

## Matthew D. Caplan

### Partner

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San Francisco

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Matt Caplan is a problem solver and trial lawyer who represents innovators and changemakers—from formation through exit—in their most critical disputes. His multi-faceted practice focuses on trade secrets and technology disputes, business and competitor disputes, class actions, health care, and general commercial litigation.

He regularly advises clients in the Innovative Technology and Health Care and Life Sciences Sectors, offering deep insight into the unique challenges and opportunities present in these ecosystems.

Matt takes a pragmatic, results-driven approach in working collaboratively with his clients to identify and pursue the most effective means to resolve disputes. Though he has successfully represented a wide range of clients through both trial and appeal, Matt works in tandem with clients to secure the best result – whether that involves avoiding disputes entirely, resolving a case early, or achieving victory in court.

Before joining Foley, Matt was a partner in the San Francisco office of an international law firm.

## Representative Experience

### Intellectual Property

- Represented Facebook and Oculus in a multibillion-dollar trade secret and confidential information lawsuit.\*
- Represented Facebook in a dispute over data center designs and technology.\*
- Represented Kylie Cosmetics and KKW Beauty in M&A-related trade secrets litigation.
- Represented the Kardashian-Jenner family in a series of in name, image, and likeness disputes.\*
- Represented Facebook in patent litigation against BlackBerry.\*
- Represented Bumble in wide-ranging intellectual property litigation against Match and Tinder.\*

## Class Actions

- Obtained decertification of a US\$1bn class for Pulte Homes (was retained after the Court certified the class).\*
- Defending several crypto currency promotion class action lawsuits.
- Represented various companies – including cosmetics companies, food and beverage companies, automotive manufacturers, national homebuilders, and rental car companies – in multiple consumer class actions involving the Consumer Legal Remedies Act, unfair competition, false advertising, product labeling, product liability, the Unruh Civil Rights Act, the Americans with Disabilities Act, the Telephone Consumer Protection Act (and similar state laws) and other consumer protection claims; many of these cases resulted in dismissals or orders refusing to certify a class.\*
- Achieved class action victories – including dismissals on motions to dismiss and demurrers – as well as cases where dismissals were affirmed on appeal by the U.S. Court of Appeals for the Ninth Circuit and the California Courts of Appeal.\*

## Other Complex Litigation

- Represented Cigna in a series of disputes – including provider disputes, Employee Retirement Income Security Act claims, and coverage disputes.\*
- Defended defamation claims against high-profile individuals.\*
- Represented a former chief financial officer of a multibillion-dollar public company in multiple high-profile, securities-related litigations – including derivative claims, class actions and Securities and Exchange Commission civil litigation.\*

## Appellate

- Briefed and argued several appeals in the Ninth Circuit, California Courts of Appeal, and California Supreme Court.\*
- Achieved affirmances of dismissals of class actions, denials of class certification and favorable judgments.\*

*\*Matters handled prior to joining Foley.*

## Awards and Recognition

- *Southern California Super Lawyers*, Rising Star (2013 – 2023)

## Sectors

- [Health Care & Life Sciences](#)
- [Innovative Technology](#)

## Practice Areas

- [Commercial Litigation](#)

- [IP Litigation](#)
- [Litigation](#)

## Education

- UCLA School of Law (J.D., 2008)
- UCLA (B.A., 2004)

## Admissions

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