

Daily Journal

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Top Antitrust Lawyers 2020

David W. Kesselman

Kesselman has been practicing antitrust law for more than 20 years, though his lineage extends further back in time through that of his mentor, the late Maxwell M. Blecher, at whose Blecher & Collins boutique—now Blecher Collins & Pepperman PC—Kesselman worked for a decade. Blecher was himself aligned with Joseph L. Alioto, the plaintiff-side antitrust practitioner who rose to prominence after World War II and became mayor of San Francisco in 1968.

“Max Blecher was the best. He taught me a lot about professionalism,” Kesselman said. He recalled attending a breakfast meeting as a green young lawyer at which Blecher and his opposing counsel courteously sought to persuade one another it would be unwise to proceed with a case.

“Max actually came to agree and dropped the matter,” Kesselman said. “It probably wouldn’t happen like that today, though the small antitrust community does remain less combative and more cordial than much of the legal world.”

Kesselman and colleagues represent both plaintiffs and defendants. “Some folks do tend to segregate their practices, but I’ve always liked doing both

because each side gives insights into the other,” he said.

One case filed by Blecher in 2016 came Kesselman’s way after Blecher died the following year. Kesselman represents a freight hauler plaintiff allegedly frozen out of the Santa Catalina harbor in a conspiracy between the owner of the island’s only freight dock and a rival shipper, Avalon Freight Services. *Curtin Maritime Corp. v. Santa Catalina Island Co.*, 2:16-cv-03290 (C.D. Cal., filed May 13, 2016).

Before Kesselman was brought aboard the litigation, the case had been dismissed, then revived by a 9th U.S. Circuit Court of Appeals panel. “We took over the litigation a month or so ago,” Kesselman said. The matter is in discovery.

Kesselman is on the defense side of a competitor suit over the potentially lucrative .Africa internet domain name. A rival of Kesselman’s client sued the Los Angeles-based Internet Corporation for Assigned Names and Numbers and the client, ZA Central Registry S.A. of South Africa, which had won a bidding battle for .Africa. The suit alleged tortious interference and related claims. “We got our client out on a motion to dismiss, but then to preserve our client’s rights we asked to come back in on a motion to intervene,” Kesselman said. “Then we prevailed and the other side has taken an appeal.” The matter remains



KESSELMAN BRANTLY STOCKINGER LLP

MANHATTAN BEACH

PRACTICE TYPE: LITIGATION

before the 2nd District Court of Appeal. *DotConnectAfrica Trust v. Internet Corporation for Assigned Names and Numbers*, BC607494 (L.A. Super. Ct., filed Jan. 20, 2016).

— John Roemer