



## Emily E. Clark

Associate

[eclark@kelleydrye.com](mailto:eclark@kelleydrye.com)

New Jersey  
(973) 503-5900

## About

Emily Clark focuses her practice on consumer class actions and commercial disputes. Many of these cases involve the defense of consumer class actions under various state and federal laws regulating deceptive trade practices and telemarketing, with a focus on false advertising claims, telephone consumer protection act violations and video privacy protection matters. Emily's experience in class action defense runs the gamut from pre-certification motion practice and discovery, to class certification motions, expert discovery, hearings and trial.

Emily has defended clients in the healthcare, retail and communications sectors to resolve complex contractual disputes, at the negotiation table as well as at trials.

During law school, Emily was an extern for Ladder Capital, as well as a judicial extern at the U.S. Court of International Trade.

Emily also maintains an active pro bono docket.

## Experience

### Class Action

Member of the team which obtained pre-answer dismissal of putative class actions related to the Video Privacy Protection Act in the Southern District of California for a publicly traded solar company, and for an American multinational confectionery company.

Member of the team which obtained dismissal of false advertising class action against multinational consumer goods company alleging that the company falsely markets personal care products as "hypoallergenic" and "tear-free."

Member of the team currently defending a dietary supplement company in an enforcement action brought by the Federal Trade Commission and the New York Attorney General's office.

Member of the team which obtained pre-answer dismissal of a putative false advertising class actions related to pima cotton in the Southern District of New York against our client, an American publicly traded fashion company.

Assists in representing numerous clients in putative class actions and individual claims in state and federal court alleging damages under the Telephone Consumer Protection Act and state analogues.

## Telecommunications

Represented major telecommunications carrier in litigation against municipality alleging a city's newly enacted telecommunications code violated Section 253 of the federal Telecommunications Act and the FCC's implementing orders and regulations by charging fees that exceed the city's reasonable costs associated with installation of telecommunications facilities in the rights of way.

### Related Services

Artificial Intelligence

Litigation

Commercial Litigation

Consumer Class Action Defense

Advertising and Marketing

### Education

St. John's University School of Law, J.D., 2021

- American Bankruptcy Institute Law Review, articles and notes editor

University of Denver, B.A., 2016

- International Studies

### Admissions

New Jersey, 2021

New York, 2022

### Courts

U.S. District Court–District of New Jersey

U.S. District Court–Southern District of New York

U.S. District Court–Eastern District of New York