



Shawn R. Obi

Partner

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Shawn is an experienced litigator who defends clients in class actions and complex commercial litigation—often with bet-the-company stakes. She is a fierce advocate for her clients, who benefit not only from her skill at managing the highest-profile cases but also her focus on resolving matters as quickly, efficiently, and effectively as possible.

Shawn brings to her practice an energy and fresh perspective that help her formulate creative solutions to the most challenging issues her clients face. She understands that a class action is disruptive and may threaten an organization's brand and long-term financial performance. Her mission is to help dispose of matters as economically and efficiently as possible, defeating class certification and achieving early dismissals to spare clients the expense and operational burdens of a lengthy court battle. Her clients span across industries including food and beverage, cosmetics and personal care, consumer products, financial services and automotive.

Food and beverage industry and consumer products clients routinely turn to Shawn to defeat false advertising and product labeling claims and to resolve pre-suit demand letters. A robust roster of consumer brands have relied on her counsel, including Costco, Monsanto, LVMH/Sephora, Fresh, Maker's Mark, Jim Beam, Hint Water, Under Armour, Smucker, Allianz Global Assistance, Alaska Airlines, Delta Air Lines, Jet Blue Airways, Nature's Bounty, and Lowe's.

Shawn is also a go-to lawyer for financial institutions defending against consumer protection litigation, including cases related to deposit agreements, fee schedules, mortgage litigation, and privacy concerns.

Her class action work includes a series of high-impact cases, including work done for one of the first putative nationwide class actions alleging nonfunctional “slack-fill” in product packaging, with a seminal decision by the Ninth Circuit that helped define the “reasonable consumer standard” in consumer protection cases brought under California law. The Ninth Circuit’s precedent is often cited by lawyers seeking to dismiss California-based consumer class actions.

In complex litigation matters, Shawn is regularly called upon to handle highly publicized cases. She is representing Fox News Network, LLC in high-profile defamation litigation brought by Dominion Voting Systems over voter fraud claims following the 2020 election. She represented the U.S. women’s national soccer team in its noteworthy and ultimately successful equal pay dispute with the U.S. Soccer Federation, and she represented a global financial institution in a series of cases that were the subject of articles in *Vanity Fair* and other major media outlets.

Named for three consecutive years to the *Best Lawyers: Ones to Watch in America* list, Shawn is editor in chief of [Class Action Insider](#), Winston & Strawn’s blog reporting on recent developments and emerging trends in class action law. Her perspectives on class action issues are also sought-after in the broader legal community. Her articles on litigation issues have appeared in *Law 360* and other legal publications. In 2022, she was named to *Law 360*’s California Editorial Advisory Board and provides feedback and expert insight to help shape the legal news provider’s future coverage. The *Legal 500 US* recognized Shawn for General Commercial Disputes.

Shawn is a committed and active participant in providing pro bono services to the community and has served in various roles for Public Counsel, the nation’s largest provider of pro bono legal services.

Key Matters

- Successfully defended a cosmetics brand in one of the first putative nationwide class actions alleging nonfunctional slack-fill in product packaging, securing a dismissal on the pleadings. This case was affirmed by the Ninth Circuit and is frequently cited as setting the standard for the “reasonable consumer” under California’s consumer protection laws.
- Successfully represented a food and snack company in a putative consumer fraud, false advertising, and product liability class action wherein the plaintiff alleges a claim under the unfair competition prong of California’s Unfair Competition Law, breach of implied warranty of merchantability, and public nuisance related to the inclusion of partially hydrogenated vegetable oil (PHVO) in certain snack products. Significantly, this case is among the first filed after the FDA’s determination that trans-fats were no longer Generally Recognized as Safe and its impact on civil claims. On appeal, the Ninth Circuit unanimously affirmed the lower court’s decision and upheld the dismissal, securing a decisive victory for our client.
- Defended Costco Wholesale Corporation in one of the largest “food court” consumer class actions filed in the Northern District of California, involving false advertising claims against several Kirkland Signature snack products, including slack-fill claims.
- Defending one of the leading automotive manufacturers in nationwide false advertising and consumer protection litigation in the Eastern District of Texas. The purported class action alleges that the company is liable for manufacturing, designing, and distributing defective windshields that crack unexpectedly in ordinary and foreseeable circumstances. Plaintiff asserts claims of breach of express and implied warranty and violations of the Song-Beverly Act and other state consumer protection statutes.
- Successfully represented current and former members of the World Cup-winning U.S. women’s national soccer team in a class action against the U.S. Soccer Federation for equal pay and working conditions to their male counterparts on the U.S. men’s team. The parties reached a settlement of the equal-pay claims (for US\$24M in damages and for equal pay for all future matches).

