

Alex Kasner

Associate



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Antitrust Litigation and Enforcement
Commercial Litigation
Cyber/Data/Privacy
Internet and Social Media
Issues and Appeals

Alex is an experienced trial and appellate litigator focused on competition, content moderation, online speech and privacy. He represents internet, digital media and technology companies, as well as educational institutions, in complex, high-stakes litigation raising novel questions of law. He has significant experience drafting successful dispositive motions, serving on teams achieving successful verdicts in federal jury trials and American Arbitration Association (AAA) arbitration, presenting oral argument before federal and state appellate courts, and briefing cases through appeal to the US Supreme Court. Alex has a broad range of experience with groundbreaking cases involving Section 230 of the Communications Decency Act, the Sherman Act, the First Amendment, the Video Privacy Protection Act, the Illinois Biometric Information Privacy Act, and various state anti-SLAPP (Strategic Lawsuits Against Public Participation) statutes. Alex also has a substantial track record in defamation law as a litigator and counselor for clients.

Alex's motion practice is dedicated to his clients' most procedurally and substantively complex questions. He has drafted multiple successful anti-SLAPP motions to dismiss defamation claims brought against his clients in federal and state courts. He also has successfully defended the constitutionality of state law, convinced an arbitral panel to foreclose any grant of general damages as a matter of law, compelled third-party arbitration and secured an anti-suit injunction against transnational litigation.

Alex maintains a commitment to pro bono work, particularly through his passion for appellate advocacy. He has briefed and argued criminal appeals in the US Court of Appeals for the Seventh Circuit and in the Maryland Court of Special Appeals. He has drafted a cert petition to the Supreme Court on behalf of a United Nations Convention Against Torture applicant, as well as amicus briefs and rehearing petitions in support of transgender rights and asylum claims in the US Courts of Appeals for the First, Ninth and District of Columbia Circuits. In addition, Alex is part of a pro bono team seeking post-conviction relief in a capital case.

Alex was born and raised near Sacramento, California. He received his BA – Phi Beta Kappa, with honors and distinction – in political science from Stanford University and was awarded the Firestone Medal for Excellence in Undergraduate Research for best departmental honors thesis. Alex received his JD from Stanford Law School, where he was awarded the Steven M. Block Civil Liberties Award for best paper in civil liberties, the Scribes Law-Review Award for best student note in the US, and Gerald Gunther Prizes. Alex also participated in the Religious Liberty Clinic and served as a Bradley Fellow for Constitutional Law. He was an articles editor for the Stanford Law Review and co-editor in chief of the Stanford Law & Policy Review. In addition, he worked as a summer law clerk with the appellate staff of the US Department of Justice's Civil Division.

After graduation, Alex served as a judicial law clerk to Judge David F. Hamilton of the US Court of Appeals for the Seventh Circuit. He began his professional legal practice at the firm of Williams & Connolly in

Washington, DC, before joining Cooley.

Alex's recent representative experience includes:

First Amendment, defamation and Section 230 litigation

- Representing a major technology company in a federal lawsuit alleging constitutional and statutory claims stemming from platform content moderation, resulting in partial dismissal on the pleadings and a favorable settlement (N.D. Cal.)
- Representing a major technology company in a federal defamation suit stemming from platform content moderation, culminating in a grant of the client's anti-SLAPP motion to dismiss (S.D. Fla.)
- Representing a law firm against defamation claims stemming from the client's work in conducting an independent investigation, concluding with the court granting the client's anti-SLAPP motion to dismiss under DC law (D.C. Super. Ct.)*

Antitrust

- Representing a world-renowned research university in federal class action litigation asserting a Sherman Act Section 1 claim based on financial-aid practices (N.D. Ill.)
- Representing a major technology company in federal litigation asserting a Sherman Act Section 2 attempted monopoly claim based on enforcement of platform terms of service (N.D. Cal.)
- Representing a major pharmaceutical company in federal litigation asserting federal and state antitrust violations based on generic drug pricing practices (E.D. Pa.)*

Privacy, trade secret and technology litigation

- Defending a major technology company in a federal jury trial against breach of contract and tort claims, resulting in a successful jury verdict of no liability for the client (N.D. Cal.)
- Representing a global retailer against class action litigation brought under the Illinois Biometric Information Privacy Act (N.D. Ill.)
- Representing an online publisher in class action lawsuits brought under the Video Privacy Protection Act (S.D.N.Y.; D. Mass.)
- Representing a cutting-edge technology company in a lawsuit alleging trade secret misappropriation (Cal. Super. Ct.)
- Defending a global defense contractor in commercial arbitration before an AAA panel, resulting in a finding of no liability for the client*

Pro bono

- Drafting a petition for writ of certiorari before the Supreme Court on behalf of a client seeking relief under the UN Convention Against Torture
- Briefing and arguing an appeal before the Seventh Circuit on behalf of a client seeking review of his criminal conviction and sentence*
- Briefing and arguing an appeal before the Maryland Court of Special Appeals on behalf of a client seeking review of his criminal conviction and sentence*
- Drafting an amicus brief on behalf of transgender youth support organizations in an appeal before the Ninth Circuit on the necessity of surgical treatment for gender dysphoria in adolescents
- Drafting amicus briefs on behalf of an international refugee advocacy organization in appeals before the Ninth and DC Circuits on the proper standard for asylum claims*

- Representing a client seeking post-conviction review of his capital sentence in Alabama state court

** Representation handled prior to joining Cooley*

Publications

- “Local Government Design, Mayoral Leadership, and Law Enforcement Reform,” 69 Stanford Law Review 569 (2017)
- “The Original Meaning of Constitutional Inventors,” 68 Stanford Law Review Online 24 (2015)
- “National Security Leaks and Constitutional Duty,” 67 Stanford Law Review 241 (2015)
- “Leveski and the Weakening Industry-Wide Public Disclosure Bar in Qui Tam Litigation,” 2 Stanford Journal of Complex Litigation 185 (2014)
- “Arena Development and Environmental Review Reform Under SB 743,” 25 Stanford Law & Policy Review 203 (2014)

Education

Stanford Law School
JD, 2015

Stanford University
BA, 2012

Admissions & Credentials

California

District of Columbia

Court Admissions

US Court of Appeals for the District of Columbia Circuit

US Court of Appeals for the First Circuit

US Court of Appeals for the Second Circuit

US Court of Appeals for the Seventh Circuit

US Court of Appeals for the Ninth Circuit

US District Court for the Northern District of California

US District Court for the Central District of California

Rankings & Accolades

The American Lawyer: Litigator of the Week Winner (2021); Shout Out (2023)

Super Lawyers: Rising Star (2023)

Memberships & Affiliations

American Bar Association

National LGBT Bar Association