

John B. Kenney

OF COUNSEL

Litigation

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FOCUS AREAS

Commercial Litigation
Litigation
Patent Litigation
Supreme Court and
Appellate

EXPERIENCE

John Kenney is Of Counsel in Wilson Sonsini Goodrich & Rosati's Washington, D.C., office and a member of the firm's appellate practice.

John's practice focuses on high-stakes appeals and key district court matters across a wide variety of subject areas, including securities, antitrust, arbitration, trade secret, patent, class action, and constitutional law. As part of his practice, John has successfully briefed and argued appeals and key motions across the federal Courts of Appeals, state appellate courts, and federal district courts. He also routinely works on matters before the U.S. Supreme Court, and helps craft strategies for novel matters entering litigation that are likely to go forward on appeal.

John previously served as a law clerk for the Honorable Britt C. Grant of the U.S. Court of Appeals for the Eleventh Circuit and the Honorable Ralph R. Erickson of the U.S. Court of Appeals for the Eighth Circuit. He also previously practiced as an associate at another leading international law firm in Washington, D.C.

CREDENTIALS

Education

- J.D., Stanford Law School, 2016
Articles Editor; Stanford Law Review; *John Hart Ely Prize for Outstanding Performance*,
International and Comparative Patent Law
- A.B., Philosophy, Columbia University, 2013

Admissions

- Bar of the District of Columbia
- U.S. District Court for the District of Columbia
- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Fourth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Appeals for the Tenth Circuit
- U.S. Court of Appeals for the Eleventh Circuit
- U.S. Court of Appeals for the Federal Circuit
- U.S. Supreme Court

MATTERS

Select Matters

- *Case v. Montana* – Obtained grant of certiorari from the U.S. Supreme Court and represented the Petitioner in Fourth Amendment case involving a warrantless entry into a home.

- *Habelt v. iRhythm* – Successfully defended dismissal of putative securities class action in the Ninth Circuit, in case involving misleading statement claims, Article III standing, and “standing to appeal” issues. Successfully opposed certiorari in the U.S. Supreme Court.
- *Munoz v. Conduent* – Successfully obtained a reversal in the Tenth Circuit of decision denying motion to compel arbitration in putative class action.
- *Walleye Opportunities Master Fund Ltd. et al. v. Silver Lake Group, L.L.C., et al.* – Successfully defended dismissal of putative securities class action in the Ninth Circuit, in case raising insider trading claims.
- *Taylor v. United States* – As lead counsel, briefed, argued, and obtained a partial reversal by the Eleventh Circuit in habeas case involving challenges to conditions of supervised release.
- *Simonton v. Dropbox, Inc.* – Successfully defended dismissal of putative securities class action in the California Court of Appeal arising out of Dropbox’s IPO. The case involved the legality of a corporate federal forum provision. Also successfully opposed review by the California Supreme Court.
- *Doe v. Google, LLC* – In the Ninth Circuit, successfully defended dismissal of claims raising First Amendment and state action issues.
- *Prager University v. Google LLC* – In the California Court of Appeal, successfully defended ruling that the plaintiff’s content removal claims were barred by Section 230. Also successfully opposed review by the California Supreme Court.
- Representing a life sciences client in a trade secret and patent infringement action in the District of Delaware.
- *Woodhouse v. Alphabet Inc., et al* – Successfully briefed and argued before the Second Circuit in case involving prefiling injunction against repeat litigant.
- *Skyview v. Conduent* – In the New York Appellate Division, successfully obtained reversal of denial of summary judgment against fraud claims in complex commercial suit; also successfully obtained reversal of grant of summary judgment to plaintiff on contract claim.
- *Seagate Technology, LLC v. NHK Spring Co., LTD.* – Successfully petitioned Ninth Circuit for interlocutory review under Section 1292(b) and obtained reversal of order dismissing antitrust claims under Foreign Trade Antitrust Improvements Act (FTAIA).
- *Employees’ Retirement System of the City of Baton Rouge and Parish of East Baton Rouge v. MacroGenics Inc., et al.* – Successfully defended dismissal of putative securities class action in the Fourth Circuit, in case alleging material omissions involving interim testing data.
- *Tyler v. Hennepin County* – Submitted *amicus* brief on behalf of U.S. Chamber of Commerce in Supreme Court case raising Takings Clause and Excessive Fines Clause issues.
- *Cedar Point Nursery v. Hassid* – Submitted *amicus* brief on behalf of U.S. Chamber of Commerce in Supreme Court case raising Takings Clause issues.
- *Thai Meditation Association of Alabama, Inc. v. City of Mobile* – On behalf of an interfaith coalition, submitted *amicus* brief in the Eleventh Circuit in support of RLUIPA challenge to zoning restrictions that barred construction of a religious space.