

John C. Toro

Partner

Trial and Global Disputes

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John Toro litigates complex—and often high-stakes—commercial disputes on behalf of his clients. John’s practice focuses on contract and business tort cases, consumer class actions, corporate governance disputes, and insurance recovery suits.

Before joining King & Spalding, John was a litigation associate with Willkie Farr & Gallagher LLP. Before entering private practice, he served as a law clerk to the Honorable D. Brooks Smith on the U.S. Court of Appeals for the Third Circuit, and to the Honorable Robert L. Hinkle on the U.S. District Court for the Northern District of Florida.

John graduated with honors from the Georgetown University Law Center. While in law school, he served as the Senior Articles Editor of the *Georgetown Law Journal* and competed on the Barristers’ Council’s Moot Court team. He received his B.A. in Philosophy, *magna cum laude*, from Georgia Southern University.

John has served on the firm’s hiring committee and is active in the firm’s efforts to recruit new attorneys. He is a member of the Georgia Bar, DC Bar, and the Atlanta Bar Association. Within the Georgia Bar, he serves on the Young Lawyers Division’s Litigation Committee and Intrastate Moot Court Competition Committee. In the community, John serves on Georgia Appleseed’s Student Tribunal Committee, volunteers with the Atlanta Volunteer Lawyers Foundation, and maintains an active pro bono practice.

Publications

- *The Charade of Tradition-Based Substantive Due Process*, 4 NYU J. of Law & Liberty 172 (2009).
- *Why Principles of Federalism Demand that Tort Law be Left up to the States*, 7 Georgetown J. of Law & Public Policy 655 (2009).

Matters

Represented Rayonier Advanced Materials in dispute concerning contract for the sale of chemical cellulose in *Eastman Chemical Company v. Rayonier Advanced Materials, Inc.*, No. 15-ck-40024(c) (Tenn. Ch. Ct.).

Represented private equity firm in post-deal dispute—which ended in a victorious trial—in *Cyber*

Holding, LLC v. CyberCore Holding, Inc., 2016 WL 791069 (Del. Ch. 2016).

Represented General Electric Company in billion-dollar federal trial concerning the calculation and allocation of pension benefits under government contract.

Represented private equity firm before Delaware Court of Chancery in corporate control dispute arising from services agreement entered into between two firms.

Obtained dismissal of putative class action challenging Equifax’s reporting of “authorized user” information in *Pedro v. Equifax, Inc.*, 186 F. Supp. 3d 1364, 1370 (N.D. Ga. 2016), affirmed by 868 F.3d 1275 (11th Cir. 2017).

Obtained dismissal of putative class action challenging Equifax’s provision of credit reports to state taxing authority in *Perrill v. Equifax Information Services, LLC*, 205 F. Supp. 3d 869 (W.D. Tex. 2016).

Represented Equifax in defeating motion for TRO and preliminary injunction relating to notice of 2017 data security incident in *Kendall v. Equifax Info. Services LLC*, Civil No. 17-06922 (RBK/AMD) (D.N.J.).

Represented multiple financial institutions in insurance coverage lawsuits arising from claims concerning mortgage originations and securitizations.

Represented KPMG in fraud and malpractice lawsuit arising from the provision of tax advice.

Represented company in appeal challenging settlement of potential liability under Foreign Corrupt Practices Act in *United States v. Alcatel-Lucent, S.A.*, 688 F.3d 1301 (11th Cir. 2012).

Represented Bloomberg affiliate in defeating preliminary injunction motion brought in *Regscan, Inc. v. The Bureau of National Affairs, Inc.*, Case No. 1:11-cv-01129-JCC-JFA (E.D. Va.).

Briefed and argued *Ross v. Fogam*, 2016 WL 66668 (11th Cir. 2016), in which the Eleventh Circuit reversed a district court order dismissing civil rights plaintiff’s Eighth Amendment claims with prejudice.

Credentials

EDUCATION

J.D., Georgetown University, cum laude

B.A. Philosophy, Government, Georgia Southern University, magna cum laude

ADMISSIONS

U.S. Court of Appeals for the Third Circuit

U.S. Court of Appeals for the Sixth Circuit

U.S. Court of Appeals for the Eleventh Circuit

U.S. Court of Federal Claims

U.S. District Court for the Western District of Tennessee

U.S. District Court for the Eastern District of Wisconsin

U.S. District Court for the Northern District of Georgia

U.S. District Court for the District of Columbia

District of Columbia

Georgia

CLERKSHIPS

Law Clerk, Hon. Robert L. Hinkle, U.S. District Court for the Northern District of Florida
Law Clerk, Hon. D. Brooks Smith, Chief Judge, U.S. Court of Appeals for the Third Circuit
Intern, Hon. Anne E. Barnes, Georgia Court of Appeals

Insights

NEWSLETTER

September 30, 2020

Predominant Issues – September 2020

August 31, 2020

Predominant Issues – August 2020

June 30, 2020

Predominant Issues – June 2020

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Events

CONFERENCE

May 9, 2019

Class Action University

WEBINAR

January 29, 2018

Insurance Coverage for False Claims Act Investigations and Healthcare Regulatory Matters

News

IN THE NEWS

August 17, 2020 • Source: Law360

David Balsler, Stewart Haskins, John Toro, Kevin O'Brien and Robert Griest argue on behalf of Capital One regarding discovery in an MDL

June 11, 2020 • Source: Law360

David Balsler, Stewart Haskins II, John Toro, Kevin O'Brien and Robert Griest advise Capital One on its request to a Virginia federal court to overturn a magistrate judge's ruling

May 15, 2020 • Source: Law360

David Balsler, Stewart Haskins, John Toro, Kevin O'Brien and Robert Griest represent Capital One in data breach litigation

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