



Emilie W. Hamilton

Counsel

Newport Beach

D: +1-212-326-2169

ehamilton@omm.com

Emilie Hamilton (Winckel) regularly advises clients on their most complex investigations and commercial litigations. She manages large-scale product liability and securities class actions and represents clients in courts at the federal and state levels, including multi-district litigation proceedings. Emilie was a member of the trial team that defended an industry-leading pharmaceutical and consumer products company in opioid litigation brought by the State of Oklahoma. She continues to represent the company and its subsidiaries in various matters concerning the company's opioid products, including state AG litigations. Emilie also has substantial experience conducting internal and regulatory investigations on behalf of companies across various industries, including major pharmaceutical companies and financial institutions.

Before rejoining O'Melveny, Emilie served as Senior Counsel to the General Counsel for the US Department of Commerce, where she provided front-office legal services for the Secretary of Commerce and all Department operating units, including advising Department leadership, bureaus, and agencies on legal and policy issues concerning privacy initiatives, cybersecurity, supply-chain risk management, foreign investment in US businesses, and federal advisory committees.

Experience

Litigation

- Represents an industry-leading pharmaceutical and consumer products company in nationwide opioid litigation, including a 2019 trial brought by the State of Oklahoma.

Admissions

Bar Admissions

California

New York

Court Admissions

US District Court, Southern and Eastern Districts of New York

Education

Vanderbilt University, J.D.: Notes Editor, *Vanderbilt Law Review*

University of Southern California, B.A., Psychology: *magna cum laude*; Phi Beta Kappa; Psychology Honors Program; First Place in Social Sciences Category at the Undergraduate Research Symposium, "The 'Monster Molester' and the 'Innocent Victim': Child Sexual Abuse Stereotypes and Their Effects on Jury Decisions"

- Represented a major medical device company in a month-long antitrust trial involving alleged tying in which the plaintiff was seeking more than US\$130 million in damages, before trebling, resulting in a complete victory for the client.
- Obtained voluntary dismissal of a securities class action complaint against a former officer of a global pharmaceuticals company alleging misrepresentations regarding the safety profile of the company's pain medications.
- Obtained dismissal of a fraud complaint against a global financial institution relating to the creation, sale, and management of a collateralized-debt obligation.
- Represented underwriter syndicates in several state and federal securities class actions alleging misstatements in public offering materials.

Investigations

- Represented a major pharmaceutical company in a DOJ investigation of its Controlled Substance Act compliance, including its suspicious order monitoring obligations.
- Represented a major pharmaceutical company in an investigation by the New York State Department of Financial Services regarding the marketing and promotion of its products.
- Conducted an FCPA investigation in India for a global pharmaceutical company.
- Represented a prominent financial institution in various FCPA investigations into its hiring practices.
- Conducted FCPA investigations into practices of Indian and Japanese subsidiaries of a global financial institution.
- Represented a global transportation technology company in an FCPA investigation in India.
- Represented a private equity firm and its portfolio company in an antitrust investigation regarding whether individuals in the company's sales force engaged in bid rigging with competitors for bids on certain contracts in Portugal.
- Represented a global financial institution in various investigations into its lender-placed insurance products.
- Conducted an investigation into accounting practices of a prominent media company.
- Represented executives of a global manufacturer of household products in a DOJ investigation into the company's tax practices.
- Represented a retail company in a FINRA investigation into potential insider trading.

Pro Bono

- Provides representation to clients pursuant to the Criminal Justice Act
- Represented victims in a federal international parental kidnapping prosecution. *US v. Tahiri*.
- Advised music education non-profit on licensing and privacy issues.

Professional Activities

Publications

- "Hardly a Black-and-White Matter: Analyzing the Validity and Protection of Single-Color Trademarks Within the Fashion Industry," *66 Vanderbilt Law Review*