

Snell & Wilmer



Keith M. Gregory

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Main Bio

Keith Gregory serves as Chair of the commercial litigation group in Los Angeles and Co-Chair of the commercial litigation group in California. He practices in the areas of general business matters, corporate, franchise and partnership disputes, and intellectual property and commercial litigation. He is an experienced litigator, with considerable background in litigating government debarment proceedings, intellectual property issues, licensing agreements, trade secret matters and Uniform Commercial Code issues, especially within the electronic components, computer hardware and semi-conductor industries. Keith served on the SAE International AS6081 Committee, which established standards proscribing counterfeit parts avoidance requirements for independent distributors. Also, Keith acts as the outside compliance officer for companies in order to establish and maintain ethics programs.

Representative Matters

- Negotiated a settlement for a distributor of electronic components accused of selling mismarked and defective parts, which reduced client's financial exposure by nearly 90%.
- Served as lead trial counsel for a franchisor that was sued by its first franchisee for breach of contract, California franchise law violations, intentional misrepresentation, negligent misrepresentation, concealment and unfair competition. After two weeks of trial, the jury found entirely in favor of the defendant franchisor. The jury also found that the franchisee had breached the franchise agreement by failing to pay royalties and to pay back advances made to it by the franchisor, and awarded damages to the franchisor.
- Structured the financial terms of an independent distributor's contract, which resulted in more than a 50% increase in profits on a single transaction.
- Litigated a trade secrets case on behalf of an employer whose former salesperson solicited a number of the company's long-term customers and suppliers. Successfully obtained a temporary restraining order and negotiated a settlement, resulting in the salesperson agreeing to pay the employer's attorneys' fees and no longer contacting the company's customers and suppliers.
- Retained by client company as trial counsel three months prior to start of jury trial in which plaintiff was seeking over \$800,000 in alleged damages. At the conclusion of the six-day trial, the jury awarded the plaintiff approximately \$70,000 – half of the \$140,000 offer previously made by the client and less than one-tenth of what the plaintiff was seeking to recover.
- Defended various government contractors in proposed debarment and suspension proceedings in which it was established that the clients were deemed presently responsible contractors and the

debarment and suspension proceedings were dismissed.

- Established ethics compliance program for various clients and serve as outside compliance officer for those clients.
- Defended various government sub-contractors against False Claim Act allegations which resulted in dismissal of those claims.

Education

- University of San Diego School of Law (J.D., 1984)
- University of California at Los Angeles (B.A., 1981)

Professional Memberships & Activities

- Los Angeles County Bar Association, Member
- San Fernando Valley Bar Association, Member
- Electronic Resellers Association International (ERAI), General Counsel
- SAE International, Member, AS6081 Committee

Representative Presentations & Publications

- "Be Careful, You Do Not Want to Violate the False Claims Act," Speaker, Thompson Grants Federal Grants Forum, Seattle, WA (May 1, 2019)
- "Mandatory Disclosure Means What It Says," Speaker, Thompson Grants Federal Grants Forum, Seattle, WA (May 1, 2019)
- "Managing Your Supply Chain," Panelist, ASCDI NATD Conference, San Francisco, CA (March 16, 2018)
- "Cybersecurity Preparation, Response and Mitigation," Speaker, ASCDI NATD Conference, San Francisco, CA (March 16, 2018)
- "Import/Export/Customs/Counterfeit Issues - Best Practices," Speaker, ASCDI NATD Conference, Washington, DC (September 14, 2017)
- "Should Your Organization Be Concerned About DFARS 252.246.7008 and the Supply Chain Impact Regarding Obsolete and Counterfeit Components?" Speaker, IEC Electronics Webinar (April 4, 2017)
- "Issues Relating to the Exportation of Goods," Moderator, DMSMS Conference, Denver, CO (November 30, 2016)
- "EDiscovery in 'Small' Cases," Panelist, ING3NIOUS So Cal EDiscovery and IG Retreat, Newport Beach, CA (November 14, 2016)
- "The Importance of Dealing with and Being a Responsible Contractor," Speaker, Symposium on Counterfeit Parts & Materials, College Park, MD (June 29, 2016)
- "Analysis of New Regulations," Co-Presenter, Independent Distributors of Electronics Association (IDEA) Webinar Update (December 10, 2015)
- "Getting in Front of a Moving Freight Train. Why You Want Information Security Management and Why You Need it," Panelist, ISSA 7th Annual Security Seminar, Los Angeles, CA (June 4, 2015)
- "Keeping Counterfeits out of the Supply Chain and Implementing a Counterfeit Mitigation Plan," Speaker, ERAI Executive Conference, San Diego, CA (April 23, 2015)
- "Consumer Products - Full Shelves, Fat Wallets," Moderator, ACG 101 Corridor, Westlake Village, CA

(February 5, 2015)

