Douglas R. Young , Esq.

Arbitrator Mediator

Court-Appointed Neutral (Referee/Special Master)

Neutral Evaluator

Case Manager

Julie McCool

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Douglas R. Young, Esq., joins JAMS after more than four decades as a trial and appellate litigator handling complex matters, including international antitrust and Foreign Corrupt Practices Act (FCPA) claims; intellectual property, including theft of trade secrets; securities and antitrust class actions and investigations; white collar criminal defense; and parallel civil/criminal/regulatory proceedings. Mr. Young has tried more than 50 trials to verdict, argued more than 40 appeals in state and federal courts, served on numerous arbitration panels and acted as a mediator selected by agreement of the parties. (By court appointments, state and federal, Mr. Young has also successfully represented clients in three post-conviction death penalty cases.) He is a Fellow of the Academy of Court-Appointed Neutrals.

In his litigation practice, Mr. Young adopted a three-point philosophy: (1) apply discipline and rigorous preparation to every case; (2) understand the client and the client's needs while also being willing to challenge the client's views if advisable; and (3) exercise appropriate discretion, recognizing when, where and under what circumstances advocacy will be most effective. He brings these principles—and his extensive experience—to his practices as a neutral with a reputation for thorough preparation, knowledge of the law, patience and creativity. Clients, peers and judges have attested to the effectiveness of his abilities. For example:

"He is an endless source of wisdom and strategic thinking … the kind of guy to whom I bring the most serious problems." (Client)

“Skillfully acted as counsel for my company in successfully mediating two cases to conclusion on the same day.” (Client)

“He is sharp and very experienced, with real valuable insight.” (Peer)

Representative Matters

Mr. Young served as an advocate in all matters listed below unless otherwise noted.

- **Antitrust & Competition**
  - Investigation involving high-profile antitrust cartel by the U.S. Department of Justice Antitrust Division
  - Represented employees and officers of global public companies in federal investigations stemming from allegations of antitrust violations, Foreign Corrupt Practices Act (FCPA) violations and other claims
  - Dispute involving oil company in connection with state attorney general investigation and antitrust litigation regarding pricing of gasoline
  - Multiple alleged antitrust price-fixing conspiracies in (i) airline passenger, (ii) airline shipping, (iii) computer parts (several, including dynamic random-access memory (DRAM), static random-access memory (SRAM) and thin-film transistor liquid crystal display (TFT-LCD) technology, (iv) automotive parts (three) and other federal antitrust investigations
- **Banking**
  - Represented client involved in parallel multijurisdictional (U.S.-Taiwan) criminal and civil proceedings involving theft of trade secret and economic espionage allegations
  - Represented client involved in the alleged theft of source code in the field of automated software tools for the design and creation of sophisticated integrated circuits
  - Dispute involving alleging theft of trade secrets by major credit card company
  - Lead counsel for public company and executive leadership team involving trade secret allegations
  - Three patent trials and a mediated patent settlement for international media company
- **Business Commercial**
  - Represented CFO of a publicly traded company in connection with internal disputes and issues regarding public filings and SEC inquiries
  - Counsel for former executive and subject/target of parallel federal and state investigations, as well as a key trial witness in state court action alleging discrimination in awarding contracts
  - Counsel for CFO of public company in parallel civil and criminal investigations involving alleged inflated earnings because of accounting fraud
  - Represented former United States cabinet official as a board member witness in parallel civil/regulatory/criminal matters regarding biotechnical firm and its founders
- **Class Action & Mass Tort**
  - Lead counsel in multidistrict class actions involving a variety of industries
  - Co-lead counsel in federal multidistrict proceedings alleging a putative nationwide class of vehicle owners who claimed economic losses stemming from diminution of resale value due to purported concealed defects in electronic throttle control systems
  - Represented public company cellular phone provider in class action alleging unfair and unlawful business practices in connection with bills for “non-communication” time
  - Dispute involving the CEO of a public savings and loan in parallel civil class actions and federal criminal investigations
  - Co-lead counsel for corporate direct purchaser class action opt-out plaintiff in federal multidistrict antitrust cases alleging price-fixing in the liquid crystal display (LCD) markets
- **Court-Appointed Neutral (Special Master)**
  - Fellowship in the American Academy of Court-Appointed Neutrals, an invitation-only position
  - Served as a special master in a federal case in which the government alleged a multi-defendant criminal conspiracy; appointed to assist in case management, including the coordination among defense counsel and prosecutors in connection with discovery and other issues
  - Served as the “attorneys’ fees and costs multiplier special master” in a federal class action by women alleging discrimination in recruitment, hiring, selection, job assignments and training
  - *PFEL v. Sea Land Services*, 709 F.2d 585, 1981-2 trade cases: Traveled throughout Asia as the discovery special master in a complex antitrust case and made findings and conclusions

