

# Marisa C. Maleck

Senior Associate  
*Trial and Global Disputes*

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Marisa Maleck is a member of the Appellate, Constitutional, and Administrative Law practice, who focuses on appeals, dispositive motions, and strategic counseling, including at the trial and appellate level, in both state and federal courts. She is a former law clerk to Justice Clarence Thomas of the Supreme Court of the United States and to Judge William H. Pryor Jr. of the U.S. Court of Appeals for the Eleventh Circuit. Marisa also frequently advises and participates on trial teams in a legal-issues-and-motions-practice role, before, during, and after trial.

Marisa represents clients in a variety of matters, particularly in relation to class actions; consumer fraud and related torts; food, drug, medical device, and cosmetic law; administrative law; healthcare; and data security.

Marisa has successfully drafted appellate briefs and critical motions in numerous cases before the U.S. Supreme Court, federal and state courts of appeals, and federal and state trial courts. She has successfully presented oral argument in connection with her trial work. Marisa is also a member of the Eleventh Circuit's Criminal Justice Act panel, and is often appointed to represent indigent defendants through that program.

## Matters

Representing Google in a Federal Circuit appeal from a jury verdict in a copyright infringement case involving the Android smartphone.

Representing Equifax in an Eleventh Circuit appeal from an order granting summary judgment to the company in a Fair Credit Reporting Act case.

Representing R.J. Reynolds in Florida appeals and at the trial level in numerous *Engle*-progeny cases.

Representing the Home Depot and Equifax in several consumer class action lawsuits.

Representing pharmaceutical companies in consumer fraud and Lanham Act cases.

Representing health care and pharmaceutical companies in challenges to government regulations and actions.

Representing insurance companies in litigation and counseling in connection with the Medicare

Secondary Payment Act.

Advising food and cosmetic companies on labeling and advertising practices, and successfully responding to threatened lawsuits in connection with those practices.

Currently appointed to represent indigent defendants in three appeals pending before the Eleventh Circuit Court of Appeals.

## Credentials

### EDUCATION

J.D., University of Chicago, cum laude

B.A., Amherst College, cum laude

### ADMISSIONS

U.S. Court of Appeals for the Fourth Circuit

U.S. Court of Appeals for the Eleventh Circuit

District of Columbia

Maryland

### CLERKSHIPS

Law Clerk, Clarence Thomas, Supreme Court of the United States

Law Clerk, William H. Pryor, Jr., U.S. Court of Appeals for the Eleventh Circuit

## Insights

### ARTICLE

*November 2, 2018 • Source: Washington Legal Foundation*

Utah Court Should Find Medical Devices Merit Exception to Strict Product Liability

*November 2, 2018 • Source: Washington Legal Foundation*

Utah Court Should Find Medical Devices Merit Exception to Strict Product Liability

*August 21, 2018 • Source: Richmond Dispatch*

Kavanaugh has a proven track record, Democrats should take an honest look

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## Events

### SPEAKING ENGAGEMENT

*July 25, 2018*

Marisa Maleck to Speak on Webcast About Trends and Updates in Food Litigation

*April 3, 2018*

Marisa Maleck to Speak on KCOL Colorado about Her Co-authored Article

### WEBINAR

*June 18, 2019*

Key Food & Beverage Issues: False Advertising

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## News

## IN THE NEWS

*August 5, 2019 • Source: Law360*

Joe Akrotirianakis, Aaron Craig, Jeffrey Bucholtz and Marisa Maleck counsel Allergan before a California federal court

*July 11, 2019 • Source: Law360*

Joe Akrotirianakis, Aaron Craig, Jeffrey Bucholtz and Marisa Maleck represent Allergan before a California federal court which blocked Imprimis from selling medications

*June 19, 2019 • Source: Law360*

Joe Akrotirianakis, David Balsler and Marisa Maleck successfully represent Delta before the U.S. District Court for the Central District of California

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