

Gibson Dunn Professional Profiles for:

Citizens Redistricting Commission

July 2011

Contents

Professional Profiles:	
Sally Berens	3
Matt Kahn	5
Kahn Scolnick	7
Josh Dick.....	9
Sarah Brown.....	10
Jennifer Hall.....	11
Emily Fedman.....	12
Attorney Billing Rates and Conflicts Disclosures	13

Sally J. Berens



Contact:

[REDACTED]
Palo Alto, CA 94304-1211

Tel: [REDACTED]

Sally J. Berens is an associate in the Palo Alto office of Gibson, Dunn & Crutcher LLP. She practices in the firm's Litigation Department and is a member of the Securities Litigation, White Collar Defense and Investigations, and Appellate Practice Groups. She focuses on internal investigations, complex commercial and class action litigation, including securities and ERISA litigation, and representing clients before various governmental agencies, including the Securities and Exchange Commission, the NYSE, FINRA, the Department of Justice, and the Department of Labor. She also has litigated cases pursuant to the Federal and California Voting Rights Acts. She has a breadth of experience practicing before state and federal trial and appellate courts, ranging from first chair jury trial experience to briefing before the United States Supreme Court.

Ms. Berens has an active pro bono practice and is the immediate past Co-Chair of the Amicus Committee of the Silicon Valley Campaign for Legal Services.

Prior to joining the firm, Ms. Berens clerked for the Honorable Andrew J. Kleinfeld of the United States Court of Appeals for the Ninth Circuit. She has also served as a Deputy District Attorney in Santa Clara County, California. She is admitted to practice in California and before the U.S. District Courts for the Northern, Central, and Eastern Districts of California, the Eastern District of Texas and the U.S. Courts of Appeal for the Ninth and Tenth Circuits.

Ms. Berens earned her law degree with honors from the University of Chicago, where she was an Articles Editor of the *University of Chicago Legal Forum*. She received her A.M. in Comparative

Literature and A.B. in Linguistics *magna cum laude* from Harvard. During college, she was awarded individual All-American honors as a member of the Harvard-Radcliffe Sailing Team.

Recent Publications

Co-author, *The Scope of Materiality under Federal Securities Laws Following Matrixx Initiatives, Inc. v. Siracusano and Its Potential Implications for Issuers*, Insights: The Corporate and Securities Law Advisor (April 2011)

Author, *The Effect of Other Lawsuits on Pleading Materiality and Scienter after Siracusano v. Matrixx Initiatives, Inc.*, 2010 Emerging Issues 4891 (February 2010).

Co-author, *Daubert Challenges to Loss Causation Expert Opinions and Event Studies in Post-Dura Securities Litigation: In re Williams Securities Litigation – WCG Subclass*, 2009 Emerging Issues 3970 (July 2009).

Co-author, *Securities Litigation: A Practitioner's Guide*, Practising Law Institute (2006-11).

Contributing Author, *Current Trends in Federal Securities Litigation*, Practising Law Institute, Securities Litigation and Enforcement Institute (October 2007).

Contributing Author, *Current Trends in Federal Securities Litigation*, ALI-ABA Post-Graduate Course in Federal Securities Law (June 2007).

Matthew S. Kahn



Contact:

[REDACTED]
San Francisco, CA 94105-2933

Tel: [REDACTED]
[REDACTED]

Matthew S. Kahn is a senior associate in the San Francisco office of Gibson, Dunn & Crutcher LLP. He practices in the firm's Litigation Department, and he is a member of the Securities Litigation Group, the Class Actions Group, and the Electronic Discovery and Information Law Group.

Mr. Kahn's practice focuses on securities and derivative litigation, consumer and wage-and-hour class action defense, and information law. He has successfully represented clients throughout the country in complex cases in federal and state court, involving claims, among others, under Section 10(b) of the Securities Exchange Act of 1934; breach of fiduciary duties and insider trading under Delaware, California and New York law; California's Unfair Competition Law and Consumer Legal Remedies Act; and the federal Fair Labor Standards Act. Mr. Kahn also has significant experience in the prosecution and defense of commercial contracts and business tort actions. In addition, Mr. Kahn has extensive expertise regarding complex information law matters in numerous federal and state jurisdictions.

Mr. Kahn clerked for the Honorable Mary L. Cooper, United States District Judge for the District of New Jersey, from 2003 to 2004. Mr. Kahn received his law degree, with honors, from Stanford Law School in 2003. He received his B.A. in political science with honors, from Swarthmore College in 1999, where he was elected to Phi Beta Kappa.

