



William K. Pao

Partner

Los Angeles

D: +1-213-430-7272

wpao@omm.com

William K. Pao is a seasoned commercial litigator whose diverse practice focuses on three main areas: securities litigation, financial services and Fintech litigation, and complex commercial litigation. Will's clients include companies across a wide spectrum of industries, including banking, technology, automotive, agriculture, education, and fashion. Co-Chair of O'Melveny's Fintech Group, Will works extensively with emerging Fintech companies, including advising cryptocurrency and block chain companies on securities and regulatory as well as litigation issues. In addition, Will has substantial experience advising and representing Chinese companies and US companies that operate in China. Will speaks Mandarin, and has spent considerable time in China, Hong Kong, and Taiwan.

Will believes that to provide sound legal advice, it is imperative to understand a client's business, inside and out. Understanding their business models, industries, customers, and strategic goals allows him to counsel and guide his clients through highly complex and sensitive matters.

Will has been recognized by the *Los Angeles Business Journal* as one of the "Most Influential Minority Attorneys" in Los Angeles. In addition, *Benchmark Litigation* named him to its "40 & Under Hot List" and recognized him as a litigation star for his work in securities, financial services, and commercial litigation.

Prior to joining O'Melveny, Will served as a law clerk to the Hon. Fortunato Benavides of the US Court of Appeals for the Fifth Circuit and the Hon. David F. Levi, formerly of the US District Court for the Eastern District of California. He graduated Order of the Coif from the University of California, Berkeley School of Law,

Admissions

Bar Admissions

California

Court Admissions

US Supreme Court

US District Court, District of Colorado

US District Court, Central, Eastern, Northern, and Southern Districts of California

US Court of Appeals, Fifth, Seventh, and Ninth Circuits

Education

University of California at Berkeley, J.D.: Order of the Coif; Executive Editor, *Berkeley Business Law Journal*; Member, Moot Court Board
Fudan University, Fulbright Scholar
University of Southern California, B.A., Political Science, Economics, East Asian Languages and Cultures (triple major): *summa cum laude*; Departmental Honors (Political Science); Phi Beta Kappa

and *summa cum laude* from the University of Southern California with a triple major in Political Science, Economics, and East Asian Languages and Cultures. As a Fulbright Scholar at Fudan University in Shanghai, Will conducted extensive research on Chinese economic reforms.

Experience

- Representing one of the nation's largest banks in numerous high-stakes consumer banking putative class actions.
- Representing a cryptocurrency mining machines manufacturer in a Section 11 federal securities class action.
- Representing a cryptocurrency mining machines manufacturer in a putative unfair competition class action.
- Representing an online game developer in a putative securities class action involving a going-private transaction.
- Represented an online service provider in one of the first shareholder class actions seeking to exploit China's ban on initial coin offerings. Manhattan federal Judge Paul A. Crotty dismissed with prejudice a Section 10(b) claim against the company and its CEO.
- Represented a fertilizer company in three successive class actions, twice defeating motions for class certification. In the most recent case, the US Supreme Court in a unanimous decision significantly limited the scope of *American Pipe* tolling—an issue that will significantly impact class actions generally.
- Advised healthcare real estate investment trust in M&A litigation challenging multi-billion dollar acquisition.
- Represented affiliates of one of China's largest conglomerates in M&A related litigation.
- Represented one of the world's leading satellite companies and individual board members and defeated motion for preliminary injunction in M&A litigation challenging company's multibillion-dollar merger.
- Represented former CEO of one of the largest apparel manufacturers in North America in federal derivative action before the Ninth Circuit Court of Appeals.
- Managed as a secondee a large portfolio of high-exposure, high-stakes consumer-mortgage litigation for a large financial institution.
- Represented a prominent technology company's board of directors in M&A litigation.
- Advised the Securities Industry and Financial Markets Association (SIFMA) on the legality of a proposal to use eminent domain in acquiring mortgage loans.

Professional Activities

Clerkships

- Honorable Fortunato Benavides, US Court of Appeals, Fifth Circuit
- Honorable David F. Levi, US District Court, Eastern District of California

Fulbright Scholar

- China

Speaker

- “Doing Business in the US: Issues Facing Foreign Businesses,” PRC Consulate, Los Angeles (April 2, 2019)
- “Current Issues in US-China Cross Border Litigation,” Tsinghua University School of Law (March 2012)
- “Developing a China Practice 101,” Southern California Chinese Lawyers Association (January 2012)
- “How to Do Business with China: What You Need to Know About Dispute Resolution, Deals, Anti-Bribery, and Other Legal Issues,” Los Angeles Chinese Chamber of Commerce (October 2012)
- “How to Serve Clients in China with Your U.S. Litigation Practice,” Webinar for the American Bar Association (May 2012)
- “Careers in International Law,” State Bar of California (March 2012)
- “Developing an International Practice: Asia 101,” Webinar for State Bar of California (November 2011)
- “Securities Litigation Goes Global: Unique Issues Posed by Securities Litigation and Enforcement in a Globalized Economy,” State Bar of California (June 2011)

Publications

- “Resurrecting Time-Barred Crypto Claims Is An Uphill Struggle,” *Law360* (May 6, 2020)
- “Five Crypto-Securities Trends that Spell More Lawsuits in 2018,” *Journal of Investment Compliance*, Vol. 19 Issue: 2, pp. 13-15 (2018)
- “Assembling the Pieces of the Scierter Puzzle: A New Approach to a Holistic Review of Scierter Pleading under Tellabs and the PSLRA,” *Michigan State Journal of Business & Securities Law* (April 9, 2014)
- “Comcast Puts Securities Plaintiffs To An Earlier Test,” *Law360* (January 27, 2014)
- “Holistic Review in Federal Securities Litigation,” *Corporate Counsel* (October 17, 2013)
- “Am I on Speaker? Privacy in the Age of Smartphones,” *Los Angeles Daily Journal* (December 16, 2011)
- “Courts Restrict Defendants’ Ability to Take Offensive,” *The Recorder* (July 25, 2011)
- “The Facebook Effect on Litigation and Civil Discovery,” *Los Angeles Daily Journal* (June 28, 2011)
- “Navigating the Thicket of California Law on Class Action Waivers,” *Los Angeles Daily Journal* (February 7, 2011)
- “Interlocutory Appellate Review of Class-Certification Rulings under Rule 23(f): Do Articulated Standards Matter?” DRI’s Certworthy Newsletter (Winter 2009)

Honors & Awards

- Named “Local Litigation Star” for Financial Services, General Commercial, and Securities by *Benchmark Litigation* (2020)
- Recommended by *The Legal 500 US* for General Commercial Disputes and Securities Litigation: Defense (2020)

-
- Named to the 40 & Under Hot List for Financial Services, General Commercial, and Securities by *Benchmark Litigation* (2018-2019)
 - US Supreme Court victory in *Resh v. China Agritech, Inc.* named a National Impact Case by *Benchmark Litigation California* (2019)
 - Recognized by the *Los Angeles Business Journal* as one of the “Most Influential Minority Attorneys” in Los Angeles (2018)
 - Recognized as a Southern California “Rising Star” by *Super Lawyers* as published in *Los Angeles* magazine (2014-2019)

Languages

- Mandarin Chinese