



"David" Ling Y. Kuang

Managing Associate

As a first-generation immigrant and lawyer, David Kuang brings a rare perspective into his litigation work representing consumers and employees in large, complex litigation in state and federal courts throughout the U.S. His family has witnessed first-hand the ease upon which civil and property rights can be deprived in the face of powerful governmental forces during China's Cultural Revolution, and David now focuses his practice towards representing individuals and companies against adversaries with unrivaled resources. His zeal for his work has helped achieve successful and significant results for his clients and further earned accolades such as being named by Super Lawyers® as a Rising Star in Northern California for consecutive years (2019-2022).

Contact

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Practice Areas

- Antitrust/Competition Law
- Consumer Protection
- Product Liability
- Employment Law
- Privacy/Constitutional Law
- Mass Torts

Admissions

- California, 2014
- U.S. Court of Appeals for the Ninth Circuit
- U.S. District Courts (Northern, Central, Southern, and Eastern Districts of California)

Judicial Experience

- California Court of Appeal, Sixth Appellate District, 2012 | Judicial Extern to Associate Justice Nathan D. Mihara (ret.)
- Hong Kong District Court, Wan Chai Law Courts, 2011 | Judicial Clerk to Hon. Sharon D. Melloy

Education

- Juris Doctor, 2013
Golden Gate University, School of Law
- Bachelor of Arts, 2009
University of California, Davis

Experience

2015 - Present

Audet & Partners, LLP



Recent Representative & Significant Cases

- *In re: Deere & Co. Repair Servs. Antitrust Litig.*, MDL 3030, No. 3:22-cv-50188 (N.D. Ill. 2022) – Mr. Kuang effectively sought a leadership position and became the youngest court-appointed member of the Plaintiffs' Steering Committee (Dkt. Nos. 66, 73) in this expansive MDL that involved alleged monopolization of repair software negatively affecting farmers across the U.S.
- *Morrison v. Ross Stores, Inc.*, No. 4:18-cv-02671-YGR (N.D. Cal. 2022) – In a false labeling matter, Mr. Kuang successfully presented oral arguments at preliminary and final approval to achieve a nationwide settlement that provided, *inter alia*, injunctive relief for consumers by requiring a 12 year certification period to ensure products conform to industry standards for testing and quality.
- *Andrews, et al. v. Plains All American Pipeline, LP, et al.*, No. 2:15-cv-04113-PSG-JEM (C.D. Cal. 2022) – As class counsel at Audet & Partners, LLP, Mr. Kuang has been involved in this expansive oil spill class action for more than 5 years, resolving e-discovery issues like database-derived privilege logs and database production disputes, and the matter now has a \$230 million settlement pending final approval.
- *McCarthy, et al., v. Toyota Motor Corp., et al.*, No. 8:18-cv-00201-JLS-KES (C.D. Cal. 2022) – \$20 million settlement preliminarily approved that provides relief to Toyota Prius owners with allegedly defective IPM/inverters installed; Mr. Kuang, in addition to representing the class, counseled on privilege disputes that ultimately resolved.
- *In re: Toll Roads Litig.*, No. 8:16-cv-00262-ODW-ADS (C.D. Cal. 2022) – This case provided \$216 million in relief (\$41 fund and \$175 in penalties forgiveness) to a class of toll-tag users who had their privacy allegedly violated; Mr. Kuang leveraged his experience in privacy and constitutional law matters to assist in this matter.
- *In re: Navistar Maxxforce Engines Mktg., Sales Practices and Prods. Liab. Litig.*, MDL 2590, No. 1:14-cv-10318 (N.D. Ill. 2020) – \$135 million nationwide settlement that provided relief to truck owners/leasees who acquired vehicles with defective emission systems; Mr. Kuang served as a key-member of the plaintiffs' group and helped on cutting-edge ESI issues like TAR (technology-assisted-review) and oversaw the hiring, training, and management of nine (9) separate attorneys (in a newly formed team of 30+) to handle the materials produced by defendant.
- *Bhatia, et al. v. 3M Co.*, No. 0:16-cv-01304-DWF-DTS (D. Minn. 2019) – In a class action brought by dentists against a company for the sale of defective dental crowns, plaintiffs' counsel achieved a \$32.5 million settlement for the class; Mr. Kuang provided significant research on state-by-state law variations and post-settlement follow-up with clients.
- *Beverage, et al. v. Apple Inc.*, No. 20CV370535 (Santa Clara Super. Ct.) – Antitrust state action against Apple related to their anti-competitive policies concerning the App Store; Mr. Kuang is the lead attorney for plaintiffs in this matter.
- *Ballejos, et al. v. Facebook, Inc. [now Meta Platforms, Inc.]*, No. 18-CIV-03607 (San Mateo Super. Ct.) – Privacy and constitutional law action (given California's unique provision of a right to privacy) against Facebook concerning the Cambridge Analytica scandal; Mr. Kuang is the lead attorney for plaintiffs here and extensive litigation has ensued over ESI preservation, metadata, and convergence of these two issues.
- *Orshan, et al. v. Apple Inc.*, No. 5:14-CV-05659-EJD (N.D. Cal.) – Class action against Apple stemming from alleged false advertising of storage capacity in their devices; Mr. Kuang has personally briefed matters on ESI, privilege log, and document disputes.

