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Top 100 Lawyers AND DISTINGUISHED COUNSEL



ERIC H. MACMICHAEL

KEKER, VAN NEST & PETERS LLP
LITIGATION
SAN FRANCISCO

Eric MacMichael had been practicing for two decades when a phone call from Oregon State's general counsel set off what became one of the defining stretches of his career. Ten schools had just moved to depart the Pac-12, and the departing members were seeking to convene a board meeting to lay the groundwork for the conference's dissolution. Oregon State turned to MacMichael, a partner at Keker, Van Nest & Peters, to build a litigation strategy within days, taking on what MacMichael described as "a situation of '2 vs. 10,'" against "the 10 most powerful members of the conference."

He secured a temporary restraining order blocking the meeting, defeated efforts to dismiss the case and won a preliminary injunction. The court ruled that the departing schools no longer held governance rights, leaving Oregon State and Washington State as the Pac-12's governing board. The Washington Supreme Court declined review, and negotiations culminated in a March 2024 resolution that preserved the conference and secured hundreds of millions of dollars in value for it.

That case set up a second one for MacMichael this year. After five Mountain West Conference schools announced plans to join the rebuilding Pac-12, the Mountain West sought $55 million in penalties under its "poaching" provisions. MacMichael challenged the penalties under federal and California antitrust law, arguing they restricted competition and threatened the Pac-12's ability to rebuild. The case settled in May 2026, preserving the conference's resources. MacMichael said the two matters put his team in "uncharted legal territory," requiring strategy built in days and executed before the other side could respond, all while weighing "the relative equities" and anticipating counterarguments since, as he put it, "we could not afford any setbacks given the relief we were seeking."

MacMichael's recent docket has ranged beyond sports. He worked on a trade secret and RICO action after a client discovered a competitor had planted a spy inside the company, a valuation dispute involving wrongful termination and breach of contract claims and three white-collar criminal cases across three federal districts. He also represented the Pac-12 and PGA Tour in other collegiate and professional sports matters.

His focus for the coming year is Rippling's litigation against Deel, which involves claims of corporate espionage, trade secret misappropriation, RICO conspiracy and unfair competition, with related proceedings in California, Ireland and arbitration. MacMichael's team has defeated motions to dismiss, prevailed on discovery disputes including a request to forensically inspect the mobile device of Deel's CEO, and secured a sanctions award over discovery misconduct. As MacMichael put it, "the legal and factual issues rarely fit neatly within a single courtroom."

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