

## Avril G. Love

### Counsel

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#### **education**

Georgetown University Law Center  
(J.D.), 2003; Dean's List  
University of California, Berkeley  
(B.A.), *with honors*, 2000

#### **services**

Life Sciences Litigation  
Business Litigation  
Food, Cosmetics & Dietary  
Supplements  
Privacy & Data Security  
Health & Life Sciences

Avril Love defends multidistrict and coordinated medical device and pharmaceutical products liability litigation, particularly in the context of recalls.

Most recently, Avril defended a hip implant in a California coordinated proceeding, managing thousands of cases and preparing scores for trial. Her experience covers every aspect of mass litigation, from coordination and case management, through bellwether selection, to the very last trial of an opt-out case following a national settlement.

Avril's mass litigation experience informs her counseling work helping personal care and consumer product manufacturers navigate legal and reputational risks. Avril partners with executives and legal, information technology, and marketing professionals to develop practical compliance and risk mitigation strategies. She has experience counseling and defending regulatory and consumer challenges related to many e-commerce issues, including products liability, advertising claims, marketing practices, website accessibility, consumer contracts, data security, and data privacy.

Avril also prosecutes and defends business-to-business disputes in federal and California courts involving antitrust, fraud, trade secrets, and other torts on behalf of clients in various industries, including construction, aerospace, and communications.

When the hustle and bustle of her work schedule permits, she plays soccer with her husband and friends, attends her children's various

sports events, hikes with her dog, and feeds scores of friends and family at a very large dining table.

#### **state admissions**

- California (2005)
- Texas (2003)

#### **federal admissions**

- United States Court of Appeals, Ninth Circuit
- United States District Court, Central District of California
- United States District Court, Eastern District of California
- United States District Court, Northern District of California
- United States District Court, Southern District of California

#### **experience**

- Defended California coordinated proceeding for over 2,000 product liability cases involving a recalled metal-on-metal hip implant, including individual case work-up and trial
- Defended multidistrict litigation and several state coordinated proceedings for wrongful death or other injuries involving a generic medication recalled for a possible manufacturing defect
- Defended product liability and consumer advertising claims in multi-plaintiff case alongside consumer class action involving skin care products
- Defended manufacturer of personal care and other consumer products in consumer class action claim related to formulation, claims, advertising, and product labeling
- Counseled retailer on marketing and ecommerce issues to implement new marketing program and reduce exposure to challenges by FDA, FTC, state regulators, and consumer class actions on issues from claim substantiation to data privacy to website accessibility under the ADA
- Defended manufacturer in customs investigation and advised regarding origin, classification, NAFTA, and duty exemption issues
- Obtained dismissal in unfair competition and false advertising case involving contract and tort claims alleged against Internet domain name registrar

#### **publications & events**

##### **SPEAKING ENGAGEMENTS**

- "Living at Work: Practical Advice on Data Privacy for Your Business and Your Family," Panelist, 2020 In-House Counsel Summit Webinar, Tucker Ellis LLP (December 2020)
- "Bracing for the New Normal in Data Privacy: GDPR, CCPA, and Other Initiatives Impacting the Business World in 2020 and Beyond," 2019 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (November 2019)
- "Piecing Together Data Policies That Make Sense in an Ever-Changing World," Practical Tips and Tools to Deal with Cybersecurity Challenges, Tucker Ellis LLP, Cleveland, Ohio (July 2016)
- "Antitrust: The Art of War," 2015 In-House Counsel Summit, Tucker Ellis LLP, Cleveland, Ohio (October 2015)

**PUBLICATIONS**

- "Courts Split on the Viability of Claims Challenging 'Hypoallergenic' Labeling," Tucker Ellis Client Alert (July 2018)
- "Navigating Internet Marketing in the Current Version of the Digital Age," *In-House Defense Quarterly* (Defense Research Institute), co-author (Fall 2017)
- "Off-Label Use of the Cartwright Act: Will *Cipro* Require State Courts to Assess Federal Patent Validity in Pay-for-Delay Cases?", *Competition – The Journal of the Antitrust, UCL and Privacy Section of the State Bar of California*, Vol. 24, No. 2 (Fall 2015)
- "Build Relationships to Advance Women in the Law Better," DRI's *The Voice* (August 2014)
- "Out of Your Jurisdiction: Why FDA Recalls and Courts Do Not Mix," *IADC Drug, Device and Biotechnology Newsletter* (August 2011)

**MEDIA QUOTES**

- "DC Circ. Piles Onto Standing Split With Data Breach Ruling," *Law360* (June 2019)

**honors**

- Southern California Super Lawyers® Rising Stars (2013)
  - The Top Women Attorneys in Southern California (2013)