



Brett Nicole Taylor

Member

Santa Monica

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Practice Areas

- Class Actions
- Commercial Litigation
- Privacy Litigation – Emerging Trends
- Product Liability

Education

- Pepperdine University School of Law, J.D., 2010
- University of Southern California, B.S., 2007

Bar Admissions

- California
- Florida

Affiliations

Century City Bar Association (Board of Governors 2017-present, President 2022-2023, President-Elect 2021-2022, Vice President 2020-2021, Treasurer 2019-2020, Secretary 2018-2019)

Editor, Century City Bar Association Newsletter

Awards & Honors

- California Super Lawyer Rising Star, 2018-2024
- Best Lawyers in America "Ones to Watch" 2021-2025

Brett co-leads a team focused on California privacy and data-related litigation including defending clients against claims involving the California Invasion of Privacy Act and the California Unauthorized Access to Computer Data Act, and claims involving pixels, tracking and website analytics, as well as claims under the Video Privacy Protection Act. Brett also defends clients in state and federal court in the dietary supplement, food, and cosmetic industries from product liability claims, claims of proposition 65 violations, and violations of consumer protection actions. She also routinely provides Proposition 65 compliance advice and litigates complex commercial disputes, including breach of contract, fraud, false advertising, breach of fiduciary duty, and negligence. Brett also has experience representing clients in mass tort and class actions involving product liability and consumer-related issues.

Brett has also successfully represented clients in commercial loan/guaranty enforcement cases and state consumer protection and unfair competition cases involving lending laws and regulations.

Brett is also active in her business/legal groups including serving on the board of governors for the Century City Bar Association, where she formerly served as the president. Additionally, her pro bono work includes working on asylum cases.

Brett earned her law degree from Pepperdine University School of Law where she graduated *cum laude*. She earned her bachelor's degree in business administration from the University of Southern California. Brett has been recognized by Super Lawyer as a California "Rising Star."

Experience

Consumer Protection and Privacy Litigation

- Obtained well below-market pre-litigation resolution of California-based privacy claims on multiple occasions by challenging jurisdiction and the use of "tester" plaintiffs.
- Secured dismissal of a proposed class action involving the California Invasion of Privacy Act and the California Unauthorized Access to Computer Data Act by raising jurisdictional and other challenges to the complaint.
- Defeated a motion for class certification in a putative class action filed in California state court against our client, a major food manufacturer, alleging that the packaging for a specific type of dog treat misrepresented that the product was "wholesome." The plaintiffs sought approximately \$8.4 million on behalf of the putative class, plus punitive damages and attorneys' fees under California's consumer protection statutes. We defeated class certification, and plaintiffs agreed to drop all claims.
- Defeated a putative class action against a fitness, health and cosmetics company by negotiating a favorable settlement with the named plaintiff.
- Successfully represented a nutritional supplement company sued for false advertising throughout the United States. After performing a detailed preliminary investigation, and conducting discovery,

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we secured a favorable resolution at the Early Neutral Evaluation conference.

- Secured dismissal of a large putative class action centering on allegations that our dietary supplement industry client sold multiple supplements containing two unlawful ingredients in violation of unfair competition and false advertising statutes. Arguments in the case centered on cutting-edge legal questions about requisite pleading standards regarding standing to bring consumer protection claims.
- Defended a supplement company in California coordinated proceeding involving allegations of serious bodily injury and death.

Proposition 65

- Defend retail clients and food and bedding manufacturers in litigation involving claims of violations of Proposition 65.
- Advised a manufacturing client entering the California market on Proposition 65 warning labels for its products.

Product Liability and Business Litigation

- Secured dismissal with prejudice of all claims against our cannabis industry client in a case centering on an oral agreement, entered into in the late 2000s, which the plaintiff claimed created a partnership between it and our client (among other named defendants) with the intention to sell cannabis seeds when it became legal to do so. In dismissing the claims, the Court accepted our argument that because the partnership was allegedly formed as a for-profit entity at a time when it was illegal to cultivate cannabis for profit in California, the alleged contract was unenforceable.
- Defended an oil and gas company in a bench trial involving breach of contract claims. The matter settled on favorable terms after the bench trial decision and before appeals.
- Successfully represented an oil and gas company in a high-profile antitrust and trade libel action against competitors in the rubberized asphalt industry involving allegations concerning public contract bid rigging against competitors. The matter settled on favorable terms.
- Drafted and argued a successful motion for summary judgment for a corporate housing provider, resulting in a full dismissal of all claims against the client, including claims of breach of contract, negligence, and fraud.
- Drafted and successfully argued an Anti-SLAPP motion for an insurance company, resulting in dismissal of the claims against the client and an award of attorney's fees.
- Represented a product manufacturer in a product liability case involving alleged damages exceeding \$5,000,000. After leading targeted fact and expert discovery and representing the client at mediation, the matter was resolved on favorable terms.