



Enbar Toledano

Partner



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Enbar is a brief-writer and legal strategist who specializes in critical motions practice and appeals. She also has considerable experience as the dedicated brief-writer at trial.

Enbar excels at translating complicated fact patterns and legal frameworks into digestible, persuasive themes. Her skills are pivotal in complex commercial litigation, appeals from administrative agency action, and related trial or arbitral proceedings. Her recent matters include antitrust litigation, False Claims Act (FCA) cases, Federal Trade Commission (FTC) enforcement proceedings, securities litigation, commercial disputes, and international trade appeals. In addition to her trial and appellate victories, Enbar takes particular pride in the many matters in which powerful written advocacy has spurred resolution or voluntary dismissal short of full-blown litigation.

Enbar has been recognized as “One to Watch” for Appellate Practice by *The Best Lawyers in America* and a “Rising Star” in International Trade Law by *Law360*. Since 2023, the U.S. government has also named Enbar to its roster of individuals qualified to serve on binational panels for dispute resolution under the United States-Mexico-Canada Agreement (the successor to NAFTA).

Before joining the firm, Enbar was a trial lawyer and lead brief-writer in private practice. She also served as a judicial law clerk on the U.S. Court of Appeals for the Eighth Circuit and the U.S. District Court for the Northern District of Illinois.

Representative Matters



Practice Areas



Litigation

Issues and Appeals

White Collar Defense & Government Investigations

International Trade

Telecom, Media & Technology

Credentials



Education

J.D., Emory University School of Law, Order of the Coif

B.A., *summa cum laude*, University of Georgia

Law Journals

Notes and Comments Editor, *Emory Law Journal*

Clerkships

Law Clerk for the Honorable Kermit E. Bye, U.S. Court of Appeals for the Eighth Circuit (2012-2013)

Interim Law Clerk for the Honorable Ralph R. Erickson, U.S. District Court for the District of North Dakota (2013)

Law Clerk for the Honorable Edmond E. Chang, U.S. District Court for the Northern District of Illinois (2014-2015)

Bar and Court Memberships

District of Columbia Bar

Georgia Bar

New York Bar

U.S. Courts of Appeals for the Second, Fourth, Seventh, District of Columbia, and Federal Circuits

Commercial Litigation & Class-Action Defense:

U.S. Court of International Trade
U.S. District Court for the District of
Columbia

- Won dismissal of an antitrust lawsuit accusing three broadcast companies of engaging in a price-fixing conspiracy in connection with retransmission consent fee negotiations. (*DIRECTV, LLC v. Nexstar Media Group, Inc. et al.* (S.D.N.Y.)).
- Won dismissal of a putative class-action privacy lawsuit against a data broker accused of collecting and selling geolocation data from mobile device applications without consent. (E.D. Va.).
- Won dismissal with prejudice of a False Claims Act (*qui tam*) complaint against a medical device manufacturer accused of violating the Anti-Kickback Statute. (*U.S. ex rel. Stevens v. AtriCure, Inc.* (S.D. Ohio)).
- Successfully represented a lobbying firm in a high-profile Computer Fraud and Abuse Act (CFAA) and civil RICO case concerning an alleged international conspiracy to hack into a politico's computer and disseminate materials to the press. (*Broidy Capital Management et al. v. Muzin et al.* (D.D.C.)).
- Won dismissal of a putative class-action PSLRA lawsuit accusing a government contractor and three executives of engaging in securities fraud in violation of SEC Rule 10b-5. (E.D. Va.).
- Won dismissal of a breach-of-contract and securities lawsuit filed against a fuel cell manufacturer accused of failing to remove restrictive legends from stock certificates, preventing the plaintiff from selling its shares. (*POSCO Energy Co. v. FuelCell Energy, Inc.* (S.D.N.Y.)).

Trials & Arbitration

- Won three jury trials on behalf of a multinational pharmaceutical corporation defending against failure-to-warn and design-defect claims in a multi-district litigation. (*In re Xarelto (Rivaroxaban) Products Liability Litigation* (MDL)).
- Won a jury trial on behalf of a vitamin supplement manufacturer in a false-advertising class-action lawsuit. (*Farar et al v. Bayer AG et al.* (N.D. Cal.)).
- Represented a leading health insurer in a commercial arbitration relating to breach-of-contract claims. (AAA

Arbitration)

Administrative Law & Appeals:

- Successfully briefed and argued a Federal Circuit appeal involving the scope of an antidumping duty order, securing reversal of lower court decisions and reinstatement of a favorable determination by the U.S. Department of Commerce. (*Worldwide Door Components, Inc. v. U.S.* (Fed. Cir.)).
- Successfully briefed a Fourth Circuit appeal, affirming the dismissal of a putative class-action lawsuit accusing a government contractor and three executives of securities fraud. (4th Cir.).
- Successfully defended a pharmaceutical executive in an appeal from collateral consequences imposed under the Responsible Corporate Officer (RCO) doctrine, with an opening brief that prompted favorable resolution with the FDA. (D.C. Cir.).
- Represent numerous domestic industries before the U.S. Court of International Trade and U.S. Court of Appeals for the Federal Circuit in appeals from antidumping and countervailing duties/trade remedies proceedings.

Individual Representations & Government Investigations:

- Defended, and negotiated a favorable resolution on behalf of, an executive of a publicly traded company accused of insider trading by the SEC. (E.D. Va.).
- Successfully defended a U.S. Senator accused of insider trading on COVID-related congressional briefings, with an opening brief that prompted voluntary dismissal by the plaintiff. (N.D. Ga.).
- Conducted the internal investigation of an international sports governing body in connection with bribery and corruption investigations by the U.S. Department of Justice (DOJ) and the Office of the Attorney General of Switzerland. "*External Advisors Investigate FIFA Corruption Culture.*"

Professional Experience

- Litigation Associate, Private Law Practice (2017-2019)
- Litigation Associate, Private Law Practice (2015-2017)
- Intern for the Honorable Amy M. Totenberg, U.S. District Court for the Northern District of Georgia (2012)

Recognitions

- Named to the United States' roster for U.S.-Mexico-Canada Agreement (USMCA) Chapter 10 Disputes (since 2023)
- Included in *The Best Lawyers in America* directory of "Ones to Watch" for Appellate Practice (2023-2025)
- Recognized by *Law360* as a "Rising Star" in International Trade Law (2022)