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Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

Law360's Legal Lions Of The Week

By Kevin Penton

Law360 (May 29, 2026, 4:15 PM EDT) -- Phillips Black Inc., Hogan Lovells and Watkins & Eager PLLC lead this week's edition of Law360 Legal Lions, after the U.S. Supreme Court ruled that a Black Mississippi death row prisoner who argued racial discrimination tainted his jury selection is entitled to habeas corpus relief.

In a narrow 5-4 decision written by Justice Brett Kavanaugh, the majority held Thursday that the Mississippi Supreme Court failed to properly follow the U.S. Supreme Court precedent in *Batson v. Kentucky*. The Mississippi high court had held that the judge who presided over Terry Pitchford's 2006 capital murder trial properly handled a challenge by Pitchford's attorney to the prosecutor's juror strikes.

Pitchford was represented by Joseph Perkovich, Joseph Welling and John Mills of Phillips Black, Jessica Ellsworth, Cate Stetson, Jo-Ann Tamila Sagar, Katherine Wellington, Jackson Skeen, Johannah Cassel-Walker and Eric Roytman-Cash of Hogan Lovells and J. Scott Gilbert of Watkins & Eager.

Gupta Wessler LLP and Nicholas & Tomasevic LLP triumphed when the Supreme Court held Thursday that an exemption to federal arbitration requirements for workers engaged in interstate commerce can extend to what are known as last-mile drivers who locally deliver goods that travel interstate.

The justices held 9-0 that delivery drivers bringing a proposed wage and hour class action against packaged bakery foods company Flowers Foods Inc., whose brands include Wonder Bread, were sufficiently engaged in interstate commerce to fit the exemption under Section 1 of the Federal Arbitration Act.

The drivers are represented by Jennifer Bennett, Matthew Guarnieri, Hannah Kieschnick, Varshini Parthasarathy, Jessica Garland and Anne Kors of Gupta Wessler LLP and Craig Nicholas, Alex Tomasevic and Shaun Markley of Nicholas & Tomasevic LLP.

MoloLamken LLP, Winston & Strawn LLP, Varnum LLP, Mitby Pacholder Johnson PLLC and JonesSpross PLLC roared after the Federal Circuit on May 22 reinstated a jury's \$82.3 million contract award to Versata Software Inc. against Ford Motor Co. and ordered a new trial on trade secret damages.

A three-judge panel affirmed lower court findings that Ford misappropriated Versata's trade secrets and breached a software licensing agreement, and held the trial judge erred by barring Versata from

pursuing unjust enrichment damages on its trade secret claims. The panel also reversed the court's decision to reduce contract damages award from \$82.3 million to \$3.

Versata is represented by Jeffrey Lamken, Eugene Sokoloff, Michael Pattillo, Jennifer Fischell and Thomas Schubert of MoloLamken LLP, Dan Webb, Matthew Carter and Samuel Zuidema of Winston & Strawn LLP, Jaye Quadrozzi of Varnum LLP, Steven Mitby of Mitby Pacholder Johnson PLLC, and Sharoon Saleem of JonesSpross PLLC.

King & Spalding LLP makes this week's list after the Second Circuit on Thursday upheld the dismissal of a proposed class action accusing The Gap Inc. of misleading investors about demand for its Old Navy brand's plus-size clothing line, ruling that the investors couldn't overcome a test imposed by the U.S. Supreme Court in 2024's *Macquarie* decision.

In *Macquarie*, the justices ruled that a corporation's failure to disclose certain information about its future business risks, absent any affirmative statement that would make such silence misleading, cannot itself be the basis of a private securities fraud claim.

The Gap and its executives are represented by Paul Mezzina, Samantha Kavanaugh and Israel Dahan of King & Spalding LLP.

Perkins Coie LLP and McGuireWoods LLP succeeded when a Washington federal jury on May 22 cleared The Boeing Co. of fraud allegations in LOT Polish Airlines' \$153 million lawsuit claiming the aerospace giant misrepresented the safety of the 737 Max in order to sell leases on the jets, which were later grounded globally after two deadly crashes.

The nine-member jury found Boeing was not liable for fraudulent misrepresentation and fraudulent concealment, ruling out the possibility of damages for LOT Polish Airlines. The verdict followed three hours of deliberations and rounded out a two-week trial.

Boeing is represented by Michael Paisner, Harry Schneider Jr., Matt Koerner, Josh Patashnik, Marten King, Stephanie Olson, Anna Ellison, Hosanna Negash, Jeffrey Capelouto and Addison Bennett of Perkins Coie LLP and Ulrike Connelly and Christopher Ledford of McGuireWoods LLP.

Latham & Watkins LLP, White & Case LLP, Skadden Arps Slate Meagher & Flom LLP and Freshfields LLP round out this week's pride after Thursday's announcement that Caesars Entertainment has agreed to be sold to Fertitta Entertainment in an all-cash transaction valued at 17.6 billion.

Caesars was advised by Steven Stokdyk, Andrew Clark, Sony Ben Moshe, Kenneth Askin, Bryan Monson, Taylor Ashton, Shayna Servillas, Lauren Richardson, Austin Machado, Irena Huang, Brent Epstein, Samuel Vallejo, Dylan Shamoon, Colleen Smith, Stephen Nasko, Sadie Kavalier, Ana O'Brien, Eric Song, Arash Lotfi, Michelle Carpenter, Sara Schlau, Sandhya Chandrasekhar, Tal Simon, Robin Hellebrekers, Erica Shin, Aron Potash, Brandon Kerns, Ellie Bach, Jennifer Howes, Stuart Cobb, Sarah Zahedi, Ryleigh Chen, Ghaith Mahmood, Susana Santos, Kashira Patterson, Billy Kosmidis, Laura Waller, Jenny Bobbitt, Lauren Stark, Gary Axelrod and Dominique Gonzales of Latham & Watkins LLP and Kenneth Schwartz of Skadden Arps Slate Meagher & Flom LLP.

The White & Case LLP team advising Fertitta Entertainment included Joel Rubinstein, Michael Deyong, Ross Sturman, Justin Wagstaff, Gary Kashar and Brett Pallin, Jonathan Rochwarger, Jonathan Michels, Sasha Belinkie, Scott Fryman, Arlene Arin Hahn, Tal Marnin, George Paul, Paul Pittman, David Pezza,

Taylor Pullins, Kenneth Barr, Amy Kurland, Chris Ohlgart, Joshua Butler, Kai Glick, Parmeet Batra Livia Katroshi, Elizabeth Mapelli, Eriq Yu, Temi Ajibode, Jarrah Al-Buainain, Julia Garcez, Taylor Gillespie, Jacob Smith, Peter Shelburne, Gabriela Baca, Abdul Hafiz and Emily Pope.

The Freshfields LLP team advising the Carano family — a 5% stakeholder in Caesars — included Damien Zoubek, Claire James, Philip Turpin, Hannah Krutiansky, Joe Soltis, Lori Goodman, Jacqueline Marino and Kyle Lakin.

--Additional reporting by Marco Poggio, Max Kutner, Ivan Moreno, Jessica Corso, Rachel Riley and Al Barbarino. Editing by Brian Baresch.

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