



## Alexander H. Cote

Of Counsel

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Hailed as part of the “A-Team” and a “superb” lawyer in a recent court decision, Alexander has successfully represented numerous high-profile clients, ranging from prominent individuals to top *Fortune* companies across a wide array of complex commercial litigation areas, including First Amendment and free speech, intellectual property, legal malpractice, insurance, real estate litigation matters and False Claims Act cases, Telephone Consumer Protection Act (TCPA), and education. He has excelled through all phases of arbitration, trial, and appeal, in both state and federal courts.

Alexander is also a member of the firm’s Videogame, Gaming and Esports Group dedicated to providing comprehensive legal solutions to companies in these industries.

## Key Matters

*Some of the experience represented below may have been handled at a previous firm.*

### ***First Amendment and Free Speech***

- Represented Sidley Austin LLP in a suit alleging that the firm aided and abetted a billion-dollar Ponzi scheme involving real estate investments through its advocacy before state regulators.
- Represented the Los Angeles Police Protective League by securing dismissal in a suit alleging a novel theory of First Amendment retaliation and affirming same on appeal.
- Obtained dismissal of a suit for FBI Agents alleging religious profiling in connection with an anti-terrorism investigation conducted in Orange County, which was largely affirmed on appeal in a published decision.
- Secured dismissal for Verizon Wireless in a failure-to-rescue suit brought by the family of a hiker who became lost in the San Bernardino Mountains, and successfully employed a statutory speech privilege in a case of first impression under California law.
- Represented defamation defendants, including a national law firm accused of defaming certain real estate developers (the defendants in an underlying suit brought by the firm), by successfully prevailing on anti-SLAPP motions.

### ***Complex Commercial Litigation***

- Obtained dismissal of Andre (Dr. Dre) Young, O'Shea (Ice Cube) Jackson, Sr., and NBC Universal from a wrongful death case arising out of the slaying of community activist Terry Carter by Marion (Suge) Knight, and affirming same on appeal.
- Obtained a preliminary injunction and writ of attachment for Verizon Wireless against a fraudulent customer who used a bogus startup company to misappropriate thousands of iPhones from the company under false pretenses.
- Represented a former executive in a civil suit brought by a company in Saipan related to the widely reported KPMG criminal tax shelter case in the Southern District of New York.

### ***Intellectual Property***

- Represented a former president and two vice-presidents in a suit brought by American International Group (AIG), their former employer, alleging misappropriation of trade secrets and other unlawful activity.
- Represented a former employee accused of misappropriating trade secrets and other unlawful activity in the suit between Mattel, Inc. and MGA Entertainment, Inc., which resulted in a directed verdict for the client.
- Represented Microsoft Corporation in a dispute with a Hollywood screenwriter alleging misappropriation of trade secrets that were later used to develop an innovative exercise videogame for the Xbox.
- Represented a former employee who left her employment at an Oregon technology startup to work for a California-based competitor. Although the client was initially the defendant in a trade secrets action brought in Oregon, Alexander obtained a settlement in which all claims were resolved, and the former employer paid a substantial sum to the executive.
- Secured millions of dollars in judgments and settlements for a dental product manufacturer from the prosecution of trademark claims against the manufacturers and sellers of counterfeit dental goods.

### ***Insurance***

- Secured dismissal for The Travelers Companies in coverage disputes concerning (a) policies covering automated property evaluation services that proved faulty during the 2007 subprime mortgage crisis and (b) officers' liability for collapse of a bank and affirming same on appeal.
- Represented a nonprofit drug rehabilitation center in a suit alleging that an insurer failed to defend and indemnify the center against claims arising out of a program participant's death.
- Represented a Lloyd's of London syndicate in a coverage dispute between insurers arising out of a scuba diving accident involving a boat that left a diver behind when leaving a dive site.

## ***Real Estate Litigation***

- Represented a national real estate brokerage firm to (a) secure a favorable decision in a bench trial in Los Angeles Superior Court, and (b) obtain several favorable decisions in arbitrations, including a complete defense verdict, and a six-figure attorneys' fee award, after an eight-day arbitration alleging a multi-year and multimillion dollar real estate fraud.
- Secured a decision from the Court of Appeal for a real estate developer affirming judgment in the developer's favor in a case arising out of the controversial sale of the "South Central Farm," which was the subject of the 2008 Academy Award nominated documentary film *The Garden*.
- Represented a Fortune 100 company in a four-day arbitration with its former business partner and landlord concerning alleged breaches of a release.

## ***False Claims Act***

- Obtained dismissal for Verizon California of a False Claims Act case alleging a failure to collect utility taxes and affirming same on appeal.
- Represented a national liberal arts college in a False Claims Act suit alleging that the school received loans for students attending a satellite campus that were not disclosed to the Department of Education.

## ***Telephone Consumer Protection Act (TCPA)***

- Obtained victory for Verizon Wireless on an early motion to deny class certification.
- Represented HD Supply, a national chain of home improvement stores, in a suit seeking millions of dollars in statutory penalties.

## ***Education***

- Represented a Claremont McKenna College student, in a published decision establishing procedural fairness requirements in the school's student disciplinary procedures.

# Recent Experience

Winston Serves as Trial Counsel in Monsanto Roundup Litigation

# Credentials

## **EDUCATION**

Alexander received his B.A., *cum laude*, in economics and a self-designed interdisciplinary minor in ethics from Connecticut College in 1997. He received his J.D. from the University of Southern California Gould School of Law in 2000, where he was on law review and elected to the Order of the Coif.

## **ADMISSIONS**

- California

## **CLERKSHIPS**

- USDC - Central District of CA for the Honorable Gary A. Feess

# Related Insights & News

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## NEWS

2023 Pro Bono Impact Report

MAY 1, 2024

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## BLOG

Loot Box Update: Northern District of California Dismisses with Prejudice 'Loot Box' Suit Against Supercell Oy

JANUARY 10, 2023

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## RECOGNITIONS

Winston & Strawn Recognized in *The National Law Journal* Legal Awards 2022

AUGUST 29, 2022

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## BLOG

Loot Box Update: Another 'Loot Box' Suit Dismissed. Northern District of California Ends Claims Against Google's Play Store

JANUARY 28, 2022

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## BLOG

Loot Box Update: Western District of Washington Grants Summary Judgment in Favor of Valve Corporation

JANUARY 14, 2022

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## BLOG

Loot Box Update: California Federal District Judge Puts an End to 'Loot Box' Suit Brought Against Apple

JANUARY 11, 2022

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## BLOG

Valve Corporation Potentially Facing Class Action Suit

OCTOBER 4, 2021

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## RECOGNITIONS

Winston Named to 2021 Appellate Hot List by *The National Law Journal*

AUGUST 23, 2021

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## BLOG

Loot Box Update

MAY 26, 2021

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## BLOG

Winston & Strawn Launches The Play Book

MAY 25, 2021

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## IN THE MEDIA

Featured in the *Daily Journal*: Winston Announces Expansion in Los Angeles

FEBRUARY 18, 2021

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## PRESS RELEASE

Winston & Strawn Expands Los Angeles Office with Addition of 18 Attorneys

FEBRUARY 16, 2021

# Capabilities

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Litigation/Trials

Appellate & Critical Motions

Commercial Litigation & Disputes

Intellectual Property