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Keker, Van Nest
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SAN FRANCISCO • AGE 39

Franco E. Muzzio

fraud and breach of warranty claims by a customer service provider. *Alorica v. Fortinet*, 19CV344971 (Sta. Clara Super. Ct., filed March 21, 2019).

Muzzio is in charge of the damages portion of the trial, which is especially important in this case because the plaintiff is seeking more than \$100 million.

He also was part of the team that won one of the biggest disputes in the sports and education industries in the last 12 months, the litigation that decided which colleges retain control of the Pac-12 conference. *Washington State University v. The Pac-12 Conference*, 23-2-00273-38, (Whitman County, Wash., Super. Ct., filed Sept. 28, 2023).

The litigation arose after USC and UCLA and then eight other schools announced they were quitting the Pac-12. The departures led to fierce litigation over “who has voting rights on the Pac-12 board once a member has announced their intent to leave the conference,” and who has control of its assets, Muzzio said.

Keker represented Oregon State University, one of the two schools that didn’t leave. They argued that the departing schools would not “have the best interests of the conference at heart” and yet could even vote to dissolve it, he said. In November, the

attorneys won a preliminary injunction declaring the plaintiff schools to be in control, which led to a \$65 million settlement in March.

“It was a really challenging case,” Muzzio said. Winning the injunction “was the right result and a really rewarding one.”

Muzzio also helped defend LinkedIn against a class action alleging it overcharged advertisers. He drafted several successful motions to dismiss and contributed to briefing when the dismissal was appealed to the 9th Circuit. The case settled in July. In re: LinkedIn Advertising Metrics Litigation, 5:20-cv-08324 (N.D. Cal., filed Nov 25, 2020).

In a very different but very important case, Muzzio is co-lead counsel for the families of political prisoners murdered during Argentina’s military dictatorship in the 1970s. A native of Argentina himself, he is working with the Center for Justice and Accountability to sue a former Argentine naval officer living in Miami who participated in a massacre in which 16 political prisoners died. The key issue in the case is whether equitable tolling overcomes the 10-year statute of limitations. The trial court said yes, and the case is now on appeal. *Camps v. Bravo*, 23-12511 (11th Circ., filed Aug. 1, 2023).

Ever since Franco Muzzio was in law school a decade ago, he has found himself particularly interested in contract cases. “I’m drawn to the fairness of disputes turning on the written words [that] parties agreed to and the actions they took in performing those agreements,” he said.

Several of the major matters he has worked on as a Keker trial lawyer have centered on disputes over contracts. Even now, Muzzio is deep into a month-long trial helping defend cybersecurity company Fortinet against