

Whitty Somvichian

Partner



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San Francisco

Class Action Litigation
Commercial Litigation
Cyber/Data/Privacy
Healthcare
Insurance
Pro Bono
CooleyREG
Sports+
Mass Arbitration

Whitty's practice consists of representing clients in complex commercial litigation with a focus on class action matters involving technology, e-commerce and privacy issues. He serves as head of the business litigation practice for Cooley's San Francisco office.

As a member of the Firm's Commercial Class Action practice, Whitty has defended clients in a variety of class actions in federal and state court, including consumer class actions brought under California and other state consumer laws and multi-district litigation challenging industry-wide business practices. These matters have included representations on behalf of Google, Facebook, eBay, NVIDIA, and PacifiCare Health Systems, among others. Highlights of his class action practice include (1) leading a Cooley team that obtained denial of class certification in Google's first class certification hearing, in a matter involving Google's AdWords online advertising platform, (2) leading a Cooley team that obtained denial of class certification in the first class certification hearing for Facebook, in a matter involving Facebook's pay-per-click advertising systems, and (3) arguing on behalf of eBay in multiple class action matters, including obtaining dismissal on summary judgment in a matter involving a nationwide class of eBay sellers and obtaining denial of class certification in another matter seeking to challenge certain transactions on the eBay website.

As a member of the Insurance Coverage practice, Whitty also represents clients in various coverage-related disputes, including matters involving claims for breach of contract, bad faith, and policy reformation. These matters have involved a variety of different insurance coverage, including general liability, directors and officers, and errors and omissions policies. His practice also includes counseling clients on a broad range of insurance-related issues.

Whitty is active in the Firm's pro bono practice and helped lead Cooley's efforts in matters argued before the California Supreme Court and the U.S. Supreme Court. As a third-year lawyer, he successfully argued a petition for rehearing to the Ninth Circuit Court of Appeal sitting *en banc* in a pro bono matter. In the Spring of 2005, Whitty worked as a Deputy Public Defender in San Francisco and tried six misdemeanor and felony jury trials on behalf of indigent clients. He currently manages the pro bono program for Cooley's San Francisco office.

He is an active member and former chair of the Firm's Diversity Committee, helping to lead Cooley's efforts in fostering and maintaining a diverse team of attorneys.

Whitty is currently a co-chair of the American Bar Association's Consumer Litigation

Committee and in that capacity has published and facilitated multiple articles and presentations on various topics in the areas of consumer litigation and class actions.

He was born in Bangkok, Thailand.

Education

University of California, Berkeley, School of Law JD, Order of the Coif, 1997

Pomona College BA, Government, cum laude, 1994

Admissions & Credentials

California

Rankings & Accolades

Chambers USA: Litigation: General Commercial – California (2022 – 2026)