



Clay Marquez

Counsel

San Francisco

D: +1-415-984-8747

cmarquez@omm.com

Clay Marquez focuses his practice on commercial litigation, including consumer class actions, warranty claims, and privacy matters. He has extensive experience successfully representing companies against claims of unfair competition, consumer fraud, false advertising and products liability in complex class action settings. He has represented a wide range of clients, from weapons manufacturers to educational institutions, with a focus on producers of consumer electronics and related products.

He also has extensive experience in handling securities class actions, internal investigations, and regulatory inquiries and enforcement actions. Before joining O'Melveny, Clay was an attorney with another *AmLaw* 50 firm.

Experience

- Fuhu, Inc. in a consumer class action in the U.S. District Court for the Central District of California alleging consumer and breach of warranty related to the sale and distribution of Fuhu's award winning educational software and tablet computers. Assisted the team in obtaining a denial of Plaintiff's initial motion for class certification.
- One of the world's largest producer and distributor of chocolate in a consumer class action in the U.S. District Court for the Southern District of California alleging false and misleading advertising relating to nutritional content. Managed discovery and assisted the team in achieving an early settlement on favorable terms to the client.

Admissions

Bar Admissions

California

Court Admissions

US District Court, Northern and Southern Districts of California

Education

Fordham University School of Law, J.D.: Recipient, McEwan Fellowship, Public Interest Law; member and committee chair, Stein Scholars for Public Interest

University of New Mexico, M.A., education

University of Southern California, B.A., political science and economics

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- A start-up biomedical device company and its founder in related state and federal actions alleging breaches of fiduciary duty under both Delaware and California law, misappropriation of trade secrets and patent infringement. Was instrumental in coordinating complex discovery in three countries while assisting in the successful litigation of related indemnification and advancement issues in the Delaware Court of Chancery and staying California state proceedings pending the resolution of Federal claims.