

## Keeping Up With Cooley: How Tech's Favorite Litigators Won a Major Defamation Trial for the Kardashian-Jenner Family

By Ross Todd  
May 10, 2022

Scoff if you like, but the Kardashian-Jenner family is big business.

Several big businesses really.

So don't be surprised that Kris Jenner, Kim Kardashian, Khloe Kardashian and Kylie Jenner turned to a trial team from Cooley to defend them in a high-profile defamation lawsuit brought by Angela White, Rob Kardashian's ex-fiancé.

White is more commonly known as Blac Chyna in places where she's more commonly known than she might be here at the Litigation Daily. She accused the members of the preeminent reality TV family of falsely claiming to E! network executives that she abused Rob to try to get the planned second season of the "Rob & Chyna" reality show, which chronicled the couple's relationship, canceled.

No, the Litigation Daily hadn't previously dipped its toes into the world of the Kardashians. And yes,



(L-R) Michelle Doolin and Michael Rhodes partners with Cooley. Courtesy photos

the dispute sounds more typical of the sort handled by Hollywood boutiques with a dozen name partners than an assignment for a Big Law firm such as Cooley. But

Cooley privacy guru Mike Rhodes and Michelle Doolin, the San Diego-based co-chair of the firm's national commercial class action practice, took some time out late last week to discuss how they came to handle, and win, the \$100 million defamation suit for the family.

Rhodes pointed out that lawyers in the firm's Santa Monica office represented Kylie and Kim when the



(Bill Robles via AP)

**In this courtroom artist sketch, attorney Michael Rhodes and Kim Kardashian appear in court in Los Angeles, Tuesday, April 19, 2022, in the defamation trial that pitted model and former reality television star Blac Chyna against the Kardashian family.**

European cosmetic company Coty made equity investments of \$600 million and \$200 million in their respective beauty lines.

(See. I told you. **Businesses**. Plural.)

When the Southern California company that previously made products for both sisters' cosmetic lines brought a trade secrets lawsuit, Rhodes and company were brought in by the deal team to mount a defense. The suit **settled confidentially** last year. But Rhodes says the lawsuit, which saw Quinn Emanuel Urquhart & Sullivan representing the plaintiff and Skadden, Arps, Slate, Meagher & Flom representing Coty, let the family know "what big firms can bring to the party." On top of that, he said he and Kris Jenner bonded over their up-bringsings "in the not greatest part of San Diego."

The firm has since picked up a number of cases for the family involving trademark and real estate issues, and it's defending Kim in **cryptocurrency-related class actions** where she's been sued alongside other celebrity

promoters including NBA Hall of Famer Paul Pierce and boxing legend Floyd Mayweather Jr.

Rhodes said the firm was tapped for the defamation case as it became evident it was heading to trial.

“It was obviously a huge source of irritation to them because it was a family drama,” Rhodes said. “As I said in my opening, this is a family drama that doesn’t have a happy ending.”

At issue at trial were a number of communications that family members had with executives and producers at E! after an altercation between Rob Kardashian and Blac Chyna. Chyna claimed the family blew the incident out of proportion and lied to producers and executives to sabotage the “Rob & Chyna” show.

But Rhodes and Doolin honed in on the underlying contract that the family was accused of deep-sixing. “When I came up almost 40 years ago, the basic, large law firm civil litigation defense mentality was the plaintiff would go to a court and say ‘Our story is proposition A.’ And the defense would be ‘Proposition not A,’” Rhodes said. “I always believe that if you’re a trial lawyer, you can’t just knock down the plaintiff’s case. You have to have a contrary theme. You have to have a counter-factual or at least a counter-narrative, which is what really happened here,” Rhodes said.

What was that counternarrative in this case?

“Basically there could be no ‘Rob and Chyna’ reality TV show, if there’s no Rob and Chyna,” Rhodes said. What had started as a light-hearted romantic comedy about Rob Kardashian and Chyna, his fiancé with whom he had a child, became something grimmer and less appealing when the relationship went south. “Our theme was, whatever happened, this was the network’s independent decision, and the contracts were not interfered with. There was no disruption of the contract,” Rhodes said.

What was it like to put on that case?

Let’s just say that the experience gave Rhodes and Doolin a taste of the headaches of celebrity life. They went to the recent Hulu premiere of the latest season of “The Kardashians” as guests of the family — limousine and all. “You’ve got Israeli securities around you to get into a theater,” Rhodes said. “It’s just not the experience that ordinary people would have.”

Elements of that celebrity experience spilled over to the Los Angeles County courthouse where the trial was held last month. Doolin helped arrange logistics to get her clients in and out of the courthouse safely with as little disruption as possible. “People could think of it as they’re trying to get special treatment and actually it’s not that at all,” Doolin said. “It adds a whole other layer.”

“If they want something to drink, they can’t just go get it. You can’t just go outside and go for a walk during the hour and a half lunch break,” Doolin said.

Rhodes, who handled opening, closings and all the witnesses, didn’t shy away from the celebrity element either. When he introduced Kylie, he noted that she is the most followed woman in the world on social media. “It’s weird to say that,” says Rhodes of his 24-year-old client. “But she is followed by more people on Instagram than any woman in the world.”

When building the defamation defense, Rhodes pointed to the truth of some of the family’s statements, their belief that others were true, and, ultimately, the fact that the statements weren’t a substantial factor in causing harm to Chyna.

Rhodes said lawyers who lack experience in business cases don’t spend enough time focusing on “the trilogy of harm, causation and damages.”

“Even if the jury accepts the claims view of what happened, did what happened cause or actual harm or injury? What was the harm or injury? Is it discernible? And is it calculable?” he said.

On that last topic, Doolin argued and won a discovery key issue in the run-up to trial forcing Chyna to hand over financial records under the threat of a potential adverse inference jury instruction. Even the records that were turned over had gaping holes, Rhodes said. When Chyna admitted on the stand that she hadn’t filed tax returns for the past four years, he said her potential damages case fell apart.

It’s not exactly a happy ending, but it makes quite the story.

**Cooley**