

# Mark L. Hejinian

## Partner

San Francisco

## Details

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Mark Hejinian is a trial attorney focused on commercial litigation matters, shareholder derivative suits, securities fraud, and consumer class action defense. He advises companies, boards, officers, and directors with respect to fiduciary duties and navigating complex board governance issues. He has represented clients in the telecommunications, pharmaceutical, financial, creative services, and insurance industries. He also represents clients in white collar investigations as a member of the firm's White Collar Defense and Investigations group.

Mark is co-chair of the firm's Pro Bono Committee and has an active pro bono practice. He was honored as an Outstanding Volunteer in Public Service by the San Francisco Bar Association Volunteer Legal Services Program and received the Wiley W. Manuel Pro Bono Services award for public service.

Prior to joining the firm, Mark clerked for the Honorable Jan E. DuBois of the U.S. District Court for the Eastern District of Pennsylvania and the Honorable Judith Bartnoff of the Superior Court of the District of Columbia. Before attending law school, Mark was a U.S. Peace Corps volunteer in Guyana, South America.

Mark earned his J.D., magna cum laude, from Georgetown University Law Center. He received his B.A., cum laude, from the University of Puget Sound in Tacoma, Washington. While in law school, Mark interned in the Human Rights and Special Prosecution Section of the U.S. Department of Justice.

## Notable Representations

Represents a former auditor of a major financial institution in an administrative enforcement action brought by the Office of the Comptroller of the Currency.

Represents a co-founder and former president of a social media company in various circumstances related to the dissolution of the company.

Represents various companies and boards in investigations and potential disputes with officers and directors.

Represents a large business in a dispute with its insurance carrier arising out of the COVID-19 pandemic.

Represents creative services agencies in various contractual disputes with third parties.

Successfully tried a two-week federal jury trial in Houston on behalf of a Fortune 200 company, obtaining a \$34 million verdict in favor of his client. Secured complete affirmance of judgment in published Fifth Circuit opinion. See *OneBeacon Ins. Co. v. T. Wade Welch & Assocs.*, 841 F.3d 669 (5th Cir. 2016).

Represented two major technology trade organizations – the Internet Association and the Consumer Technology Association – as amici before the *Second* Circuit in a matter involving the impact of mobile technology on contract law. See *Meyer v. Uber Technologies, Inc.*, Case Nos. 16-2750, 16-2752.

Successfully represented a SaaS company in a complex breach of contract matter, obtaining a favorable settlement for the client at the onset of the litigation.

Represented a major public utility company in a dispute with a state agency to recover damages from a failure of public infrastructure, obtaining a favorable settlement for the client.

Represented a business in a copyright dispute against another company displaying its copyrighted works without a license.

Represented an insurance company in a dispute with the California Controller involving multiple cases in state and federal court, including before the Ninth Circuit, obtaining a favorable global settlement for the client.

Represented a founder of a successful tech company in a dispute with his former company.

Successfully represented a company in the pharmaceutical industry in a complex breach of contract matter, obtaining a favorable settlement for the client.

Served as counsel to numerous employees at a large financial institution in various overlapping governmental investigations into its customer sales practices.

Represented an elected official in a matter involving allegations of misconduct.

Represented companies in intellectual property disputes, including copyright and trade secrets.

Served as counsel to a produce distribution business in a breach of contract dispute against the prior owner, obtaining a favorable settlement at mediation prior to trial.

Represented a number of clients charged with insider trading, including a former technology executive.

Represented clients in the wine industry, including in breach of contract and ownership disputes.

Represented a national non-profit in a dispute regarding conservation agricultural easements and property development.

## **Professional Activities**

Mark is a member of the State Bar of California and a former member of the Executive Committee for the Litigation Section of the Bar Association of San Francisco.

## **Publications & Speaking Engagements**

- Co-Author, "[Landmark Second Circuit Ruling Clarifies the Standards for Mobile Contracts](#)" (August 2017)

## **Education**

- J.D., magna cum laude Georgetown University Law Center (2011)
- B.A., cum laude University of Puget Sound (2005)