

**Huaou Yan | Partner**

Business Litigation

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Huaou Yan is a passionate and strategic litigator with a wide range of experience in high-stakes, complex commercial cases and white-collar criminal defense matters and related investigations. Among other things, he has litigated federal and state elections law cases; shareholder derivative actions; civil and criminal fraud; misappropriation of trade secrets cases; bankruptcy adversary proceedings; Lanham Act and state unfair competition claims; Computer Fraud & Abuse Act cases; constitutional, statutory, and regulatory issues; and various other types of corporate and commercial disputes. He has also represented companies and individuals in both civil and criminal government investigations and has conducted numerous internal investigations on a broad range of civil and criminal matters.

Prior to joining Blank Rome, Huaou served as a law clerk for the Honorable James Knoll Gardner of the U.S. District Court for the Eastern District of Pennsylvania. Additionally, he previously served as an intern for the Department of Justice Professional Responsibility Advisory Office in Washington, D.C.; the Federal Community Defender in Philadelphia; and the Federal Public Defender in Boston.

## Outside The Firm

When he is not spending time with his family, Huaou loves hiking and the great outdoors—he previously section-hiked the entire Pennsylvania section of the Appalachian Trail. He is an aspiring Argentine Tango dancer (but is obviously keeping his day job). He also enjoys puttering around on the piano and teaching himself the banjo. And he is a big fan of speculative fiction, 4X games and story-driven RPGs, and a certain collectible card game that may or may not be his backup retirement plan.

## Select Engagements

- Lead counsel to pharmaceutical manufacturer in trademark and trade dress infringement suit under the Lanham Act and New Jersey statutory and common law. Secured complete dismissal with no liability to client.
- Lead counsel to online virtual learning company in lawsuit brought by one of its competitors, alleging violations of the Lanham Act and Computer Fraud and Abuse Act (“CFAA”) and common-law tortious interference claims. Secured dismissal of CFAA and certain common-law claims at motion to dismiss stage. Then secured complete dismissal of all remaining claims with no liability to client.
- Lead counsel to former executive of publicly traded data and media company in suit accused of misappropriation of trade secrets, breach of fiduciary duty, and violation of the CFAA. Secured complete dismissal with no liability to client.
- Lead counsel to multinational packaging equipment manufacturer and distributor in a misappropriation of trade secrets, Computer Fraud and Abuse Act, and unfair competition suit brought by one of its competitors. After extensive motions practice and expedited discovery, this matter was successfully resolved on a confidential basis.
- Lead counsel to cutting-edge neuroscience start-up in lawsuit brought by its international distributor, alleging, *inter alia*, fraud, breach of contract, and violations of the Lanham Act and Delaware’s Uniform Deceptive Trade Practices and Consumer Fraud Act. Secured complete dismissal of suit at pleading stage.
- Counsel to retail energy supplier in putative class action, alleging, *inter alia*, breach of contract and violations of Pennsylvania’s Unfair Trade Practices and Consumer Protection Law. Secured complete dismissal of all claims at pleading stage and affirmance on appeal at the Court of Appeals for the Third Circuit.
- Counsel to credit and debit card payment processing sales organization in putative class action, alleging, *inter alia*, violations of the Fair Credit Reporting Act (“FCRA”) and the Electronic Funds Transfer Act (“EFTA”) and other state-law claims. Secured complete dismissal of all claims at motion to dismiss stage.
- Counsel to social welfare organization that petitioned for special election to reform Atlantic City government. Successfully defended against challenge, arising under New Jersey elections law and Section 2 of the Voting Rights Act, to validity of petition and special election.
- Counsel to major bank in multiple cases brought by insurance companies, alleging, *inter alia*, breach of fiduciary duties, breach of trust agreement, and aiding and abetting fraud, arising out of complex, international reinsurance arrangements.
- Counsel to doctor accused of conspiracy to commit healthcare and wire fraud, relating to his telemedicine practice. Prosecution arises out of Department of Justice’s ongoing, national initiative to investigate telemedicine, clinical laboratory, and durable medical equipment claims.
- Counsel to founder of cryptocurrency start-up accused of defrauding

- investors through an alleged pump-and-dump scheme in one of the first cryptocurrency-related prosecutions in the Eastern District of Pennsylvania.
- Counsel to mental healthcare professional in multi-year federal investigation regarding potential Medicare/Medicaid fraud and obstruction of a federal audit. Successfully resolved matter with no liability for client.
  - Counsel to international pharmaceutical company in internal investigation of suspected misconduct by former CEO of its United States subsidiary.
  - Counsel to international technology group in internal investigation of potential theft of trade secrets by former employees.

## Pro Bono

- Represented four Liberian victims of the St. Peter's Lutheran Church massacre—the worst war crime of the First Liberian Civil War—in civil action pursuant to the Alien Tort Statute and Torture Victim Protection Act against the commander of the armed forces that perpetrated the massacre. Secured historic judgment against defendant.
- Represented former Philadelphia school teacher in senior financial exploitation case before the Philadelphia Court of Common Pleas – Orphans' Court Division. After two-day bench trial, secured substantial judgment on behalf of client. And after defendant filed for bankruptcy in an attempt to discharge the judgment, litigated and secured an order from the U.S. Bankruptcy Court for the Eastern District of Pennsylvania finding the judgment non-dischargeable.
- Representing, alongside the Pennsylvania Innocence Project, client who was wrongfully convicted of murder in 1988.

## Admissions

- Pennsylvania
- United States Court of Appeals for the Third Circuit
- U.S. District Court - Eastern District of Pennsylvania
- New York
- U.S. District Court - Eastern District of New York
- U.S. District Court - Middle District of Pennsylvania
- U.S. District Court - Southern District of New York

## Education

- Harvard College, AB, cum laude
- Harvard Law School, JD, cum laude

## Recognitions

- 2023–2024, Ones to Watch, Commercial Litigation, listed in *Best Lawyers in America*©
- 2023, “Pennsylvania Rising Star” in Business Litigation, listed in *Super*

*Lawyers®*

- 2020, Pathfinder Program, Leadership Council on Legal Diversity

## **Professional Activities**

In 2020, Huaou was selected by Blank Rome to participate in the Leadership Council on Legal Diversity's Pathfinder Program, dedicated to producing a generation of attorneys with strong leadership and relationship skills who are committed to fostering diversity and inclusion within their individual institutions and the profession at large.

## **Languages**

- Mandarin