- Defended Hint, Inc. against a false advertising class action alleging that the company’s flavored water was falsely advertised as “100% natural.” Following an early deposition of the plaintiff, we sought Rule 11 sanctions for filing a lawsuit without a good-faith basis and false claims. The plaintiff voluntarily dismissed the suit with prejudice and received no payment.
- Defended four national retailers and an herbal supplement manufacturer in connection with more than 80 class actions across a dozen states alleging that ingredient lists misrepresented product contents. This mass action exploited the increased pressure on all business lines within the supplement industry regarding ingredients, false advertising, and misbranding. Despite government investigations and intense media/industry scrutiny, the cases ultimately settled on a single-plaintiff basis.
- Defending Monsanto in a series of end-user consumer class actions alleging violations of various states’ consumer protection laws based on claims that Monsanto’s Roundup product labelling falsely advertised that the product didn’t cause cancer – specifically, non-Hodgkin’s lymphoma. Also representing Monsanto in putative class action alleging violations of Missouri consumer protection statute in connection with sale of Monsanto’s Roundup-brand weed and grass killer products. The case is ongoing, with class certification briefing pending.
- Defended a major financial institution against a nationwide class action that challenged out-of-network fees from millions of transactions conducted at independent ATMs with allegedly misleading screen prompts. In a case with potentially significant industry implications, the court granted our motion for summary judgment in full and denied class certification in its entirety.
- Defending a global financial institution in numerous high-profile class actions and single-plaintiff matters alleging failure to allow plaintiffs to modify their home mortgages during the Great Recession as a result of a software error, in violation of the Home Affordable Mortgage Program. Also defended a global financial institution against a consumer class action alleging our client improperly uses credit card customers’ personal information without their consent. The plaintiff dismissed the case voluntarily and with prejudice after we filed our motion to dismiss.

Recent Experience

The J.M. Smucker Company Beats False Advertising Class Action

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

Secured Landmark Equal-Pay Settlement for Current and Former USWNT Members

Snack Company Dismissed from PHVO Ingredient Class Action

Winston Resolves Class Action Involving Automotive Navigation Software Advertising Claims

Winston Obtains Dismissal for Beverage Company in Consumer Class Action

First-of-its-Kind Slack-Fill Class Action Dismissed, Affirmed on Appeal

Prevailed before Supreme Court for Omnicare in Landmark Securities Act Case

Recognitions

- Recognized in *Lawdragon’s* “500 X – The Next Generation” (2023)
- Recognized in *Benchmark Litigation US’s* “40 & Under List” (2023)
- Recognized in *Legal 500 US* as a “Key Lawyer” in the area of Advertising and Marketing Litigation (2023)
- Recognized in *Best Lawyers: Ones to Watch in America* in the area of Commercial Litigation (2021–2023)

Activities

Food and Drug Law Institute - Advertising, Labeling, and Litigation Conference Planning Committee

Los Angeles Association of Business Trial Lawyers, Young Lawyers Division

Public Counsel Leadership Board

Pro Bono Adoption Project Coordinator, Public Counsel

Law360 California Editorial Advisory Board (2022)

Credentials

EDUCATION

Shawn received a B.A., with honors, in Political Science from the University of Chicago in 2005. She received a J.D. from the University of Southern California in 2012, where she was a participant in the Hale Moot Court Honors Program. In 2010, Shawn served as a judicial extern to the Hon. Christina A. Snyder, U.S. District Court, Central District of California.

ADMISSIONS

- California

Related Insights & News

Publications

- Co-author, "[Corporate Compliance Through The Lens Of Calif. Privacy Law](#)," Law360, (July 19, 2019)
- Co-author, "Directors and Officers Prevail in Securities Fraud, Derivative Challenges to China Automotive's Accounting Practices," *Westlaw Journal: Delaware Corporate*, Volume 28, Issue 7, (October 14, 2013)
- Since 2013, Shawn has regularly co-authored the "Delaware Quarterly: Recent Developments in Delaware Business and Securities Law," a quarterly roundup of major decisions in the Delaware Court of Chancery published in both the *Securities Reform Act Litigation Reporter* and the *Bank and Corporate Governance Law Reporter*.

Speaking Engagements

- "Focus on Dietary Supplements: Supply Chains, Labeling Accuracy, Statutory Damages and More," The Food and Drug Law Institute's Food Advertising, Labeling, and Litigation Conference (September 2023)
 - "The 2023 Litigation and Class Actions Outlook for The Cosmetics and Personal Care Products Industries," American Conference Institute's Legal, Regulatory, and Compliance Forum on Cosmetics & Personal Care Products (March 2023)
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BLOG

Class Actions 101: Defeating Motions for Class Certification in Rule 23(b) Cases

FEBRUARY 8, 2024

RECOGNITIONS

Winston & Strawn Recognized in 2024 *Benchmark Litigation*

OCTOBER 6, 2023

SPEAKING ENGAGEMENT

Shawn R. Obi Explores Recent Class Actions Decisions Impacting the Dietary Supplement Industry

SEPTEMBER 28, 2023

BLOG

MoCRA Makes Way for Primary-Jurisdiction Defense in PFAS Litigation in the Cosmetic Industry

SEPTEMBER 20, 2023

RECOGNITIONS

Winston Partners Named to *Benchmark Litigation's* 2023 40 & Under List

JULY 31, 2023

RECOGNITIONS

Winston Attorneys Featured on *Lawdragon's* Inaugural 500 X – The Next Generation List

JULY 7, 2023

RECOGNITIONS

Winston & Strawn Recognized in *The Legal 500 U.S.* 2023

JUNE 7, 2023

NEWS

2022 Pro Bono Impact Report

MAY 1, 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

SPEAKING ENGAGEMENT

Shawn Obi Presents at ACI's Cosmetics & Personal Care Products Legal Forum

MARCH 28, 2023

BLOG

Winston Convenes First In-Person Diverse Lawyers Retreat Since the Onset of Covid-19

OCTOBER 24, 2022

BLOG

Class Actions 101: In Their Own Words: Deposing—and Often Exposing—Plaintiffs

OCTOBER 6, 2022

Capabilities

Class Actions & Group Litigation

Commercial Litigation & Disputes

Advertising Litigation

Financial Services Litigation

Privacy & Data Security

Product Liability & Mass Torts

Food & Beverage

Financial Services

Retail & Luxury

Artificial Intelligence (AI)