



# Amelia L. B. Sargent

PARTNER

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## 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. *Benchmark Litigation* has named Amelia a 2022 "Litigation Star" and included her on their 2021 "40 & Under Hot List." She has also been recognized in both the 2021 and 2022 editions of *Best Lawyers' "Ones to Watch,"* and among *SuperLawyers' "Southern California Rising Stars"* in 2020 and 2021.

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:

- As a member of a 100%-diverse trial team in "one of the five big healthcare lawsuits" of the year, secured a favorable ruling on behalf of AbbVie Endocrine, Inc. in a breach of contract case against Takeda Pharmaceutical Co. Amelia questioned or defended multiple expert and percipient witnesses during the four-day trial in Delaware Chancery Court.

## Education

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Stanford Law School, J.D., 2011

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

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University of Toronto, M.A., 2003

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Georgetown University, B.A., 2002

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## Bar Admissions

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Admitted to the State Bar of California

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United States Supreme Court

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United States Court of Appeals for the  
Ninth Circuit

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United States Court of Appeals for the

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

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

*Benchmark Litigation* has named Amelia a 2022 “Litigation Star” and included her on their 2021 “40 & Under Hot List.” Prior to that, she was a 2021 “Future Star.”

She has also been recognized in both the 2021 and 2022 editions of *Best Lawyers*’ “Ones to Watch” and *Best Lawyers*’ “Women in the Law: Ones to Watch,” as well as among *SuperLawyers*’ “Southern California Rising Stars” in 2020 and 2021.

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)



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## 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

- Phi Beta Kappa

## Winning Matters

- Willenken's Trade Secrets Team Achieves Settlement and Stipulated Injunction on the Eve of Trial
- Willenken Wins Critical Liability Phase of High-Profile Lupron Supply Shortage Trial in Delaware Chancery Court
- The Ninth Circuit Affirms Willenken's Victory of Summary Judgment on Behalf of Major LED Manufacturer

## Cases

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

- *Abbvie Endocrine, Inc. v. Takeda Pharmaceutical Company*. As a member of a 100%-diverse trial team in "one of the five big healthcare lawsuits" of the year, secured a favorable ruling on behalf of AbbVie Endocrine, Inc. in a breach of contract case against Takeda Pharmaceutical Co. Amelia questioned or defended multiple expert and percipient witnesses during the four-day trial in Delaware Chancery Court.
- *Global Software Corporation v. Former Executive*. Currently defending against allegations of trade secret misappropriation and breach of a confidentiality agreement brought against a software engineering executive leaving a global software giant and going to a competitor start-up.
- *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 2022—in which the client, a leading manufacturer of insulated water bottles, alleged breach of fiduciary duties,



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misappropriation of trade secrets, and violation of confidentiality obligations against its former employees.

- *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.
- *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.
- *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.

## Speaking Engagements

- Co-Presenter, "Ethics and the Lawyer's Many Hats," [ACC SW Ohio In-Person CLE Presentation](#) (June 8, 2022)
- Co-Presenter, "Ethics and the Lawyer's Many Hats," [ALI CLE Legal Issues in Museum Administration 2022](#) (March 25, 2022)
- Co-Presenter, "Managing the Risks and Rewards of Trade Secrets: A Guide for In-House Counsel," [ACC SW Ohio "Just in Time" CLE Conference](#) (December 2, 2021)
- Presenter, "[Practicing in the Hybrid Workplace: Legal Ethics Do's and Don'ts](#)," ALI-CLE Webcast/On-Demand CLE (August 12, 2021)
- Presenter, "Practicing Remotely and Ethically: Do's and Don'ts for In-House and Outside Counsel," [ALI CLE Legal Issues in Museum Administration 2021](#) (March 11, 2021)
- 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)



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- 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)
- 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)
- [The Sedona Conference Working Group 12](#) (Trade Secrets), *Member* (2020-present)
- [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* (2014-2021)



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# Publications

Amelia's recent publications include:

- Author, "Supreme Court Vacates Ninth Circuit in *Cassirer v. Thyssen-Bornemisza Collection*, Unsettling Fate of Nazi-Looted Painting" (page 3-4), *American Bar Association Section of International Law: Art & Cultural Heritage Law Newsletter* (Spring 2022)
- 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)
- 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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