

Class Action Insider Spotlight on Partner Troy Yoshino

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This week, we welcome to the spotlight [Troy Yoshino](#), who joined Winston earlier this year. Troy is a seasoned litigator who focuses his practice on defending class actions from consumer claims to employment, privacy, financial services, insurance, toxic torts, and more. For over a decade, Troy has been listed as a “Northern California Super Lawyer” by Super Lawyers (2011–2023) and has been recognized by Global Competition Review for “Litigation of the Year – Cartel Defence.”

IS THERE ANOTHER PRACTICE GROUP INITIATIVE YOU’VE BEEN EXCITED ABOUT?

Being new to Winston, I’m excited to be part of a multidisciplinary class action group. This is a huge advantage for Winston clients and breaks down the silos between various practice areas. Class action practitioners in a given area often fall into using a “playbook” on certain topics, but being able to talk with folks in different practices about their approaches to different concepts expands your scope and allows you to better serve your clients. Sometimes a non-traditional approach is best, and sometimes the way concepts are approached in a different practice area can bring fresh ideas on how to make certain attacks more effective in your practice area. Diverse perspectives on how other people are viewing legal issues improves aggressive case defenses and helps junior attorneys develop an innovative and flexible way of practicing law.

WHAT IS ON THE HORIZON FOR CLASS ACTION LITIGATION?

I think we will see the globalization of class actions on the horizon for 2024. It’s very common now to see something filed in America, then Canada, then Israel, then Australia. The battlefronts are expanding. With the EU initiative to increase the use of class action/collective action devices, more EU countries are coming online on that front. And ESG claims—which are increasing—are often not tied to country-specific differences, and instead speak globally.

It’s easy for a company to view a smaller country as not presenting as much exposure (due to a smaller consumer group), but as one example Israel has some forms of US-style discovery, so there are spillover effects people need to keep in mind. We’ve always done a lot on the coordination space, but global coordination now is becoming increasingly important. The internet has long drawn the plaintiffs’ bar closer, but now we have litigation funders and

other systems that allow claims to be brought in the aggregate, creating really large exposures. This allows for more coordinated defense strategies though and I'm excited to be part of a firm that recognizes this globalization, and that is well poised to help clients fight on multiple battlefronts. While there are other firms with more offices than Winston, Winston offers what I feel is best-in-class overall aggressive litigation strategy and an aggressive defense profile.

To find the best counsel in any given jurisdiction, a company often will need to look at specialized local counsel—but it is critical to have coordinating counsel who “sets the tone” and helps to convey messages around the world that your company will not be an easy target for the plaintiffs’ bar.

WHAT ADVICE WOULD YOU HAVE FOR JUNIOR ATTORNEYS?

As a summer associate, you get packaged assignments – question and answer – so it's easy for junior attorneys to fall into a similar mindset. But all partners and clients want attorneys who will move cases to victory, and we'll give opportunity to those who are thinking about the case not only from the perspective of the singular question you've been asked, but the bigger picture of how to bring the case to a successful completion for the client.

Clients want efficiencies, and associates have an eye on technology in a way that prior generations do not. So I encourage them to take that seat at the table. Many clients give the opportunity for “counterparts” on the team. The law firm relationship can move away from just the GC-Relationship Partner structure – it's more of a family with various lines of relationships. It's not always about advising on the biggest questions, but being available on the smaller issues and brainstorming and showing the creative thinking.

3 Min Read

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