Mr. Kahn serves on Gibson Dunn's Hiring Committee and Bay Area Pro Bono Committee and is on the Board of Directors of the Public Interest and Social Justice Law Board at Santa Clara University School of Law, which supports public interest and social justice legal work, and Parallel Exit, a not-for-profit theater company. Mr. Kahn is an active provider of pro bono legal services, including representation of Tipping Point Community, on whose Leadership Council Mr. Kahn also serves. In 2009, Mr. Kahn won an appeal against the German government on behalf of a Holocaust survivor who had been denied pension benefits. In 2008, Mr. Kahn was honored for his pro bono efforts on behalf of victims of domestic violence when he was given the Above and Beyond Award by Sanctuary for Families, the largest nonprofit in New York State dedicated exclusively to serving domestic violence victims and their children.

Mr. Kahn is admitted to practice in the states of California and New York. He is a member of the Association of Business Trial Lawyers.

Mr. Kahn's recent publications include:

- "2010 Year-End Electronic Discovery and Information Law Update", Client Alert, January 13, 2011
- "2010 Year-End Securities Litigation Update", Client Alert, Client Alert, January 11, 2011
- "2010 Mid-Year Report on Electronic Discovery and Information Law", Podcast, Association of Certified E-Discovery Specialists, September 9, 2010
- "2010 Mid-Year Report on Electronic Discovery and Information Law", Article, July 22, 2010
- "2010 Mid-Year Electronic Discovery and Information Law Update", Client Alert, July 13, 2010
- "Considering Coupons", Article, May 27, 2009
- "Supreme Court of California Exempts Life Insurance Products from Scope of California's Consumers Legal Remedies Act", Client Alert, Apr 27, 2009
- "Offensive E-Discovery Depositions: Is There a Defense?" Article, Nov 1, 2007
- "Private Rights of Action and the Sarbanes-Oxley Act of 2002", Article, April 17, 2006

Kahn A. Scolnick



Contact:

[REDACTED]
Los Angeles, CA 90071-3197

Tel: [REDACTED]
[REDACTED]

Kahn A. Scolnick is an appellate and general commercial litigation associate in the Los Angeles office of Gibson, Dunn & Crutcher. He is a member of the firm's Appellate and Constitutional Law and Class Actions practice groups. Before joining the firm in 2006, he served as a law clerk to Judge Ferdinand F. Fernandez of the United States Court of Appeals for the Ninth Circuit (2005–06), and as a law clerk to Judge Dana M. Sabraw of the United States District Court for the Southern District of California (2003–05).

Mr. Scolnick has litigated a wide range of matters in state and federal courts, from the pre-filing stage through the appeal. He has drafted and argued dispositive motions, supervised complex discovery, examined witnesses at trial, and prepared jury instructions and closing arguments. In addition, Mr. Scolnick has drafted numerous petitions and briefs filed in the California Courts of Appeal, the California Supreme Court, the United States Courts of Appeals, and the United States Supreme Court.

Recent matters in which Mr. Scolnick played a significant role include:

- Securing 24 (out of 24) defense verdicts in a nuisance action following an 8-week jury trial;
- Winning summary judgment in a “taxpayer” action challenging the constitutionality of a California statute (and then persuading the California Court of Appeal to affirm in a published decision, of which the California Supreme Court denied review);
- Earning a complete defense verdict after a lengthy bench trial in a nation-wide class action in which Mr. Scolnick was the lead associate;
- Persuading a trial court to grant summary adjudication of plaintiffs’ prayer for punitive damages in a mass action one week before the start of a scheduled 12-week jury trial (the case then settled on the second day of trial);
- Achieving the reversal on appeal of a \$135 million class judgment in an Unfair Competition Law action;
- Securing dismissal with prejudice of a putative wage-and-hour class action in federal court;
- Defeating certification of a putative nation-wide consumer class action;

- Obtaining a published decision by the United States Court of Appeals for the Third Circuit reversing a substantial award of attorney's fees; and
- Prevailing on summary judgment on behalf of a leading retailer in a suit brought by a former officer.

Mr. Scolnick graduated *magna cum laude* in 2003 from the University of San Diego School of Law. He was a Lead Articles Editor for the *San Diego Law Review* and the recipient of the Hickman Award for the Outstanding Student in Constitutional Law. While in law school, Mr. Scolnick served as a judicial extern to Judge M. Margaret McKeown of the United States Court of Appeals for the Ninth Circuit, and also to Magistrate Judge Louisa S. Porter of the United States District Court for the Southern District of California. Mr. Scolnick received his Bachelor of Arts degree in Public Policy Studies, with honors, from Michigan State University in 2000.

