



Christopher R.J. Pace

Partner

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Chris is a seasoned trial attorney who represents clients in commercial disputes, antitrust and unfair competition cases, class actions, and government investigations. A former federal prosecutor and United States Supreme Court law clerk, Chris has been repeatedly recognized in *Benchmark Litigation US*, *Best Lawyers in America*, and *Chambers USA*, among others, for his work in commercial litigation.

He has successfully litigated and resolved commercial, antitrust, and product liability lawsuits for clients in the health care, financial services, and technology industries, including health tech and fintech disputes.

Chris has prevailed in defending Fortune 500 companies in courts across the country, including in multidistrict litigations. He is a highly sought-after counsel to prosecute and defend clients in lawsuits involving fraud, fraudulent inducement, antitrust and unfair competition, and to defend clients in multiparty actions involving complex causation and damages disputes. Some of his recent victories include achieving dismissal of the first private cryptocurrency antitrust lawsuit, upholding a financial service company's immunity from liability for alleged government disclosures under the Bank Secrecy Act, and obtaining summary judgment on the eve of trial in an energy industry tortious

interference and breach of contract action. Chris is also an active appellate advocate. He has successfully argued appeals before an array of appellate courts, including the United States Courts of Appeals for the First, Fifth, Ninth and Eleventh Circuits.

In his early career, Chris served the United States government as an Assistant U.S. Attorney for the Southern District of Florida. He also served as a law clerk to Supreme Court Justice Anthony M. Kennedy, Judge Alex Kozinski of the Ninth Circuit, and (as an extern) Judge Edward Becker of the Third Circuit.

Chris is a member of the Florida, California, District of Columbia, New York, and Texas bars.

Key Matters

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

Litigation Experience

- *United American Corp. v. Bitmain, Inc.* (S.D. Fla.) – Represented Bitmain Technologies Ltd., Bitmain, Inc., and Bitmain Technologies’ co-founder and former chairperson Jihan Wu against claims that they conspired with other companies and software developers to manipulate the Bitcoin Cash cryptocurrency market. Prevailed against all claims on motion to dismiss.
- *Glen v. American Airlines, Inc.* (N.D. Tex.; 5th Circuit) – Represented American Airlines against a claim that it violated the Helms Burton Act (HBA) arising from reservations placed at resorts in Cuba built on property that the plaintiff claimed was confiscated from his family. Prevailed in District Court and before 5th Circuit on issue of first impression that individual cannot maintain a claim under the HBA when he inherited the claim after 1995.
- *AER Advisors, Inc., et al. v. Fidelity Brokerage Services, LLC* (D. Mass.; 1st Circuit) – Represented Fidelity Brokerage Services, LLC against claims that investment advisor and clients were damaged by Fidelity allegedly filing suspicious activity reports with US Government. Successfully defeated all claims in District Court and successfully defended judgment on appeal to the 1st Circuit.
- *Florida Power & Light Co., et al. v. Nuclear Energy Institute, Inc.* (S.D. Fla.) – Represented the Nuclear Energy Institute, Inc. (“NEI”) against claims by affiliates of NextEra Energy, Inc. that NEI breached its contracts with the affiliates and tortiously interfered with their businesses. Successfully obtained summary judgment on eve of trial against all claims brought against NEI.
- *Rossi, et al. v. Darden, et al.* (S.D. Fla.) – Represented an investment company, alternative energy technology companies, and senior executives against claims by alleged inventor and his company against various claims, including breach of contract, unjust enrichment and trade secret misappropriation. Secured “walk away” settlement during trial with all claims dismissed against clients without any of them paying any money to plaintiffs.
- *In re Denture Cream Products Liability Litigation* (MDL; S.D. Fla.; 11th Circuit) – Represented The Procter & Gamble Company and two affiliates (“P&G”) in cases coordinated in multidistrict litigation proceeding alleging that P&G denture cream product caused neurological damage to plaintiffs. In multiple rulings, the District Court barred all of plaintiffs’ causation experts under *Daubert v. Merrill Dow Pharmaceuticals, Inc.*, and thereafter granted summary judgment to P&G because the plaintiffs could not prove causation. Successfully defended District Court’s judgments in multiple appeals to the 11th Circuit, and successfully opposed a petition seeking certiorari review by the US Supreme Court.
- *3B Medical, Inc. v. ResMed, Inc.* (M.D. Fla.) – Successfully resolved antitrust litigation on behalf of ResMed Corp. brought by competitor 3B Medical, Inc. alleging monopolization and exclusive dealing.
- *Florida Gaming Centers, et al. v. Innovation Capital, LLC, et al.* (Florida 11th Judicial Circuit) – Represented a boutique investment bank and its senior executives both in securing the dismissal of claims brought against them by Florida Gaming Centers and Florida Gaming Corporation, and in prosecuting a contingent claim against the Florida Gaming parties in their ensuing bankruptcy proceedings.

