



## Davida Brook

Partner

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### Overview

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*“Davida Brook is one of the best lawyers there is. A steadfast advisor, a brilliant legal mind, and she fights like hell to win.”*

**John Poulos, CEO of Dominion Voting Systems**

*Ms. Brook addresses a crowd of reporters at the Dominion v. Fox settlement announcement*

Davida Brook is a high-demand trial lawyer who is frequently brought in to help companies and individuals tackle their thorniest legal disputes.

#### **Defamation Litigation**

In 2023, acting as co-lead counsel, Ms. Brook and her team secured a historic [\\$787.5 million settlement](#) to resolve Dominion Voting System’s massive defamation lawsuit against Fox News Network on the very day a jury trial was to commence in Delaware Superior Court. Ms. Brook and her team filed the [\\$1.6 billion defamation suit against Fox](#) on behalf of Dominion two years earlier over allegations that Fox made false statements that Dominion rigged the 2020 presidential election.

The milestone deal made media waves, receiving coverage from [The New York Times](#) (“the latest extraordinary twist in a case that has been full of remarkable disclosures”), [The Washington Post](#) (“one of the most highly-anticipated media trials in decades”), and [Wall Street Journal](#) (“the case was set to test the contours of modern media law”). Ms. Brook spoke to the [LA Times](#) about the win and was interviewed on [MSNBC: Deadline](#), [Anderson Cooper 360](#), and [CBS Mornings](#). She was also recognized as a [Litigator of the Week](#) by Law.com for the momentous result.

[Click here to see Ms. Brook interviewed on MSNBC: Deadline.](#)

Ms. Brook is prosecuting similar defamation claims on behalf of Dominion against Rudy Giuliani, Sidney Powell, Mike Lindell/MyPillow, Patrick Byrne, One America News Network (OAN) and Newsmax TV. In these cases, she and her team have already defeated every motion to dismiss filed by the defendants.

Ms. Brook has handed several other high-profile defamation cases on behalf of well-known clients, including billionaire hedge fund founder Louis Bacon, for whom her team helped secure a [\\$203 million award](#). Ms. Brook has also been involved in multiple defamation and related lawsuits involving the #metoo movement, all of which settled out of court.

### ***Intellectual Property Work***

Serving as co-lead counsel to the *New York Times*, in late 2023 Ms. Brook filed a groundbreaking copyright infringement action against Microsoft and OpenAI alleging that the companies illegally used millions of its articles to train ChatGPT. The landmark complaint marks the first time a newspaper publisher has sued the developers of a large-language model alleging that responses to user queries are unlawfully reproducing the newspaper's content. [Read more](#).

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*“Intelligent, articulate, and always well prepared. There isn't anyone I rather have representing me in trial.”*

**Steven Lamar, Beats by Dre Concept creation & Founder, ROAM Audio**

Back in California, Ms. Brook previously obtained a [\\$25 million verdict](#) (not including fees) for her client, Steve Lamar, after a three-week trial in LA Superior Court on his claims he was owed royalties from music moguls Dr. Dre and Jimmy Iovine on the sale of Beats Electronics headphones. Ms. Brook's contributions to the case included leading a multi-day direct examination of leadoff witness Steve Lamar and convincing the California Court of Appeal to reverse an earlier summary judgment order that had dismissed the case (which ultimately paved the way to trial). Click [here](#) for a profile on Ms. Brook's contribution to the case written by legal news publication, *The Recorder*.

### ***Other Complex Litigation***

Ms. Brook is co-leading a class action against Pornhub parent company, MindGeek, over allegations that MindGeek violated federal sex trafficking and child pornography laws by knowingly posting, enabling the posting of, and profiting from thousands of pornographic videos featuring persons under the age of 18. The team overcame Section 230, and certified an international class of at least tens of thousands of victims who had their images uploaded to MindGeek's websites.

Prior to her work on the Dominion cases, working pro bono work, Ms. Brook successfully represented then Arizona Secretary of State Katie Hobbs and

Wisconsin Governor Tony Evers in litigation brought to try and prevent the counting of every legally cast vote in the 2020 presidential election. Two of those cases were dismissed after Ms. Brook and her team filed motions to dismiss. A third case, brought by Donald Trump in Wisconsin against Governor Evers, was dismissed following a bench trial in which Ms. Brook and her team represented the Governor.

## BACKGROUND & DEDICATION TO THE COMMUNITY

Ms. Brook was named among the top 200 lawyers in the nation by *Forbes* and a Titan of the Plaintiffs Bar by *Law360* in 2024. She was also recognized by the *Daily Journal* as one of the Top 100 Lawyers in California in 2023 and 2022. Lawdragon named her among the country's 500 Leading Litigators in 2023 and 2022 and Law360 recognized her as an MVP in 2023.

