



## Jean Pierre Nogues

Partner, through his Professional Corporation



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### legal expertise

Jean Nogues handles complex business litigation including securities, antitrust, unfair competition and business torts, ERISA, insurance coverage, accountant liability, and land use/environmental matters.

### representative matters

- Defended a charcoal manufacturing and distribution company in an antitrust class action alleging price fixing and territorial/customer allocations. Case settled favorably to client.
- Have successfully represented clients in DOJ antitrust investigations.
- Represented an online content provider in a case where it asserted that ICANN and the operator of a top level domain had violated the antitrust laws. Case settled favorably to client.
- Successfully defended the creator of popular online games against claims that it had violated the antitrust laws, and had engaged in unfair competition.
- Successfully represented a major music retailer and a vacuum cleaner manufacturer/distributor in a number of cases asserting antitrust and related claims.
- Successfully represented a major record label against antitrust claims relating to distribution practices. Prevailed on summary judgment.
- Represented a major insurance company in multi-district litigation involving financial fraud and the enforceability of policies purporting to insure payments under leases. The insurer sought rescission of policies and related agreements. These cases involved claims totaling over \$400 million, with our client's potential exposure at over \$100 million.
- Represented another major insurance company in assessing exposures and defense strategies relating to very large risk cases including major building

### practice areas

litigation  
commercial litigation  
securities litigation  
regulatory

### admissions

California, 1978  
U.S. District Court  
Central District of California, 1979  
Eastern District of California, 1992  
Northern District of California, 1980  
Southern District of California, 1992  
District of Colorado, 1998  
U.S. Court of Appeal  
Sixth Circuit, 2006  
Ninth Circuit, 1979  
Tenth Circuit, 1999  
U.S. Supreme Court, 1985

### education

University of California Los Angeles School of Law, J.D., 1978; Order of the Coif  
Managing Editor, *UCLA Law Review*  
California State Polytechnic Pomona, B.A., 1975; *with*

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failures, prescription drug claims and claims relating to 9/11.

- Successfully defended individual and corporate clients against a \$5 million-plus claim for trade secret misappropriation and breach of fiduciary duty that arose when plaintiff's president left plaintiff's employ and joined the corporate defendant. Jury verdict for our client followed a three week trial in Riverside Superior Court.
- Successfully represented multiple clients in ERISA benefits and withdrawal liability matters.
- Represented a major Japanese automaker in a suit alleging antitrust and Business & Professions Code § 17200 claims. After a successful summary adjudication motion defeating several of plaintiff's key claims, the case was settled on favorable terms for our client.
- Successfully represented a major Korean automaker in an antitrust matter asserting horizontal division of markets based on alleged cooperation of competitors.
- Successfully prosecuted claims of a city and its community redevelopment agency against accountants and brokers for losses sustained in investments in government-backed securities.
- Successfully represented a city in connection with matters arising out of collapse of the Orange County Investment Pool and subsequent bankruptcy including claims asserted against county investment pool, SEC proceedings, and other government investigations.
- Obtained a \$33 million verdict after a six-month trial in a Nevada case seeking recovery for pension trust loans to a casino owner.
- Successfully represented California Insurance Commissioner in claims against accountants of insurance company seized by Commissioner.
- Successfully represented developers in CEQA, zoning, and other land use challenges relating to water district's efforts to run major power transmission lines through the middle of a planned development.
- Regularly represent insureds in coverage disputes relating to employment claims, breach of fiduciary duty claims, construction claims, business interruption and other personal injury and property claims.

*Honors*

### **other career experience**

- Law Clerk to the Honorable Herbert Y.C. Choy, United States Circuit Judge for the Ninth Circuit Court of Appeals

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## honors & awards

- AV® Preeminent™ Rating, Martindale-Hubbell
- Southern California *Super Lawyers* (2004-2006)
- Recognized by *Best Lawyers in America*® in:
  - Litigation - ERISA (2020-2024)

## professional, business and civic affiliations

- General Counsel to the Volunteer League of the San Fernando Valley (1988-2000)

## headlines

38 MSK Attorneys Named Among *The Best Lawyers in America*® for 2024  
August 17, 2023

26 MSK Attorneys Named Among *The Best Lawyers in America*® for 2022  
August 19, 2021

33 MSK Attorneys Named Among *The Best Lawyers in America*® for 2021  
August 20, 2020

27 MSK Attorneys Named Among *The Best Lawyers in America*® for 2020  
August 15, 2019

MSK Leads Sale of Portfolio Company by Vicente Capital Partners to Arlington Capital Partners  
February 5, 2019

Jean Pierre Nogues and Matthew Beasley Obtain Summary Judgment Win for Their Client  
August 7, 2017

MSK Launches "Subprime" Practice Group  
January 15, 2008

## media mentions

David Gordon, Jean Nogues, John Durrant and Mark Hiraide Mentioned in *Law360*  
June 27, 2016



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## client alerts

Paycheck Protection for Non-Profits  
Charitable Organizations May Apply for Forgivable Loans Under the CARES Act  
*MSK Client Alert*, April 3, 2020

Pardon The Interruption, Again  
Coronavirus Business Interruption, Part 2  
*MSK Client Alert*, March 23, 2020

Pardon The Interruption, Again  
Coronavirus Business Interruption, Part 2  
*MSK Client Alert*, March 20, 2020

Coronavirus Business Interruption  
*MSK Client Alert*, March 17, 2020

## events & speaking engagements

Video: Navigating PPP Loan Forgiveness  
June 25, 2020

Facial Recognition Technology: Friend or Foe?  
December 7, 2019

The Antitrust Implications of Restricting Uber Ride Sharing and Tesla's Direct Sales Model  
October 28, 2015