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Experience (continued)

- *In re: Rust-Oleum Restore Mktg. Sales Practices and Prods. Liab. Litig.*, MDL 2602, No. 1:15-cv-01364 (N.D. Ill. 2017) – Intensive litigation throughout a two-year period helped achieve a sizeable \$9.3 million for the class; Mr. Kuang worked on many aspects of the case focusing on the drafting and coordination of materials for preliminary and final approval, and redesigning and simplifying the claim forms ultimately used by class members.
- *Petty v. Anthem, Inc., et al.*, No. 4:16-cv-04026-YGR (N.D. Cal. 2017) – Mr. Kuang penned a highly novel and effective opposition memorandum (Dkt. No. 23) to the defendant's motion to compel arbitration and stay proceedings in this matter. The defendant did not lodge a reply after Mr. Kuang's opposition was filed and instead sought an extension of time to privately mediate; the matter was ultimately and shortly resolved thereafter.

Additional Legal Background & Experience

Co-Author of *Handling Federal Discovery* (James Publishing, LLC)

- Since 2016, Mr. Kuang has served as the co-author and contributor to the practice guide *Handling Federal Discovery* (now in its 25th revision), a practitioner's textbook on how to approach and resolve federal discovery topics. He has done extensive work to update the treatise in recent years to reflect modern federal discovery trends and its focus on e-discovery. In doing so, he has updated and written new chapters on topics like metadata, ephemeral apps, database limitations, electronic custodial and non-custodial devices, and modern application of artificial intelligence to e-discovery practice.

Contact (repeated)

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Pro Bono & Volunteer Efforts

- Asian Pacific Islander Legal Outreach (APILO) | Legal Clinic Volunteer
- Bar Association of San Francisco's (BASF) Volunteer Legal Services Program (VLSP) Consumer Debt Defense and Education Clinic | Volunteer
- Asian Law Caucus, 39th and 40th Annual Event | Planning Committee Member
- California Rural Legal Assistance | Legal Clinic Volunteer
- Legal Aid of Marin | Legal Clinic Volunteer
- City & County of San Francisco Sheriff's Department, Prisoner Legal Services | Student Volunteer/Intern
- Women's Employment Rights Clinic | Certified Practicing Student Clinician
- Asian American Bar Association | Former Student Council Chair
- Bar Association of San Francisco (BASF), Head Start Holiday Gift Program | Liaison for PG&E In-House Law Dept.

Recognitions & Awards

- Super Lawyers® Northern California | Rising Star, 2019-2022
- Paul S. Jordan Award | Nominee
- Pro Bono Honor Society | Inductee
- Asian American Bar Association | Student Scholarship Finalist