

Megan O'Neill

FOUNDING PARTNER

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AREAS OF FOCUS

Appellate Practice

Class Action Defense

Complex Commercial Litigation and Arbitration

Recognized by Lawdragon as one of “500 Leading Litigators in America” and by the Daily Journal as one of California’s “Top 100 Lawyers,” Megan O’Neill co-founded DTO and leads the firm’s Litigation practice.

Megan is a fierce litigator and master strategist. Despite her love of winning, Megan never loses sight of the practical reality a company faces in litigation: what is best for our business? She pairs her decades of experience litigating high-stakes cases with her ability to “cut to the chase,” gaining clients’ trust by speaking candidly about what they are facing and how to accomplish their goals.

While Megan’s generalist background enables her to tackle everything from thorny breach of contract and fraud claims to trademark infringement cases, she is most recognized for her work in the class action space. In the past few years, she has litigated class actions as lead counsel on behalf of clients such as HP, Unilever, Honda, Target, and Walgreens and is often invited to speak and chair conferences focused on the defense of class actions. Megan is equally comfortable at an appellate podium and in a trial court, having handled appeals to the Second, Third, and Ninth Circuits and tried several cases to verdict.

Megan’s teams often secure victories at the very outset of the case on a motion to dismiss, either ending the case altogether or greatly reducing the potential liability (and cost of defense) for her clients. By way of example, Megan led the team that defended a major retailer in a class action alleging that consumers had paid a “pink tax” on a women’s hair-loss treatment priced higher than the similar men’s treatment. The court adopted DTO’s arguments that some claims were preempted, while others failed as a matter of law based on the statutory language, an argument Megan’s team buttressed with legislative history. In another class action in which she represented several defendants, Megan obtained key admissions in the plaintiff’s deposition and leveraged those in

opposing class certification. The plaintiff capitulated and dismissed the entire case. Megan's time outside of work is usually focused on one of three things: her two boys, her hometown sports teams (Go Birds!), and her side hustle as a hip-hop dance teacher and choreographer.

Experience

- Obtained dismissal of a putative class action in the Central District of California in which the plaintiff claimed the company falsely advertised its brain supplement as providing benefits for which it lacked scientific support. Megan's team filed a motion to dismiss, arguing lack of substantiation and lack of plausibility. The court granted the motion, dismissing the case.
- Secured a victory for a major tech company in a putative class action when a court ruled that the plaintiff could not represent a nationwide class. The court adopted DTO's argument, dismissing the plaintiff's breach of contract and consumer protection claims for all states other than New York, which led to a quick dismissal of the case.
- Successfully defeated wiretapping claims at the pleading stage in a case alleging violation of the California Invasion of Privacy Act (CIPA) in LA Superior. One of a flood of similar cases across the country, Plaintiff alleged that DTO's client's use of a third-party online chat feature constituted wiretapping under California law. Megan's team filed a demurrer, which the court sustained, agreeing with DTO's arguments that the allegations showed nothing more than the chat feature was acting as a tool in furtherance of the company's own operations.
- Obtained reversal by the U.S. Supreme Court of the Ninth Circuit's grant of summary judgment in a trademark infringement lawsuit involving First Amendment issues.
- Representing early-stage tech company in Lanham Act class action in Eastern District of New York brought on behalf of a putative class of businesses alleging false advertising and trademark infringement.

Credentials

Education

- Stanford Law School, J.D.
- Lafayette College, B.A., summa cum laude, Race and Gender Studies & Spanish

Prior Affiliations

- Willenken LLP, 2016-2019

- Quinn Emanuel Urquhart & Sullivan, LLP, 2001-2013

Admissions

- Admitted in California

Federal Courts

- U.S. Court of Appeals for the Second Circuit
- U.S. Court of Appeals for the Third Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Court for the Northern, Central, Southern, and Eastern Districts of California

Clerkships

- Hon. Marjorie O. Rendell
- U.S. Court of Appeals for the Third Circuit, 2000-2001

Awards

- *Lawdragon*, “500 Leading Litigators in America” (2025-Present)
- *Los Angeles Business Journal*, “Leaders of Influence: Litigators & Trial Attorneys” (2025)
- *Benchmark Litigation*, “Litigation Star” (2021-2026), “Local Litigation Star” (2018, 2019), “California Litigation Star” (2019, 2020, 2023-2025)
- *Los Angeles Business Journal*, “Leaders of Influence: Thriving in Their 40s” (2024)
- Irish Legal 100 (2024)
- *The Best Lawyers in America* (2023-Present)
- *Daily Journal*, “Top Women Lawyers” in California (2021, 2023)
- *Profiles in Diversity Journal*, “Women Worth Watching in Leadership” (2023)
- *Silicon Valley Business Journal*, “Women of Influence” (2022)
- *L.A. Times B2B Publishing Business of Law Magazine* “Visionary” (2021)
- *Super Lawyers*, “Super Lawyer” (2021-Present)