In addition to her robust docket of cases, Ms. Brook actively participates in a range of legal and philanthropic organizations in Los Angeles and nationwide such as the Federal Bar Association, of which she is Board Member. During her time at Stanford Law School, Ms. Brook co-founded Building a Better Legal Profession, a national organization that promotes diversity within the legal profession by compiling and publishing data on law firms' commitment to the retention and promotion of women and minority attorneys.

Prior to joining Susman Godfrey, Ms. Brook served as a judicial law clerk for the Honorable Raymond C. Fisher in the Ninth Circuit Court of Appeals.

Ms. Brook is admitted to practice in California, all of the U.S. District Courts for California, the U.S. District Court for the Eastern District of Texas, Wisconsin District Court, and the United States Circuit Courts for the Second, Seventh, and Ninth Circuits.

## Notable Representations

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### Defamation

- ***US Dominion Inc. et al. v. Fox News Network LLC***. Serving as co-lead counsel, secured a historic \$787.5 million settlement to resolve client, Dominion Voting System's, defamation lawsuit against Fox news Network. Ms. Brook is prosecuting similar defamation claims on behalf of Dominion against Rudy Giuliani, Sidney Powell, Mike Lindell/MYPillow, Patrick Byrne, One America News Network (OAN) and Newsmax TV.
- ***Bacon v. Nygard et al., Nygard Int'l Partnership v. Feralio et al., McKinney v. Bacon et al., Moore v. Bacon***. Representing billionaire hedge fund founder, Louis Bacon, in a series of disputes involving billionaire fashion tycoon, Peter Nygard. Ms. Brook helped secured a \$203 million settlement to resolve one of the high profile cases against Nygard. These cases, which span the country, involve legal issues at the

heart of many entertainment-related disputes, including defamation claims and anti-SLAPP motions. Read more [here](#).

- ***Rosette Pambakian v. Gregory Blatt et al.*** Serving as counsel to former Tinder CEO, Greg Blatt, regarding allegations that a former Tinder marketing executive was unlawfully fired after she was sexually harassed. Mr. Blatt counter-sued for defamation, which was challenged via an anti-SLAPP motion. Ms. Brook secured a ruling that Mr. Blatt could move forward with his defamation claims.
  - **Various #metoo Related Suits.** Served as counsel in several #metoo related lawsuits, all of which settled out of court or before trial.
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## Intellectual Property

- ***New York Times Co. v. Microsoft Corp. et al.*** Serving as co-lead counsel to the New York Times in a landmark copyright infringement matter against Microsoft and OpenAI over allegations that the defendants illegally used millions of its articles to train ChatGPT. [Read more](#).
  - ***Jibe Audio LLC et al. v. Pentagram Design Inc. et al.*** Obtained a \$25 million verdict for Steve Lamar after a three-week trial in LA Superior Court on his claims he was owed royalties from music moguls Dr. Dre and Jimmy Iovine on the sale of Beats Electronics headphones. Ms. Brook played an instrumental role at trial; one of her most significant contributions was a multi-day direct examination of leadoff witness, Steve Lamar. She also paved the way for the jury trial to happen after a key appellate argument in which she convinced the California Court of Appeal to reverse a summary judgment order against her client. Ms. Brook and her team were also awarded another \$9 million in attorney's fees, plus an ongoing royalty on the Studio 3 headphone that is still in production.
  - ***Vaporstream Inc. v. Snap Inc.*** Represented Vaporstream Inc. in a lawsuit against Snapchat parent company Snap Inc. for patent infringement on a number of patents related to methods to reduce the traceability of electronic messages. Ms. Brook was instrumental in fending off Snapchat's attempts to dismiss the case and shepherding it towards trial. The case was resolved just before trial.
  - ***Cortex MCP, Inc. v. Visa, Inc.*** Patent infringement matter against Visa, Inc., by which Cortex, alleges that Visa is infringing upon Cortex's patents related to tokenization technology.
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## Class Actions

- ***Jane Doe v. MindGeek USA Incorporated et al.*** Filed a class action against Pornhub parent company, MindGeek, alleging MindGeek has violated federal sex trafficking and child pornography laws by knowingly posting, enabling the posting of and profiting from thousands of pornographic videos featuring persons under the age of 18. Ms. Brook

overcame Section 230 at motion to dismiss, and certified an international class of at least tens of thousands of victims.

