Law,” **Center for Art Law and Dartmouth Lawyers Association** Webinar (September 22, 2020)
- Co-Presenter, “The Attorney-Client Privilege for Global In-House Counsel: Challenges with Technology and Cross-Border Communications,” In-House CLE for Forbes “Top 100 Brands” Company (August 19, 2020).
- Co-Presenter, “Trends in Trade Secrets,” **NAPABA Webinar** (September 17, 2019)
- Presenter, “To Send or Not To Send: Email, Privilege, and Competence,” **ALI CLE Webcast Seminar** (June 4, 2019)
- Presenter, “Think Before You Send: Maintaining Privilege in Email Communications with Boards,” **ALI CLE Legal Issues in Museum Administration 2019** (March 21, 2019)
- Panelist, “‘Keep Sign-Stealing Out of Your Game!’: Protecting Trade Secrets and the New Defend Trade Secrets Act,” ACC South Florida 8th Annual CLE Conference “Play Ball!” (October 6, 2017)
- Panelist, “Strategies for Better Contract Drafting: Mitigating Risks in Contracts with U.S. Parties,” ACC Ontario Chapter CLE Presentation (September 14, 2017)



Amelia Sargent
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- Presenter, “Trade Secret and Employee Mobility: An Overview,” In-House CLE for Forbes “Top 100 Brands” Company (June 22, 2017)
- Presenter, “Think Before You Send: Maintaining Privilege in Email Communications With Boards,” MTO Symposium for Private Charitable Institutions in Arts, Culture, and Education (November 2, 2016)
- Moderator, “When the *Wall Street Journal* Calls: Guiding Your Organization Through a Crisis,” MTO Symposium for Private Charitable Institutions in Arts, Culture, and Education (November 2, 2016)

Professional Affiliations

- **Leadership Council on Legal Diversity**, *Fellow* (2020)
- **American Bar Association Section of International Law: Art & Cultural Heritage Law Committee**, *Member*
- **American Bar Association Section of Science & Technology Law: Museums and the Arts Law Committee**, *Member*
- **Association of Business Trial Lawyers – Los Angeles**, *Member*
- **California Lawyers for the Arts**, *Assistant Treasurer and Member of Executive Committee*

Community Involvement

Amelia’s recent publications include:

- Author, “Ninth Circuit Affirms Judgment that Spain’s Thyssen-Bornemisza Collection May Keep Nazi-Looted Pissarro” (page 4-5), ***American Bar Association Section of International Law: Art & Cultural Heritage Law Newsletter*** (Fall 2020)
- Author, “Federal Trade Secret Identification Requirement Seems Likely,” ***Law360***
- Author, “Spain’s Thyssen-Bornemisza Collection Foundation Prevails at Trial to Keep Nazi-Looted Pissarro” (page 4), ***American Bar Association Section of International Law: Art & Cultural Heritage Law Newsletter*** (Spring 2019)
- Author, “Cranachs Remain at Norton Simon Under Act of State Doctrine” (page 4), ***American Bar Association Section of International Law: Art & Cultural Heritage Law Newsletter*** (Summer 2018)
- Author, “Five Points on 5Pointz” (page 2), ***American Bar Association Section of International Law: Art & Cultural Heritage Law Newsletter*** (Spring 2018)



Amelia Sargent
PARTNER

- Co-Author, “Why Bristol-Myers Applies to Class Actions,” *Law360* (March 30, 2018)
- Co-Author, “The Getty Bronze and the Limits of Restitution,” *Chapman Law Review*, Volume 20, Issue 1 (2017)
- Author, “Gerald of Wales’s Topographia Hibernica: Dates, Versions, Readers” (p. 241), *Viator Volume 43, Issue 1* (Spring 2012)
- Author, “New Jurisdictional Tools for Displaced Cultural Property in Russia: From ‘Twice Saved’ to ‘Twice Taken’,” *Yearbook of Cultural Property Law* (2010) (First Place Winner of Lawyers Committee for Cultural Heritage Preservation National Student Writing Competition)



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