

Megan Donohue

Partner



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San Diego

Commercial Litigation
Class Action Litigation
Cyber/Data/Privacy
Wellness

Megan is an experienced litigator with a focus on complex business litigation, class actions, advertising and media. She represents clients in many different industries – from small startups to industry leaders – and has successfully defended numerous class actions and complex commercial disputes in federal and California state courts.

Megan also counsels clients on advertising claims and their substantiation to help clients avoid litigation as they grow their business, in industries including cosmetics, beauty and skincare, dietary supplements, personal wellness, food and beverage, and various direct-to-consumer products. She helps her clients comply with Federal Trade Commission (FTC) and state law requirements and avoid claims under California's consumer protection laws.

Megan's representations include:

Class actions and advertising

- Defending numerous nationwide consumer class actions and California consumer class actions alleging false and deceptive advertising under California's Consumer Legal Remedies Act, Unfair Competition Law and False Advertising Law
- Defending companies against class action claims arising under California's Automatic Renewal Law
- Bringing an FTC challenge on behalf of a dietary supplement maker, challenging misleading competitor claims
- Representing Facebook and Instagram in numerous privacy-based class action victories, which supported Law360's selection of Cooley as Privacy Practice of the Year
- Advising internet, technology and consumer product companies on advertising challenges – including bringing and defending false advertising claims under the Lanham Act and state unfair competition laws
- Bringing and defending claims at the National Advertising Division (NAD), the primary private forum for competitor advertising challenges; for example, Megan defended Dollar Shave Club's breakthrough internet ads in a dispute before the NAD
- Successfully representing a pharmaceutical company in a Lanham Act and state unfair competition challenge against a manufacturer of unapproved drug products, clearing the market for the company's Food and Drug Administration-approved products

Complex business litigation

- Representing Chicago Title Company and successfully defending multiple state and federal actions alleging the company's employees aided and abetted a complex Ponzi fraud involving more than \$400 million and hundreds of individual investors, resulting in a Bar Order that prevented further claims against the company
- Representing various real estate development clients in disputes regarding breach of contract, unlawful detainer and quiet title actions
- Representing internet and technology startups in trade secret and noncompetition disputes
- Representing the children and estate of Junior Seau in a lawsuit against the NFL
- Obtaining a unanimous jury verdict in favor of Ernest Rady, a prominent San Diego business leader and philanthropist, in a lawsuit brought by several family members seeking \$272 million in damages over a family-owned corporation

Pro bono

- Representing a class of unaccompanied alien children pro bono, challenging due process and statutory violations while the children were detained by the Department of Homeland Security, along with filing an amicus brief in support of a successful injunction of a child separation policy at the southern border

Publications

- Co-author, "[FTC Revises Health Products Compliance Guidance](#)," Cooley client alert, March 2023
- Co-author, "[Vonage Settlement: FTC Focuses on Automatically Renewing Subscriptions](#)," Cooley client alert, November 2022
- Co-author, "[FAQs on the California Consumer Privacy Act of 2018 – Part 1: The Basics](#)," cyber/data/privacy insights, August 2018

Honors

- University of San Diego School of Law: Rising Star Alumni Award (2018)

Education

University of San Diego School of Law
JD magna cum laude, Order of the Coif, 2009

James Madison University
BA magna cum laude, 2002

Admissions & Credentials

California

Court Admissions

US District Court for the Central District of California
US District Court for the Eastern District of California
US District Court for the Northern District of California
US District Court for the Southern District of California

Rankings & Accolades

Law 360 – Privacy Practice of the Year, Member (2016, 2018)

San Diego Business Journal: Women of Influence in Law (2024)

Memberships & Affiliations

The State Bar of California

University of San Diego Board of Alumni, immediate past president