- *In re Managed Care Litigation* (S.D. Fla.) – Secured summary judgment for a health insurer/managed care company against a nationwide certified class of health care providers who alleged that the company conspired with other insurers to under-reimburse the providers. Also represented the company on a successful appeal upholding the summary judgment award. At an earlier stage in the litigation, the case involved a successful petition for certiorari to the U.S. Supreme Court, which reversed a court of appeals decision and held that certain of the provider plaintiffs’ claims against the company needed to be resolved in arbitration.
- *In re WellPoint, Inc. Out-of-Network “UCR” Rates Litigation* (C.D. Cal.); *Franco v. Connecticut Gen. Life Ins. Co. (CIGNA), et al.* (D.N.J.) – Defeated antitrust and RICO claims brought against a health insurer/managed care company and a health care technology company in a California multidistrict litigation proceeding and a separate New Jersey case. The plaintiffs alleged in their claims that the companies engaged in nationwide conspiracies to suppress the amounts that out-of-network health care providers were reimbursed for their services.
- *American Express Bank v. Credit Suisse* (S.D. Fla.) – Represented an investment bank in action brought by a commercial bank alleging that investment bank stole commercial bank’s trade secrets and largest clients in a South American country. Obtained ruling from federal district court reversing ex parte temporary restraining order and holding that law of the South American country had to apply to commercial bank’s claims, including its theft of trade secrets claim. Case thereafter resolved by confidential settlement.
- *Roqueta v. Avon Products, Inc., et al.* (S.D. Fla.) – Represented a consumer products company in a false advertising class action in Florida federal court. Prevailed on motion to dismiss against the plaintiff’s false advertising claims. Thereafter defeated the plaintiff’s motion to certify a class as to the remaining claims because the decision to purchase the product at issue involved many individualized variables. Plaintiff dismissed lawsuit after losing class certification.
- *Palmdale Hills Property, LLC, et al. v. Lehman Commercial Paper, Inc.* (C.D. Cal. Bankr.; 9th Circuit Bankruptcy Appellate Panel; 9th Circuit) – Represented Lehman Commercial Paper against attempt by debtors in California bankruptcy proceedings to equitable subordinate Lehman’s security interests. Successfully appealed to 9th Circuit BAP, which held that debtors could not equitable subordinate Lehman’s security interests because Lehman was protected by the automatic stay from its own bankruptcy (pending in Southern District of New York). Successfully defended BAP’s judgment on further appeal to the 9th Circuit Court of Appeals.

Investigations Experience

- Represented an individual investigated by the U.S. Securities & Exchange Commission for alleged violations of the Foreign Corrupt Practices Act in relation to the sale of certain oil field concessions in Argentina. The investigation resolved with no SEC charges filed against the individual.
- Represented the general counsel of a health care company in connection with Department of Justice and Securities & Exchange Commission investigations into potential criminal and civil violations over the operation of the company and its eventual failure. The investigation resolved with no criminal or SEC charges filed against the general counsel.
- Represented a former investment banker in connection with a grand jury investigation into alleged fraud and improper payments to government officials in connection with swap agreements entered by a governmental entity. The investigation resolved without criminal or civil charges being brought against investment banker.
- Represented a pharmacy benefits manager in federal grand jury investigations into whether various pharmaceutical manufacturers violated “best price” or kickback provisions of federal law as a result of their arrangements with company. The investigations resolved with no charges brought against the pharmacy benefits manager.

Recent Experience

Secured Pivotal Summary Judgment Win for Pioneer Natural Resources in Environmental Contamination Dispute

Secured Settlement for Fox on Brink of Trial in High-Profile Defamation Litigation Brought by US Dominion Voting Systems

Recognitions

- *The Best Lawyers in America*®, Commercial Litigation, 2013–2024
 - *Lawdragon*, “500 Leading Litigators in America,” Complex Commercial Litigation, 2024
 - *Chambers USA*, General Commercial Litigation, 2013–2023
 - Florida *Super Lawyers*, 2014–2021
 - *Benchmark Litigation US*, “Future Star,” 2023–2024
 - *Benchmark Litigation US*, “Litigation Star,” 2010–2021
 - *The Legal 500 US*, 2009 and 2013
 - *Florida Trend*, “Legal Elite,” 2011–2012
 - Outstanding AUSA Award, U.S. Attorney’s Office, Southern District of Florida, 1996
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Credentials

EDUCATION

Chris received his J.D. from the University of Pennsylvania’s Carey Law School in 1990, where he graduated first in his class and was the executive editor of the *University of Pennsylvania Law Review*. He received his B.B.A. from Southern Methodist University in 1987, where he graduated first in his major.