Mr. Scolnick has published on a variety of topics, including class actions, civil procedure, punitive damages, and constitution issues. In 2009, 2010, and 2011, Mr. Scolnick was named one of Southern California's "Rising Stars" by *Los Angeles Magazine* and *Southern California Super Lawyers – Rising Stars Edition*. Since 2007, Mr. Scolnick has served on the Associates Advisory Board for the Legal Aid Foundation of Los Angeles.

Mr. Scolnick is a member of the California Bar. He is admitted to practice before the United States Court of Appeals for the Ninth Circuit and the United States District Courts for the Northern, Southern, and Central Districts of California.

Joshua D. Dick



Contact:

[Redacted]
Palo Alto, CA 94304-1211
Tel: [Redacted]
[Redacted]

Joshua D. Dick is an associate in the Palo Alto office of Gibson Dunn & Crutcher. Mr. Dick is a member of the firm’s Litigation Department and practices in its Securities Litigation Group.

Mr. Dick has significant experience litigating a broad range of matters in both state and federal courts. He has successfully represented clients throughout the United States and abroad involving claims brought under the Securities Exchange Acts, the California Unfair Competition Law, the Sherman and Clayton Acts, and the Foreign Corrupt Practices Act. Mr. Dick also has extensive experience in the prosecution and defense of commercial contracts and business tort claims.

Mr. Dick was recently a member of a trial team that obtained a complete defense verdict following a bench trial in a nation-wide class action. His other recent matters include: defending an unsolicited tender offer and related proxy contest launched by an international technology company; defending a major credit card company in a civil antitrust action; and defending a large, mutli-national corporation in a FCPA investigation including, conducting an internal investigation in cooperation with the Department of Justice.

Mr. Dick graduated *cum laude* from the University of Michigan Law School where he served as an associate and articles editor for the Journal of Law Reform.

Mr. Dick is a member of the California and New York state bars. He is also admitted to practice before the U.S District Court for the Southern District of New York.

Sarah A. Brown



Contact:

[Redacted]
Palo Alto, CA 94304-1211
Tel: [Redacted]
[Redacted]

Sarah A. Brown is an associate in the Palo Alto office of Gibson, Dunn & Crutcher where she currently practices in the firm’s Litigation Department and its Securities Litigation Group.

Ms. Brown graduated *magna cum laude* from the University of San Diego School of Law in 2002, where she acted as a peer academic advisor and received several awards, including a Public Interest Grant and a University scholarship for outstanding academic achievement. Prior to law school, Ms. Brown earned a Bachelor’s of Science in Speech from Northwestern University. In addition to practicing law, Ms. Brown also has experience in public education. She was an English Language Arts instructor and mock trial coach at Susan Miller Dorsey High School in Los Angeles, California.

Ms. Brown is admitted to practice before the United States District Court for the Central District as well as all California state courts.

Jennifer Hall



Contact:

[Redacted]
Palo Alto, CA 94304
[Redacted]

Jennifer Hall is an associate in Gibson, Dunn & Crutcher’s Palo Alto office. She currently practices in the firm’s Litigation Practice Group.

Ms. Hall received her Juris Doctorate degree *magna cum laude* in 2009 from Cornell Law School, where she served on the Board of Editors of the *Cornell Law Review*.

While in law school, Ms. Hall was elected to membership in the *Order of the Coif* honorary scholastic society and selected to serve as an Honors Fellow in the Legal Writing Program. Ms. Hall also received the CALI Excellent Achievement Awards for several classes. Ms. Hall earned her Bachelor of Science degree with honors from the University of California, Davis in Viticulture and Enology.

Emily L. Fedman



Contact:

[REDACTED]
San Francisco, CA 94105-2933

Tel: [REDACTED]
[REDACTED]

Emily L. Fedman is an associate in the San Francisco office of Gibson, Dunn & Crutcher. She currently practices in the firm's Litigation Department.

Ms. Fedman received her J.D. from The University of Michigan in 2009, where she was an Associate Editor of *The Michigan Law Review*. She received her B.A. from Dartmouth College in 2002.

Ms. Fedman is currently admitted to practice law in the State of California.

Billing Rates and Conflicts Disclosures

Associate Attorney	Billable Rate	Conflicts?
Sally Berens	\$675	No
Matthew Kahn	\$650	Nothing further to disclose
Kahn Scolnick	\$640	No
Joshua Dick	\$640	No
Sarah Brown	\$620	No
Jennifer Hall	\$430	No
Emily Fedman	\$430	Nothing further to disclose