



## Seth E. Pierce

Partner, through his Professional Corporation



2049 Century Park East  
18th Floor  
Los Angeles, CA 90067

t (310) 312-3221  
f (310) 312-3221  
sep@msk.com

### legal expertise

Chair, MSK Class Action Practice Group.

Class action defense/complex litigation, including advertising, consumer fraud, privacy, employment discrimination, wage and hour, intellectual property, and product liability matters.

Employment litigation defense (individual claims), including discrimination, retaliation and trade secrets matters.

Commercial litigation, including unfair competition/17200 claims and investor/shareholder disputes.

### representative matters

Class Action Defense and Other Complex Litigation – Consumer/Product:

- Successfully defended international consumer electronics company in series of proposed nationwide and state-specific class actions alleging breaches of express and implied warranties, the Magnuson Moss Act, and state consumer protection statutes in connection with the sale of high definition televisions.
- Defended and successfully resolved nationwide a class action against a multi-billion dollar shipping company alleging false advertising and fraud in connection with the company's monthly subscription service.
- Defended and successfully resolved multiple nationwide class actions alleging breaches of express and implied warranties and consumer protection statutes in connection with the sale of innovative building integrated solar panels.
- Defended and successfully resolved a nationwide class action against a fast-growing internet fashion company accused of failing to adequately

### practice areas

litigation

class action defense

commercial litigation

labor & employment

employment litigation & counseling

### admissions

California, 1996

U.S. District Court

Central District of California,  
1996

Northern District of  
California, 1999

Southern District of  
California, 2008

Northern District of Illinois,  
2011

Northern District of Indiana,  
2010

Eastern District of Michigan,  
2011

Western District of New York,  
2011

Northern District of Texas,  
2008

U.S. Court of Appeals

Ninth Circuit, 2011

Tenth Circuit, 2016

msk.com

los angeles  
t 310.312.2000  
f 310.312.3100

new york  
t 212.509.3900  
f 212.509.7239

washington, dc  
t 202.355.7900  
f 202.355.7899



Seth E. Pierce

disclose the terms of its monthly continuity program.

- Defended and successfully resolved large, national product manufacturer in a series of proposed nationwide and state-specific class actions alleging false advertising and consumer fraud in connection with advertising and sale of an innovative weight loss program.
- Defended and successfully resolved nationwide product liability class action seeking more than \$1 billion in damages on behalf of more than 500,000 class members.
- Successfully defended California-only class action accusing national security company of recording customer calls without consent.
- Defended and successfully resolved California-only class action alleging breach of fiduciary duties, unjust enrichment, and statutory consumer fraud in connection with client brokerage firm's revenue sharing agreements with various mutual fund companies.
- Defendant and successfully resolved California-only class action accusing international consumer electronics company of recording customer calls without consent.
- Defended and successfully resolved multiple California-music label alleging that certain of its music CDs improperly downloaded an anti-piracy rootkit program (when played on the consumer's computer) that violated the consumer's privacy rights and degraded computer system performance.
- Defended and successfully resolved, in bankruptcy proceedings, government and private claims, including 17200 private attorney general actions and class actions, against one of the nation's largest subprime mortgage lenders, alleging massive consumer fraud, false advertising and unfair competition in connection with the company's lending activities.
- Defended and successfully resolved federal and state false advertising and unfair competition claims instituted by a competitor, against a leading, nationwide scanner distributor in connection with its most successful product.

Class Action Defense and Other Complex Litigation – Employment:

- Successfully defended major television network and production company in nationwide class action alleging race discrimination in the selection of participants for The Bachelor and The Bachelorette reality television programs.

## education

Cornell Law School, J.D., 1996; Order of the Coif; magna cum laude

Hofstra University, B.A., 1993; magna cum laude; Phi Beta Kappa

## other career experience

- Litigation Associate, Irell & Manella (1997-2002)
- Litigation Associate, Shearman & Sterling (1996-1997)

msk.com

los angeles  
t 310.312.2000  
f 310.312.3100

new york  
t 212.509.3900  
f 212.509.7239

washington, dc  
t 202.355.7900  
f 202.355.7899

- Defended and successfully resolved multiple wage and hour class actions filed against multiple major television and film studios alleging FLSA and state overtime violations in connection with the payment of production personnel.
- Defending multimedia entertainment company in California-only class action alleging FLSA violations in connection with the operation of a tour service.
- Defended multiple major television production studios and networks in, and successfully resolved, a series of precedent-setting nationwide class actions alleging age discrimination in the hiring of television writers. Mr. Pierce was lead settlement negotiator for all of the defendants (networks, studios, and talent agencies) and insurance carriers that participated in the industry-wide settlement.