- ***Johnson, et al., v. Zillow; Rachel Kremer v. Zillow; Jennifer Young v. Zillow; Ashley Boehler and James Friedrich v. Zillow.*** Represented Zillow in various employment matters, including a class action claiming unpaid overtime. Ms. Brook coordinated the defense of the company in response to various disputes brought by nearly a dozen former employees in federal court. Ms. Brook managed all stages of the litigation and secured several key victories for Zillow. Read more [here](#).
- ***Schulein, et al. v. Petroleum Development Corp., et al.*** Represented a class of more than 7,000 limited partners who invested in 12 oil and gas limited partnerships. Plaintiffs alleged the defendants made false and misleading statements and omitted material information regarding the value of the assets held by the partnerships in proxy statements used to solicit votes in favor of mergers that caused the investors to be cashed out of their investments. On the eve of trial, the case was settled for \$37.5 million, with the class receiving approximately \$24 million.

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## Election Litigation

- ***Tyler Bowyer et. al. v. Doug Ducey, et al. and Trump v. The Wisconsin Elections Commission, et al.*** Working pro bono, Ms. Brook successfully represented Arizona Secretary of State Katie Hobbs and Wisconsin Governor Tony Evers in litigation brought to try and prevent the counting of every vote cast in the 2020 presidential election. The two cases brought by a team of lawyers led by Sydney Powell (one in AZ and one in WI) were dismissed after Ms. Brook and her team filed a motion to dismiss.
- ***William Feehan And Derrick Van Orden v. Wisconsin Elections Commission.*** Defended the Wisconsin Elections Commission in case brought by former president Donald Trump in Wisconsin against Governor Evers. Ms Brook took the matter to a one-day bench trial during which she defended the Governor against Mr. Trump's claims of voter fraud. After hearing the evidence and argument, the judge rejected the case on the merits and dismissed it. The dismissal followed earlier attempts by Mr. Trump to have cases heard as original actions in the WI Supreme Court, all of which were rejected.

## Honors & Distinctions

- *Lawdragon* 500 Leading Lawyer (2024)
- Titan of the Plaintiff's Bar, *Law360* (2024)
- Elite Women of the Plaintiffs Bar, *National Law Journal* Elite Trial Lawyers (2024, ALM)

# SUSMAN GODFREY

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- Named Among the Nation's Top 200 Lawyers, *Forbes* (2024)
- Top 100 AI and Legal Tech Advisor, *Lawdragon* (2024)
- *Lawdragon* Leading Plaintiff Financial Lawyer (2020, 2021, 2022, 2023, 2024)
- Finalist – Attorney of the Year, *The Recorder* (2023, ALM)
- Top 250 Women in Litigation, Benchmark Litigation (2023, 2024 Euromoney)
- Media & Entertainment Litigation MVP, *Law360* (2023)
- Top 100 Lawyer, *Daily Journal* (2023, 2022, Daily Journal Corp.)
- Top Plaintiffs Lawyer, *Daily Journal* (2023, Daily Journal Corp.)
- Top Woman Lawyer, *Daily Journal* (2023, 2021, 2017, Daily Journal Corp)
- Litigator of the Week, Law.com (2023, ALM)
- *Lawdragon* 500 Leading Litigator (2022, 2023, 2024)
- *Future Star*, Benchmark Litigation (2022, 2023 Euromoney)
- *Rising Star, General Commercial Disputes*, The Legal 500 (2019)
- *Next Generation Woman Leader in Tech Law*, *The Recorder* (2018, ALM)
- *Top 40 Lawyers Under 40 in California*, *Daily Journal* (2018, Daily Journal Corp.)
- *Rising Star, Super Lawyers* Southern California (Thomson Reuters, 2016-2024)
- Stanford Law and Policy Review, Member and Editor
- Stanford Public Interest Fellow
- Phi Beta Kappa Society

## *Clerkships*

Honorable Raymond C. Fisher, United States Court of Appeals for the Ninth Circuit

## *Education*

**Stanford Law School** (J.D., )

**Columbia University** (B.A., magna cum laude)

## *Admissions*

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### **Bar Admissions**

- California

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### **Court Admissions**

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- U.S. District Court for the Central District of California
  - U.S. District Court for the Northern District of California
  - U.S. District Court for the Eastern District of California
  - U.S. District Court for the Southern District of California
  - U.S. District Court for the Eastern District of Texas
  - U.S. Court of Appeals for the Second Circuit
  - U.S. Court of Appeals for the Seventh Circuit
  - U.S. Court of Appeals for the Ninth Circuit
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- Board of Directors, Building a Better Legal Profession

## *Leadership & Professional Memberships*