Cooley

Samantha Kirby

Resource Attorney



skirby@cooley.com

+1 650 843 5319

Palo Alto

Securities Litigation + Enforcement
Supreme Court and Appellate
White Collar Defense and Investigations
Pro Bono

Sam leads Cooley's resource and knowledge management strategy for the securities litigation + enforcement, supreme court and appellate, and white collar defense and investigations practice groups. In this role, she advises on current issues and legal developments, leads knowledge management and resource initiatives, and develops thought leadership.

Sam was previously an associate in Cooley's litigation group, focusing her practice on high-stakes securities class actions, shareholder derivative litigation and appellate matters.

Sam's experience includes representing:

Securities litigation and related appeals

- BioMarin and certain of its current and former executives in a securities class action alleging the company made false or misleading statements regarding one of its gene therapy candidates; the court dismissed all claims, and the dismissal was affirmed by the US Court of Appeals for the Ninth Circuit
- Good Technology and former directors and officers in successfully resolving shareholder litigation in the Delaware Court of Chancery involving breach of fiduciary duty and appraisal claims arising from the sale of the company to BlackBerry
- NewLink Genetics and former directors and officers in successfully resolving a securities class action in the US District Court for the Southern District of New York and the US Court of Appeals for the Second Circuit in relation to the announcement of phase III trial results
- NVIDIA and certain of its executives in a securities class action arising from a market cap loss of $35 billion over a three-month period in late 2018
- Stitch Fix and certain of its former officers in a class action arising out of a stock price decline following the company's Q4 2018 earnings call; the court dismissed all claims with prejudice, and the dismissal was affirmed by the Ninth Circuit
- Tableau and certain of its officers for alleged securities fraud following a nearly 50% stock drop after the company announced disappointing results for Q4 2015; following discovery, the class action was mediated and settled on favorable terms
- A biotechnology trade association in amicus briefing on the Securities Act of 1933 before the New York Supreme Court's Appellate Division

Additional appeals

- US Senate Democrats as amici curiae defending the constitutionality of the Affordable Care Act before the US Supreme Court
- Former immigration judges and former members of the Board of Immigration Appeals in amicus briefing on the Convention Against Torture before the US Court of Appeals for the First Circuit
- A client seeking relief under the Convention Against Torture, which was secured after proceedings before the Board of Immigration Appeals, the Ninth Circuit and Immigration Court

Before joining Cooley, Sam served as a law clerk to US Circuit Judge John B. Owens of the US Court of Appeals for the Ninth Circuit. She is a graduate of the University of Michigan Law School, where she received a Darrow Scholarship and served as managing editor of the Michigan Law Review.

Education

University of Michigan Law School JD, magna cum laude, Order of the Coif, 2015

Northwestern University BA, Religion and Psychology, Phi Beta Kappa, 2008

Admissions & Credentials

California

Court Admissions

US Supreme Court

US Court of Appeals for the First Circuit

US Court of Appeals for the Second Circuit

US Court of Appeals for the Ninth Circuit

US District Court for the Northern District of California

US District Court for the Southern District of California

US District Court for the Eastern District of California

US District Court for the Central District of California