

# Noel S. Cohen

OFFICE MANAGING PARTNER | COMMERCIAL LITIGATION CHAIR

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As Chair of Polsinelli's nationwide Commercial Litigation Practice Group and Co-Managing Partner of the Los Angeles office, Noel Cohen works closely with clients to build relationships and manage their legal needs both in and out of the courtroom. Noel combines strong advocacy skills, litigation experience and an understanding of clients' business goals to deliver results in high profile and novel cases through settlement, arbitration and trial. His national litigation practice focuses on complex commercial litigation, class action defense and employment defense.

He has significant experience in actions involving:

- Litigating complex actions involving breach of contract and fiduciary duties, shareholder disputes, corporate governance issues, false advertising, intellectual property, and other general business contract and tort claims.
- Defending class actions with legal issues involving consumer-protection statutes and privacy laws including claims brought under California's Business & Professions Code Section 17200, Business & Professions Code Section 17600, Consumer Legal Remedies Act and other state and federal statutes.
- Defending claims of wrongful termination, harassment, discrimination, misappropriation of trade secrets and other employment disputes in single plaintiff claims in state and federal court and before various administrative agencies.

Clients include individuals and companies of all sizes and ranges of industries, including non-profits, sports, entertainment, food and beverage, apparel, financial services and technology.

## Education

- Emory University School of Law (J.D., 2001)
- Tulane University (B.A., 1998)

## Bar Admissions

- California

## Capabilities

- Commercial Litigation
- Class Action & Multidistrict Litigation
- Consumer Products & Luxury Goods
- Employment Litigation, Arbitration & Dispute Resolution
- Biometric Privacy Law
- Litigation

## Court Admissions

- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Southern District of California
- U.S. District Court, Eastern District of California
- U.S. Court of Appeals, Ninth Circuit

## Memberships

- Volunteer for Team Prime Time Mock Trial Program
- American Bar Association
- Fellow of the American Bar Foundation
- C5LA
  - Board Member
- Carousel of Hope
- Los Angeles County Bar Association
- Race to Erase MS
- State Bar of California
- Volunteer for Mock Trial Program for Constitutional Rights Foundation of Orange County

## Recognition

- Selected as one of the *Los Angeles Business Journal* Leaders of Influence: Litigators & Trial Attorneys, 2023
- Selected for inclusion in *Best Lawyers in America*® for Commercial Litigation, 2023-2026
- Named "Litigation Star" by *Benchmark Litigation*, 2020-2026
- Named one of the Top 500 Most Influential People in Los Angeles by the *Los Angeles Business Journal*, 2016-2024
- Selected for inclusion in *Southern California Super Lawyers*, 2017-2021
- General Litigation "Future Star" recognition by *Benchmark Litigation*, 2019, 2021-2024
- Honored by Public Counsel as Pro Bono Attorney of the Year, 2012

## Matters

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- Obtained directed verdict and unanimous defense verdict on tort claims against non-profit after multi-week jury trial
- Obtained jury verdict of \$28.1 million on behalf of a class of retired National Football League players against their union.
- Obtained jury verdict and permanent injunction in Lanham Act action against producer of unauthorized "tribute" show on behalf of family estate.
- Obtained arbitration award for large entertainment multi-employee plan in action against former executive for breach of fiduciary duty.
- Obtained dismissal at pleading stage in federal action alleging false advertising claims against beverage manufacturer and distributors.
- Successfully defended false advertising claims brought by large tax service provider over nationwide ad campaign during 2014 tax season.
- Obtained summary judgment for publicly traded company in federal action filed by

individual claiming to have enforceable joint venture agreement.

- Obtained dismissal of putative class action alleging resale of electricity in violation of California's unfair competition laws.
- Obtained summary judgment for non-profit in two actions based on alleged misuse of donations and fraudulent misrepresentations related thereto.
- Obtained summary judgment for developer related to contractual dispute with contractor on large residential project.
- Successfully defended board members of bank in claims of breach of fiduciary duty.
- Successfully represented nationwide publisher in breach of contract dispute.
- Successfully represented large entertainment multi-employee plan in fraud action against third party vendor.
- Successfully defended putative class action seeking to rescind loans based on alleged violations of the California Finance Lenders Law. The trial court dismissed claims under the UCL and CLRA for lack of standing and denied certification as to rescission and declaratory relief claims.
- Successfully defended putative class action against California finance lender alleging claims under UCL and CLRA based on allegations that, among other things, the defendant offered loans at unconscionable interest rates. Case voluntarily dismissed following order sustaining defendant's demurrer to all claims.
- Successfully defended class action against California finance lender for violations of the CLRA, EFTA and UCL.
- Successfully defended putative class action under California's Auto-Renewal Law.
- Negotiated favorable settlements regarding claims made under California's Auto-Renewal Law.
- Negotiated favorable settlement with government agencies regarding California's false advertising and unfair competition laws.
- Negotiated numerous favorable settlements of putative class actions regarding California's false advertising and unfair competition laws.
- Obtained defense judgment after bench trial for alleged unpaid overtime and meal and rest breaks.
- Successfully defended claims of unpaid wages and independent contractor status in private arbitration.
- Negotiated numerous favorable settlements in actions regarding alleged sexual harassment, misclassification, discrimination and wrongful termination.
- Negotiated numerous favorable resolutions regarding claims over misappropriation of trade secrets.
- Worked repeatedly with government agencies, including the United States Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing to achieve resolutions of claims allegations to the benefit of clients.