

Daniel Solitro

Partner

Los Angeles

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D 213.687.6747



Daniel handles high-stakes disputes, with an emphasis on defending businesses in class actions, false advertising claims, intellectual property, real estate, and other complex litigation.

OVERVIEW

Daniel's practice focuses on complex business disputes, with an emphasis on false advertising, trademark, and class action litigation, as well as real estate and financial disputes. He routinely represents manufacturers, marketers, and distributors of cosmetics, dietary supplements, and food in consumer class action cases, including claims of false advertising and unfair competition.

Daniel also represents financial institutions, loan servicers, and commercial real estate owners and developers. He handles numerous matters in federal and state courts in California and other jurisdictions throughout the U.S., as well as before various arbitration forums.

REPRESENTATIVE MATTERS

False Advertising and Class Action Litigation

- Represent manufacturers and retailers of cosmetic lash serums against putative class action lawsuits alleging false advertising and improper classification of products as drugs.
- Defend a retailer in a putative class action alleging that aloe vera gel sold by the retailer does not contain detectable aloe vera.
- Represent the manufacturer of face cream against claims it falsely advertised its products contain collagen in violation of California's Consumer Legal Remedies Act, False Advertising Law, and unfair competition statutes.
- Defend a seller of false eyelashes against a putative class action lawsuit alleging its false eyelashes made with mink fur were falsely advertised as cruelty-free.
- Represent the maker of a product for relieving muscle cramps and spasms in a complaint for false advertising brought before the National Advertising Division.

Intellectual Property Litigation

- Obtained a judgment in favor of a client for trademark infringement against defendants relating to the marketing

and sale of sports trading cards.

- Represent a real estate acquisition company in a trademark infringement action against a competitor advertising and offering for sale real estate services using the client's registered trademark.
- Defended a leading payroll processing company and its affiliates of claims arising out of a license agreement for payroll processing software in several related actions.
- Represented a Chinese film distributor and investor in Independent Film & Television Alliance (IFTA) arbitration proceedings involving its investment in an independent film.
- Defended a South Korean sporting goods company in an international arbitration dispute involving a licensing and manufacturing agreement.

Consumer and Products Liability Litigation

- Obtained a dismissal at the pleading stage of claims for violations of California restrictions on unsolicited commercial email (Cal. Bus. & Prof Code § 17529.5(a)(2) against the owner and operator of dating websites.
- Represent a national beauty retailer in a putative class action alleging violation of California's gift card refund law (Civil Code Section 1749.5).
- Extensive experience counseling clients on issues relating to California's Proposition 65 and other warning, labeling, and disclosure requirements for retailers in California.

Financial and Real Estate Litigation

- Representing a commercial tenant in a dispute involving the termination of six related 40-year property leases.
- Represented a homeowners' association in a case worth more than \$95 million involving significant lease and contract questions resolved for the association. The case also involves matters of first impression regarding the interpretation of a new statute in California, Civil Code section 1098 et seq., and the application of a fee assessed by an original developer against the homeowners.
- Obtained a multimillion-dollar settlement for a pooled mortgage fund in an arbitration proceeding involving a breach of a commercial loan agreement relating to a 374-unit Austin, Texas, apartment complex.
- Represented a real estate property developer in a dispute relating to the development of a boutique hotel and residence in downtown San Francisco.
- Represented mortgage lenders and servicers in multiple related lawsuits involving claims for breach of contract and a fraudulent transfer relating to a residential stock cooperative corporation in Santa Monica, California.
- Represented a real estate development company against multiple lawsuits arising out of a residential development project in Cabo San Lucas, Mexico.
- Represent mortgage lenders, servicers, and investors in state and federal court in numerous individual actions and putative class action litigation, including defense of financial institutions involving claims under the Truth in Lending Act (TILA), Real Estate Settlement Procedures Act (RESPA), Fair Credit Reporting Act (FCRA), Fair Debt Collection Practices Act (FDCPA), Equal Credit Opportunity Act (ECOA), Telephone Consumer Protection Act (TCPA), and state consumer fraud/deceptive business practices statutes, such as the California Business & Professions Code §§ 17200, et seq. (UCL).

TOP AREAS OF FOCUS

- Litigation + Trial

ALL AREAS OF FOCUS

- Business Litigation

- Class Action
- Cosmetic and Personal Care Products
- Financial Services Litigation
- Intellectual Property
- Litigation + Trial
- Marketing + Advertising

EDUCATION AND CERTIFICATIONS

EDUCATION

- Columbia Law School, J.D., 2004
- Tulane University, B.S., *cell and molecular biology and history, cum laude*, 1999

BAR ADMISSIONS

- New York
- California

COURT ADMISSIONS

- U.S. District Court, Southern District of California
- U.S. District Court, Northern District of California
- U.S. District Court, Eastern District of California
- U.S. District Court, Central District of California
- U.S. Court of Appeals, Ninth Circuit

CLERKSHIPS

- Hon. Emilio M. Garza, Law clerk, 2004

SPEAKING ENGAGEMENTS

- Speaker, “MoCRA and You: Readyng Your Company for FDA’s New Regulations,” Locke Lord, May 31, 2023.

PUBLICATIONS

- Co-author, “FTC Takes Action Against Social Media Posts for Failure to Disclose Material Connections,” Locke Lord QuickStudy, November 20, 2023.
- Co-author, “New FTC Endorsement Guides: What Advertisers and Influencers Need to Know,” Locke Lord QuickStudy, July 10, 2023.
- Co-author, “FTC Takes Action Against Amazon for Alleged Deceptive Prime Subscriptions,” Locke Lord QuickStudy, June 28, 2023.
- Co-author, “INFORM Consumers Act Will Attempt to Curb Sale of Counterfeit Goods Online,” Locke Lord QuickStudy, June 26, 2023.
- Co-author, “Amendments to Section VI of the Federal Food and Drug and Cosmetic Act in the Omnibus Bill,” Locke Lord QuickStudy, February 23, 2023.

- Co-author, “Major Amendment to the Food Drug and Cosmetic Act,” Locke Lord QuickStudy, April 2, 2020.