Professional Affiliations

- Leadership Council on Legal Diversity, *Executive Council* (2021-Present), *Chair* of All-In Campaign (2024-Present), *Vice Chair* of All-In (2023), *Pathfinder Facilitator* (2022-2023), *Coaching Circles, Chair* (2022), *Vice Chair* (2021), *City Lead (SF)* (2019-2020), *Fellow* (2018)

- The Litigation Series: Consumer Goods Litigation forum, Defense Bar, *Steering Committee* (2023-2025)
- Litigation Counsel of America
 - Trial Law Institute, *Member*
 - Diversity Law Institute, *Member*
 - Order of Veritas, *Barrister*
 - Order of Certus, *Advocate*
- DRI | Association of Lawyers Defending Business, *Member*

Civic Involvement

- Board of Trustees of Lafayette College, *Associate*, (2014-2020); West Coast Advisory Council, *Member*, (2010-2021), *Chair*, (2016-2018)

Speaking Engagements

- Panelist, “From Traditional to Transformational: Lead the Way by Unleashing the Power of Authentic Leadership,” NAMWOLF 2023 Annual Meeting (September 11, 2023)
- Panelist, “The Cost of Inequity,” Los Angeles Business Journal Diversity, Equity + Inclusion Symposium & Awards (March 29, 2023)
- Presenter, “Class Representative Depositions and Discovery,” 2022 Bridgeport Class Action Litigation Conference (September 16, 2022)
- Co-Chair, 2022 Bridgeport Class Action Litigation Conference (September 16, 2022)
- Presenter, “It’s Not Mythical After All: A Case Study of a Class Action Trial,” ACC Mountain West – Nutrition Law Symposium (September 9, 2022)
- Presenter, “Pending Appellate Cases You Need to Know About,” ACC Southwest Ohio (June 28, 2022)
- Panelist, “CLE Program: Women of Stanford Law (WSL) 50th Anniversary: Alumna Experiences, Insights, and the Legacy of Women at SLS”, Stanford Law School (May 14, 2022)
- Presenter, CLE for In-House Legal Team, “Automatic Renewal Laws and Why They Matter.”
- Panelist, “Heeding the Call for Change: Law Firms & the DEI Front,” Asian Pacific American Bar Association of Los Angeles County (APABA) Webinar (August 25, 2021)
- Speaker, DISCO’s Women’s History Month (WHM) Fireside Chat (March 23, 2021)

- Panelist/Moderator, “Gender Issues in the Practice of Law,” Bridgeport Continuing Education MCLE Presentation (January 29, 2021)
- Co-Presenter, “Notable SCOTUS & 9th Circuit Decisions and Pending Cases Affecting Class Actions,” Bridgeport Continuing Education Consumer Class Action Litigation Conference (September 20, 2019)
- Co-Chair, Bridgeport Continuing Education 2019 Consumer Class Action Litigation Conference (May 3, 2019)
- Co-Presenter, “The Future of Nationwide Classes (including Settlements) after Hyundai Kia,” Bridgeport Continuing Education 2019 Consumer Class Action Litigation Conference (January 11, 2019)
- Moderator, “Hiring, Firing and Inspiring Outside Counsel,” MCCA 2018 Creating Pathways to Diversity Conference (October 2, 2018)
- Panelist, “The In-House Counsel’s Consumer Class Action Defense Checklist,” ACC Washington Chapter 2nd Annual Business Summit (September 13, 2018)
- Panelist, “The In-House Counsel’s Class Action Defense Checklist,” ACC Minnesota Chapter CLE Lunch and Learn (June 7, 2018)
- Panelist, “Social Networking: Dos & Don’ts – A Discussion Regarding Business Development, Trending Ethical Considerations, & Privacy Breach Part II,” NAMWOLF 2018 Business Meeting (February 26, 2018)

Publications

- Author, “Legal Dispute Brewing For Detroit Lions’ Barry Sanders In Image Rights Case,” *Forbes* (November 25, 2020)
- Author, “Harvey Weinstein Victims’ Sexual Abuse Settlement Took Years To Create And Crumbled Within Minutes. What Comes Next?” *Forbes* (August 14, 2020)