



JASON H. KIM

Partner

jkim@schneiderwallace.com

Phone: 415-421-7100

Fax: 415-421-7105

300 S. Grand Ave., Los Angeles, California, 90071

Jason H. Kim is the head of the firm's Business Litigation and Competition practice group. Mr. Kim is an accomplished plaintiff-side litigator in a variety of fields, including antitrust, consumer class actions, civil rights, and ERISA. Highlights of his experience include:

Antitrust

Represents several of the nation's largest health insurers in antitrust litigation against pharmaceutical companies, including three of the top ten insurers in *In re Generics Pharmaceuticals Pricing Antitrust Litigation*, one of the largest-price fixing cases in U.S. history;

Represents the Commonwealth of Puerto Rico in *In re Pork Antitrust Litigation*; and

Represented an online travel agency in settled antitrust litigation against the nation's largest hotel companies.

Consumer Class Actions

Obtained settlement in *Knapp v. Art.com*, a class action alleging Art.com advertised perpetual sales on its website in violation of California law; and

Obtained settlement in *Dashnaw v. New Balance Athletics, Inc.*, a class action alleging New Balance falsely marketed certain of its athletic shoes as "Made in USA" in violation of California law.

Civil Rights / Disability Rights / IDEA

Established that the State of Hawaii violated the Americans With Disabilities Act and the Rehabilitation Act by excluding individuals with disabilities from a state-funded healthcare program and that such exclusion was intentional, allowing recovery of compensatory damages in *Lovell v. Chandler*, 303 F.3d 1039 (9th Cir. 2002);

Obtained settlement in *McMillion v. State of Hawaii*, a class action alleging that Hawaii's public housing authority was in violation of the Americans With Disabilities Act with respect to access at the largest public housing complex in the state; and

Prevailed in three appeals establishing that the States of Hawaii, Rhode Island, and Connecticut had violated the Individuals With Disabilities in Education Act by prematurely terminating students' entitlement to special education in *E.R.K. v. State of Hawaii Department of Education*, 728 F.3d 982 (9th Cir. 2013), *K.L. v. Rhode Island Board of Education*, 907 F.3d 639 (1st Cir. 2018), and *A.R. v. Connecticut State Board of Education*, 5 F.4th 155 (2d Cir. 2021).

ERISA

Obtained \$75 million settlement in *In re J.P. Morgan Stable Value Fund ERISA Litigation*, a class action alleging J.P. Morgan had mismanaged its stable value funds, which were offered as an investment option in the 401(k) plans of hundreds of large employers. This was the largest non-church plan ERISA settlement in 2019.

Other Litigation

Represents cities in California, Nevada, Ohio, Arkansas, and Tennessee against Netflix, Inc. and Hulu, LLC, seeking to collect video franchise fees on behalf of a putative class of cities and counties in those states.

Prior to joining the firm, Mr. Kim was an associate and counsel at O'Melveny & Meyers in Los Angeles, California and Alston Hunt Floyd & Ing in Honolulu, Hawaii (now Dentons). He also served as a Deputy Prosecuting Attorney for the City and County of Honolulu. He is one of the co-authors of the Hawaii section of the American Bar Association's Practitioner's Guide to Class Actions.

Practice Focus

- Class Actions

Education

- Harvard Law School, J.D.
 - Graduated *magna cum laude*
- Harvard College, B.A.
 - Phi Beta Kappa

Admitted to Practice

- California
- Hawaii