



## South China Morning Post: Huawei's US Government Lawsuit May Lift the Air of 'Mystery' Around the Chinese Telecoms Giant

March 21, 2019

### RELATED PRACTICES

[White Collar Defense & Corporate Investigations](#)

Many observers have expressed doubt that Huawei's lawsuit against the United States will succeed, as the federal government's ban of the telecom giant's technology is similar to a prior case involving a federal ban of products from a Russian cybersecurity firm, which the US Court of Appeals dismissed last year.

O'Melveny partner Ron Cheng observed that: "Based on that case, the US will probably file a motion to dismiss before there is discovery or any trial, and will argue that Huawei cannot show that the National Defense Authorization Act (NDAA) does not serve legitimate, 'nonpunitive legislative purposes,' such as the security of the federal government and its communications infrastructure."

He continued: "The government will probably rely on evidence and testimony in the legislative record, including Congressional hearings that addressed Huawei and the safety of its telecommunication products."

To read the full story, click [here](#).