- "Ethics and In-House Counsel: Wearing Two Hats as Attorney and Officer," Presenter, Los Angeles County Bar Association, Los Angeles, CA (January 27, 2015)
- ["People to People with Stan Salot Jr. - The Cost of Counterfeits: \\$6 Billion and Counting,"](#) Interviewee, VoiceAmerica Internet Talk Radio (December 23, 2014)
- ["SAE Anti-Counterfeit Standard Adds Teeth to Legal Protection,"](#) Quoted, EBN Online (November 11, 2014)
- "Simplifying International Trade Disputes," Chapter Author, Thomson Reuters, Litigating International Trade Disputes: Leading Lawyers on Navigating Recent Trends in Trade Disputes and Minimizing Client Risk in Litigation (November 1, 2014)
- "Ethics and In-House Counsel: Wearing Two Hats as Attorney and Officer," Co-Presenter, Snell & Wilmer and Thomson Reuters Harbor Cruise, Newport Beach, CA (October 9, 2014)
- "My Goods Are Good. So Why Are They in Detention?" Co-Presenter, ERAI and Snell & Wilmer Webinar (June 3, 2014)
- "DOD Emphasizes Industry Input on Counterfeit Electronics," Quoted, Law360 (May 16, 2014)
- "Ethics and In-House Counsel: Wearing Two Hats as Attorney and Officer," Co-Presenter, Thomson Reuters A Day at the Races, Santa Anita Park, Arcadia, CA (May 15, 2014)
- "Legal Issues to Consider When Doing Business with American Companies," Presenter, National Exhibition Centre, Birmingham, UK (April 8, 9, 10 & 14, 2014)
- "Stand out from the Crowd: Best Practices for Attaining Your Dream Job," Panelist, Beverly Hills Bar Association, Beverly Hills, CA (January 28, 2014)
- "Your Top Ten List on How to Protect Yourself Legally," Presenter, SAE 2013 Counterfeit Parts Avoidance Symposium - South, Irving, TX (December 10, 2013)
- "Anti-Counterfeit Panel Discussion," Panelist, ASCDI, Annual USA Fall Conference, Washington, D.C. (October 9-11, 2013)
- "SAE Standards and Guidance - A How-To," Panelist, SAE 2013 Counterfeit Parts Avoidance Symposium, Montreal, Canada (September 27, 2013)
- ["Enforcing Foreign Arbitral Awards in China: Commercial International Arbitration Clauses in U.S.-China Contracts,"](#) Co-Author, Snell & Wilmer Global Connection (June 28, 2013)
- "Enforceable or Unenforceable? Examining Commonly Used Contract Provisions," Speaker, Association of Corporate Counsel SoCal, Long Beach, CA (June 11, 2013)
- "Beyond Sequestration: Managing Government Contract Performance and Associated Risk," Co-Presenter, Global ITC Trading Group, Inc. and Snell & Wilmer Webinar (June 3, 2013)
- "Planning on doing business with overseas companies, then be prepared to arbitrate," Presenter, 2013 ERAI Executive Conference, Orlando, FL (April 18, 2013)
- "What to do if you are you the subject of a Government Debarment Proceeding?" Presenter, 2013 ERAI Executive Conference, Orlando, FL (April 18, 2013)
- "The Customs Process: What Component Distributors Should Know," Moderator, Customs Process for Component Distributors Seminar, Snell & Wilmer, Costa Mesa, CA (March 19, 2013)
- "Impact of The Standards and Regulations on The Independent Distributor and Broker Market," Panelist, Symposium East on Counterfeit Electronic Parts and Electronic Supply Chain, Surface Mount Technology Association, College Park, MD (June 28, 2012)

- H.R. 1540's Implications and Possible Plans of Action," Panelist, ERAI Executive Conference, Electronic Resellers Association International, Las Vegas, NV (May 17, 2012)
- The Best Defense is a Good Offense - Recommended Best Practices & Contractual Requirements as Called Out in AS6081," Speaker, ERAI Executive Conference, Electronic Resellers Association International," Las Vegas, NV (May 17, 2012)
- [Counterfeit electronic parts flood U.S. market](#)," Author, Daily Journal (March 21, 2012)
- [Parallel Imports and the First Sale Doctrine](#)," Co-Author, Daily Journal (November 2011)
- Electronic Resellers Association International," Speaker, Executive Conferences (2001-2008)
- Ten Steps for Protecting Trade Secrets," Author, Graziano Business School (Fall 2007)
- USC Olin School of Engineering," Lecturer, Internet Technology (Spring Semester 2006)
- What Stays and Who Pays? The Rights of Buyers and Sellers Pertaining to Defective Parts," Author, Graziadio Business Report: Journal of Contemporary Business Practice (Fall 2002)

Professional Recognition & Awards

- AV Preeminent[®] Peer Review Rating from Martindale-Hubbell[®]

Community Involvement

- Anti-Defamation League Los Angeles, Pacific Southwest Regional Board Member (2019-present)
- SAE G-19 AS 6081 Committee (2008-2016)
- Wellness Community Valley/Ventura, Board of Directors (2001-2008), Chair (2007)
- Wellness Community, National Board of Directors (2005-2008)
- ProVisors Distributors and Manufacturers, Group Leader
- ProVisors DTLA 3, Executive Committee Member

Other Professional Experience

- Greenberg & Bass Law Firm, Partner (2000-2011)

Bar Admissions

- California

Court Admissions

- Supreme Court of California
- United States District Court, All Districts of California