ADMISSIONS

- Florida
- District of Columbia
- California
- Texas
- New York

CLERKSHIPS

- USCA - Ninth Circuit for the Honorable Alex Kozinski
- US Supreme Court for the Honorable Justice Anthony M. Kennedy

Related Insights & News

Publications

- “5th Circ. CFPB Ruling Means Challenges for Federal Agencies,” Law360, July 22, 2022
- “International Money Laundering Enforcement Will Rise—What GCs Need to Know,” Bloomberg Law, Feb. 16, 2021
- “FCA Ruling Lays Out A Fraudulent Inducement Defense,” Law360, Jan. 28, 2021

- “Admitting and Excluding General Causation Expert Testimony: The Eleventh Circuit Construct,” *American Journal of Trial Advocacy*, Volume 37:47, 2013
- “4 Views on Medical Device Preemption,” Law360, March 24, 2011
- “Displacement under the California Uniform Trade Secrets Act,” Bloomberg Law Reports: Intellectual Property, Volume 5, No. 19, 2011
- “Supremacy Clause Limitations on Federal Regulatory Preemption,” *Texas Review of Law & Politics*, Volume 11, Issue 1, Fall 2006
- “The Case for a Federal Trade Secrets Act,” *Harvard Journal of Law & Technology*, Volume 8, Spring 1995
- “Determining Price Inadequacy with Neutral Decision Making and Expert Assistance,” *Delaware Journal of Corporate Law*, Volume 16, Issue 1, 1991
- “The Art of War under the Constitution,” *Dickinson Law Review*, Volume 95, Issue 3, Spring 1991
- “Reconsidering a Founding Father’s Admonition Against a Bill of Rights,” *George Mason Law Review*, Volume 13, Issue 3, Summer 1991
- “The Problem of High Cost Education and the Potential Cure in Federal Tax Policy,” *Journal of Law and Education*, Volume 20, Issue 1, Winter 1991

Speaking Engagements

- “Supreme Court Update,” Dallas Assembly Program in Washington, D.C., Panelist, April 9, 2022
- “Key Developments in the Supreme Court’s Business Docket,” ABA Corporate Counsel CLE Seminar, Panelist, Feb. 18, 2022
- “Answering the Door When the Government Knocks: Effectively Responding to Government Investigations,” Jones Day and Association of Corporate Counsel (South Florida), Speaker, Feb. 26, 2015
- “Overcoming Challenges to Implementing and Preparing for New Litigation Risks in Light of the Affordable Care Act (ACA),” American Conference Institute’s 4th Annual Advanced Forum on Managed Care Disputes and Litigation – Southern Edition, Speaker, Oct. 22, 2013
- “Defending Against Class Action Lawsuits in an Era of Increased Litigiousness: Medical Necessity, Beneficiaries and Privacy,” American Conference Institute’s 2nd Advanced Forum on Managed Care Disputes & Litigation, Speaker, May 22, 2012
- “Failing Lenders: Dueling Bankruptcy Cases, Bank Holding Company Debtors, and Other Key Issues,” Bankruptcy Battleground West Conference, American Bankruptcy Institute, Speaker, March 16, 2012
- “Analyzing and Defending Against the New Theories Espoused by Plaintiffs to Certify a Class,” American Conference Institute’s Managed Care Disputes and Litigation Forum, Speaker, Nov. 9, 2011

RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

RECOGNITIONS

Winston & Strawn Partners Recognized in 2024 *Lawdragon* 500 Leading Litigators in America

SEPTEMBER 8, 2023

RECOGNITIONS

Winston Attorneys Recognized in *The Best Lawyers in America*® 2024

AUGUST 17, 2023

RECOGNITIONS

Winston & Strawn Recognized in *Chambers USA* 2023

JUNE 6, 2023

CLIENT SUCCESS

Winston Acts as Lead Trial Counsel for Fox News and Fox Corp. in US Dominion Voting Systems Defamation Cases, Settling Matter on Brink of Trial

APRIL 18, 2023

CLIENT SUCCESS

Winston Brings High-Exposure Breach of Contract Case Against Client Pioneer Natural Resources to an End With a Stunning, Precedential Summary Judgment Victory

FEBRUARY 15, 2023

ARTICLE

The Disorderly Origin of 'Ordered Liberty'

FEBRUARY 13, 2023

RECOGNITIONS

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

AUGUST 29, 2022

RECOGNITIONS

Winston & Strawn Attorneys Recognized in *The Best Lawyers in America*® 2023

AUGUST 18, 2022

ARTICLE

5th Circ. CFPB Ruling Means Challenges For Federal Agencies

JULY 22, 2022

RECOGNITIONS

Winston & Strawn Recognized in *Chambers USA* 2022

JUNE 3, 2022

IN THE MEDIA

Litigation Partner Christopher R.J. Pace Joins Winston in Dallas

MARCH 21, 2022

Capabilities

Litigation/Trials

Commercial Litigation & Disputes

Antitrust/Competition

Appellate & Critical Motions

Product Liability & Mass Torts

Government Investigations, Enforcement & Compliance

Class Actions & Group Litigation

Bankruptcy Litigation & Investigations

Financial Services Litigation

Financial Services

Health Care

Medical Devices

Technology, Media & Telecommunications

Cryptocurrencies, Digital Assets & Blockchain Technology