

E. Desmond Hogan

Partner

Washington, D.C.

Biography

Des Hogan, the *Chambers*-rated Head of our global Litigation, Arbitration, and Employment practice, has a track record of winning cases early, at trial, and on appeal.

Recently, he won the largest jury verdict in U.S. history (US\$75m) in a wrongful conviction case. He also won a complete victory in the Uber Data Breach MDL in the Central District of California when the court dismissed a nationwide class action on precedent-setting standing grounds; defeated a TRO and secured dismissal of a health care class action in Georgia federal court; defended the Anthem Data Breach MDL in the Northern District of California; and secured dismissal of a false advertising class action against a food company in a widely cited Miami federal case.

Currently, he helps lead the defense of many Blue Cross Blue Shield plans in a high-profile antitrust MDL in Alabama, represents a pharmaceutical company in a federal class action, a health benefits company in a state court class action, and clients in congressional investigations.

He defeated class certification and a 10-figure damages claim in the *In Re WellPoint* UCR MDL; won a nationwide health care class action on summary judgement, upheld after his Eleventh Circuit argument; and took over a Ford case, winning class decertification and defeating plaintiffs' US\$350 million+ claims through trial and appeal.



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Practices

Litigation Services

Investigations, White Collar, and Fraud

Privacy and Cybersecurity

Commercial Litigation

Industries

Life Sciences and Health Care

Automotive and Mobility

Technology and Telecoms

Consumer

Areas of focus

Class Actions and Group Litigation

Des has represented clients in over two dozen congressional investigations on health care, data security, pharma markets, consumer products, and public corruption issues.

Des is committed to pro bono. He received national press attention when the Norfolk 4 – U.S. Navy sailors sentenced to life for crimes they did not commit – were exonerated. And he led a team that won a discrimination class action on behalf of 100+ black U.S. Secret Service special agents.

Des was a co-founder of our Diversity Committee, clerked for federal judge Wiley Daniel, and was valedictorian at Howard University School of Law and its first summa cum laude graduate.

Representative experience

Won the largest wrongful conviction judgment in U.S. history—a \$75 million federal court jury verdict—for two brothers who spent a combined 62 years in prison for a crime they did not commit.

Team took over a major auto case, won class decertification, tried the case, handled the appeal, and defeated plaintiffs' large damages claims.

Won the Uber Data Breach MDL, successfully winning dismissal or motions to compel arbitration of every one of the MDL's underlying complaints.

Recently defeated a motion for Temporary Restraining Order and secured the dismissal of a consumer class action on behalf of Blue Cross Blue Shield of Georgia.

Recently secured the dismissal of separate class actions against major food, health benefits, and technology companies at initial pleading.

Argued against class certification in the In Re WellPoint UCR MDL, winning the motion and defeating plaintiffs' US\$1bn+ damages claims.

Team has represented many clients in Congressional investigations by nearly a dozen House and Senate Committees.

State Attorneys General

Education and admissions

Education

J.D., Howard University School of Law, summa cum laude

B.A., Allegheny College

Memberships

Member, Board of Directors, Lawyers' Committee for Civil Rights Under Law

Member, Board of Directors, Council for Court Excellence

Former Board Member, Mid-Atlantic Innocence Project

Former Board Member and All-Star Coach, Capitol City Little League

Former Board Member, My Sister's Place home for abused women and children

Bar admissions and qualifications

District of Columbia

Court admissions

U.S. Supreme Court

U.S. Court of Appeals, District of Columbia Circuit

U.S. Court of Appeals, Eleventh Circuit

U.S. Court of Appeals, Fourth Circuit

U.S. Court of Appeals, Ninth Circuit

Currently represents Anthem in its high-profile data breach MDL (100+ consolidated class actions) and in the related regulatory inquiries.

Argued against class certification for dozens of joint defendants in a nationwide MDL class action, which was then dismissed after argument.

Led the effort in a nationwide healthcare class action, winning a threshold summary judgment ruling and the follow-on Eleventh Circuit Appeal.

Represented a major retailer and its top executives in a significant cyber security investigation.

U.S. Court of International Trade

U.S. District Court, District of Colorado

U.S. District Court, District of Columbia

U.S. District Court, Eastern District of Wisconsin

Awards and rankings

- Litigation: General Commercial (District of Columbia), *Chambers USA*, 2018-2021
- Litigator of the Week, *American Lawyer*, 2021
- Dispute Resolution: General Commercial Disputes, Recommended, *Legal 500 US*, 2018-2020

Latest thinking and events

- Press releases
 - Hogan Lovells wins appeal in decision affirming historic jury verdict in wrongful conviction case
- Awards & rankings
 - Hogan Lovells trial team wins Public Justice '2022 Trial Lawyer of the Year' award for pro bono work in wrongful conviction case
- Press releases
 - Hogan Lovells 'Proof In Trial' podcast series gives listeners a rare look at how high stakes cases are tried and won
- Press releases
 - Hogan Lovells obtains \$75 million verdict in pro bono civil rights case brought on behalf of wrongfully convicted brothers
- Press releases
 - Hogan Lovells announces new management team and Board appointments

- Published Works
 - Pro Bono Reflections – 50+ Years of Public Service
Podcast