#### Employment Litigation - Individual:

- Defended a production company (and certain related affiliates) and successfully resolved breach of contract and fraud claims brought by the executive producer of a highly successful courtroom reality show in connection with his profit participation agreement.
- Successfully defended local television station against allegations of age discrimination by on-air talent.
- Successfully defended television network and production company against allegations of race discrimination by on-air talent.
- Defended and successfully resolved multi-plaintiff discrimination and retaliation lawsuit against engineering company.
- Defended and successfully resolved age discrimination lawsuit against major television production company.
- Defended and successfully resolved gender and age discrimination lawsuit against major television cable network.
- Defended and successfully resolved sexual harassment and retaliation lawsuit against major retailer.
- Defended and successfully resolved multiple whistle blower lawsuits against major retailer.

#### Complex Litigation – Commercial and Investor Disputes:

- Prosecuted and successfully resolved federal and state law false advertising and unfair competition claims against client's competitor related to fraudulent affiliate marketing. Sought and obtained a preliminary injunction regarding the practices in question.
- Prosecuted and successfully resolved dispute related to buyout of senior officer's shares in well-established retail marketing company.
- Defended and successfully resolved dispute related to buyout of senior officer's shares in well-established retail marketing company.



Seth E. Pierce

---

- Defending dispute related to termination of senior officer's employment and related buyout of his shares in start-up enterprise.
- Defended and successfully resolved eight lawsuits around the country alleging fraud and various state and federal securities violations in connection with a failed \$400 million 144A private placement of debt securities.
- Successfully defended hard disk drive manufacturer against \$400 million breach of contract and breach of warranty action arising out of the sale of hard disk drives. Named one of the National Law Journal's "Top Fifteen Defense Verdicts of 1999." *Amstrad plc v. Western Digital* (Orange County Superior Court).

### honors & awards

- "Legal Impact Report," *Variety* (2024-2025)
- AV® Preeminent™ Rating, Martindale-Hubbell
- Southern California *Super Lawyers* (2006-2011)

### professional, business and civic affiliations

- Board of Governors, Association of Business Trial Lawyers

### headlines

Six MSK Litigators Named to *Variety's* 2025 "Legal Impact Report"  
*Variety* , April 9, 2025

Four MSK Partners Named to *Variety's* 2024 "Legal Impact Report"  
April 17, 2024

Mitchell Silberberg & Knupp Announces New Leadership  
*Business Wire* , December 11, 2023

Extinguishing Threats One Case At A Time  
September 21, 2016

Judge Agrees to Preliminary Injunction On Behalf Of Lear Capital, Inc.  
April 11, 2016



Seth E. Pierce

---

## media mentions

MSK Highlighted in *Bloomberg Law* for Fox Digital Enterprises Inc. Client Win  
October 10, 2022

## publications

Checkbook IRAs And Digital Assets: A Bet Against The House  
*Law360*, June 21, 2018

Are 'Home Storage' Precious Metal IRAs Legit?  
June 15, 2015

Less Than Zero: Why California Class-Action Bill Does Not Live Up to its Hype and is Actually Bad for Defendants  
*Westlaw Journal*, March 2011

MSK Class Action Litigators Examine California's Proposed Assembly Bill 271  
*Westlaw Journal*, March 2011

Trading One Crisis For Another: How Certain Proposed "Reforms" Could Turn the Subprime Crisis into a Constitutional One  
*Navigating the Subprime Lending Industry, Leading Lawyers on Understanding the Subprime Collapse, the Causes of the Current Lending Climate, and the Industry's Pending Future*, May 2008

## notable published decisions

- Hammond v. Stamps.com, Inc., Civ. No. 15-605, 2016 U.S. Dist. LEXIS 141355 (D.N.M., September 23, 2016)
- Claybrooks v. ABC, Inc., 898 F. Supp. 2d 986 (M.D. Tenn. 2012)
- In re Hitachi TV Optical Block Cases, Civil No. 08cv1746, 2011 U.S. Dist. LEXIS 90882 (S.D. Cal., August 12, 2011)
- In re Hitachi TV Optical Block Cases, Civil No. 08cv1746, 2011 U.S. Dist. LEXIS 135 (S.D. Cal., January 3, 2011)