

## Erik Mortensen

ASSOCIATE

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### AREAS OF FOCUS

[Class Action Defense](#)

[Complex Commercial Litigation and Arbitration](#)

**Having worked in the legal department of a major technology company for several years before he even attended law school, Erik has an understanding of both the theory of law and its practical application that is well beyond his graduation year.**

At DTO, Erik develops and executes winning strategies in complex commercial disputes, particularly consumer class actions and intellectual property cases.

Although he routinely wins cases on the pleadings, Erik has experience across the entire lifecycle of complex litigation, including efficiently managing high-volume discovery, defeating class certification, authoring effective appellate briefs, and negotiating favorable settlements.

Additionally, Erik counsels large and small companies on compliance with new and evolving consumer-protection laws, particularly with respect to novel and disruptive technologies.

Before DTO, Erik was an associate on the business litigation team of a large, international law firm. Erik also clerked for the Honorable Mark L. Wolf of the United States District Court for the District of Massachusetts. In his free time, Erik enjoys spending time with his family, traveling to new places, and playing Dungeons and Dragons with his friends.

### Experience

- Obtained dismissal at the pleadings stage on behalf of supplement manufacturer in false-advertising putative class action. Successfully defended victory before federal appellate court.
- Obtained dismissal at the pleadings stage on behalf of auto manufacturer facing tens of millions of dollars in liability in indemnity action. Successfully

defended victory before state appellate court.

- Secured favorable settlement for national retailer in putative consumer class action after prevailing on issue of first impression at trial court.
- Counseled large technology company on compliance with consumer-protection laws during rollout of various subscription services.

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## **Credentials**

### **Education**

- Harvard Law School, J.D.
- Georgetown University, B.S.F.S.

### **Prior Affiliations**

- Cooley LLP, 2019-2020

### **Admissions**

- Admitted in California

### **Federal Courts**

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

### **Clerkships**

- Hon. Mark L. Wolf
- U.S. District Court for the District of Massachusetts, 2018-2019

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## **Awards**

- Best Lawyers in America, “Best Lawyer,” Commercial Litigation (2022-Present)

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## **Publications**

- An International Anti-Corruption Court, American Academy of Arts & Sciences Bulletin, Spring 2018