



IJAY PALANSKY

PARTNER

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IJay Palansky serves clients across the country from his location in the Maryland suburbs of Washington, D.C.

His practice focuses on high-value, high-profile litigation in federal and state courts throughout the country, and largely involves complex technological and/or regulatory issues.

Although IJay primarily focuses on trial court litigation, he has considerable appellate experience, including before the U.S. Supreme Court. He has also handled cases before state and federal administrative agencies, as well as numerous arbitrations and mediations.

IJay is also a regular speaker and has appeared on national stages such as the Black Hat Conference in 2018. He is also sought by national media for commentary on Internet of Things (IoT) litigation.

Trial Experience

In 2017, IJay co-first chaired a four-week, \$230 million trial, defending a large career college against consumer protection and lending claims brought by the Colorado Attorney General (AG). The AG sought damages and penalties, as well as a series of injunctions addressing a wide range of the College's conduct. The Court's decision is pending.

IJay was trial counsel in a first-of-its-kind, five-day preliminary injunction hearing, winning a complete victory for a large career college, in which the Colorado Attorney General's office sought 21 separate, broad injunctions. The evidentiary presentation led the Court to comment that the Attorney General's office appeared to be "biased" against private colleges.

While with the U.S. Attorney's Office in Washington, D.C., IJay first-chaired more than 25 trials.

Internet of Things/Consumer Protection/Class Action/Product Liability

IJay's practice includes large consumer class action lawsuits on behalf of both defendants and plaintiffs. Claims include fraud, breach of contract, product defect, false advertising, unfair trade practices, unlawful competition, breach of warranty, and violation of state and federal consumer protection laws.

IJay is lead counsel for three certified plaintiffs' classes of more than 220,000 members in what may be the largest ever IoT product liability lawsuit. The class asserts claims that

SERVICES AND INDUSTRIES

Alternative Dispute Resolution
Antitrust and Trade Practices
Appellate
Class Action Litigation
Complex Commercial
Litigation
Environmental
Intellectual Property Litigation
Litigation
Mass Tort and Catastrophic
Loss
Data Innovation, Security and
Privacy
Product Liability
Technology Transactions
Technology

ADMISSIONS

District of Columbia
U.S. Supreme Court
U.S. Court of Appeals, D.C.
Circuit
Colorado

various Chrysler cars and trucks suffer from a series of cybersecurity defects that render the vehicles susceptible to being hacked in a way that allows the hacker to remotely control the vehicles' operational and safety systems, including acceleration, braking, steering and ignition. Claims include breach of warranty and violations of various states' consumer protection statutes.

IJay was co-lead counsel in a \$230+ million consumer protection action against a large career college, involving allegations of various forms of allegedly widespread false, deceptive and misleading conduct. The decision in this bench trial is pending.

IJay secured dismissal of a class action lawsuit against a national clothing chain, alleging violations of various California consumer protection statutes.

IJay represented several Denver-area professional sports franchises in a class action relating to ticket sales and conditions. After motion to dismiss briefing, the plaintiffs voluntarily dismissed the case.

IJay has defended pharmaceutical and chemical companies. He was part of a team that defended a large pharmaceutical company in all litigation related to its polio vaccine. Multiple cases were brought in jurisdictions including California, New Jersey and Texas, alleging that a simian virus had contaminated the vaccine and caused various brain and lung cancers. All cases were dismissed.

Education

IJay represented a large career college in a sprawling, first-of-its-kind litigation that focused on many aspects of the college's operations, including admissions; lending; graduation and employment results; accreditation; student complaint processes; governance; and federal, state, and accreditor rules and regulations relating to those issues. IJay was co-first chair of the four-week bench trial in late 2017, with a decision expected in 2018.

EDUCATION

- Harvard Law School (J.D., *cum laude*, 1996)
- Huron College (B.A., 1993)
 - valedictorian

BACKGROUND

Before joining Armstrong Teasdale, IJay spent 10 years at the law firm of WilmerHale. He also completed a fellowship as a Special Assistant U.S. attorney in Washington, D.C.

Combining his legal interests with his love of sports, especially hockey, IJay is founder of a group called The Department of Hockey Analytics. IJay writes a regular column for Sports Illustrated.com about hockey analytics, and prior to that wrote for Canada's largest newspaper, the Toronto Star. His approach blends his background in statistics with elements of game theory and behavioral economics. He has coupled his analytics knowledge with his litigation experience to counsel teams and player agents regarding player contract and arbitration issues.

IJay also spent several years as a professional high-stakes poker player. His success and reputation led to his selection as a member of the two-man “human” team that played the world's leading artificial intelligence poker computer in the “Man vs. Machine” exhibition at the World Series of Poker in 2008.

EXPERIENCE

Complete Dismissal of Multimillion-Dollar Proposed Nationwide Class Action against Sealant Manufacturer

Secured significant victory for our client, a sealant manufacturer, in U.S. District Court for the District of Minnesota. Plaintiff alleged products were improperly labeled and asserted violations of state consumer protection statutes, state and federal warranty claims, and unjust enrichment. Plaintiff sought to represent a nationwide class and alleged more than \$5 million in damages. On motion to dismiss, the Court dismissed all of the claims and entered judgment.

Significant Victory in Multimillion-Dollar California Class Action for Men’s Retailer

Secured a significant victory for our client, a men’s clothing retailer, in U.S. District Court for the Northern District of California. The plaintiffs alleged that late fees assessed by the retailer violated California consumer fraud laws. After filing and arguing a motion to dismiss, the plaintiff voluntarily withdrew the claims without any monetary payment or any other relief.

Class Action in Large IoT Liability Case for Plaintiff Against Automotive Manufacturer

Serves as lead counsel for three certified plaintiffs’ classes totaling an estimated 400,000 to 500,000, in a case alleging that various cars and trucks suffer from a series of cybersecurity defects that render the vehicles susceptible to being hacked in a way that would allow the hacker to remotely control the vehicles’ operational and safety systems, including acceleration, braking, steering and ignition. Claims include breach of warranty and violations of various states’ consumer protection statutes.

Resolved \$60 Million Dispute in Mediation Weeks Before Trial

Retained as trial counsel 10 weeks before trial in a case with five defendants and more than \$60 million in controversy. Claims included breaches of fiduciary duty, civil theft, conversion, and unjust enrichment. The case was resolved through mediation just before trial.

Trial Counsel in \$240 Million Suit for College Brought By Colorado Attorney General

Served as counsel in a first-of-its-kind, five-day preliminary injunction hearing, winning a complete victory for a large career college, in which the Colorado Attorney General’s office sought 21 separate, broad injunctions. Subsequently tried a four-week bench trial against consumer protection and lending claims where the Colorado Attorney General sought \$240 million. The decision limited the State’s relief to \$3 million, which was reversed and remanded by the Court of Appeals.

Defeat of 21 Injunctions Against Private University

Defeated a request by the Colorado attorney general for 21 separate injunctions sought against a private university. After a five-day preliminary injunction proceeding, the court rejected each of the state’s requests finding they had no reasonable likelihood of success on the merits.