- Served as remedies special master in a federal court class action alleging improper denial of benefits by a health care insurer

- **Employment Law**
  - Counsel for multiple individual and federal class actions regarding employment discrimination, as well as investigations and negotiations involving issues concerning employment of senior-level executives from alleged competitors
- **Environmental Law**
  - Federal court trial representing multinational corporation in a dispute alleging pollution of groundwater
- **Professional Liability**
  - Represented law firms and individual lawyers in cases where malpractice, conflicts or ethical issues were at stake; multiple investigations, three trials and approximately 10 appellate arguments
  - Counsel to two Ninth Circuit special committees appointed to investigate and report on conduct of sitting federal district court judges
  - Multiple representations, including four trials and five appeals, of design professionals (architect and engineers) accused of malpractice
  - Three representations on behalf of a multinational professional services network (including primarily accounting and related services) in class actions and federal government investigations
  - Successful representation on appeal (Ninth Circuit) of prominent mediator accused of improper conduct
- **Real Property**
  - Dispute involving homeowners association (HOA) in action against builder/developer alleging negligence in connection with construction of condominium
  - Represent individual as defendant in two state and one federal fraud actions in connection with operation and insurance coverage for Army bases on East Coast and West Coast bases
- **Securities**
  - Numerous matters involving SEC and DOJ investigations in a wide variety of accounting-related probes at public companies, including two federal court trials
  - Represented client involved in alleged stock back-dating and tax fraud
  - Numerous civil (including class actions), regulatory and criminal matters involving alleged securities fraud

Honors, Memberships, and Professional Activities

Honors and Awards

- *Chambers USA*, Litigation: General Commercial and White-Collar Crime & Government Investigations, 2005–2025
- Judge Learned Hand Award, American Jewish Committee, 2021
- Benchmark Litigation (California), 2019
- Lowell Jensen Award for Contributions to the Criminal Bar (in recognition of contributions to the Bay Area criminal law bar), 2012
- Distinguished Jurisprudence Award, Anti-Defamation League, 2012
- Criminal Justice Achievement Award, Criminal Trial Lawyers Association of Northern California, 2002
- American Bar Association Pro Bono Publico Award, 1992

- Award of Merit, Bar Association of San Francisco, 1989
- The *Best Lawyers in America*

Bar Memberships

- California State Bar
- U.S. Court of Appeals for the Sixth Circuit
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Supreme Court
- U.S. District Court (N.D. Cal.)
- U.S. District Court (E.D. Cal.)
- U.S. District Court (C.D. Cal.)
- U.S. District Court (S.D. Cal.)
- U.S. District Court (Hawaii)
- Federal Circuit Court of Appeals

Professional Organizations

- Member, American Bar Association, 1976–2025
- Member, Bar Association of San Francisco, 1976–2025
    - President, 2001
    - Board Member, 1988–1989
    - Founding Chair, Litigation Section
- Member, Northern California Chapter, Association of Business Trial Lawyers, 1992–2025
    - President, 2000
    - Member, Board of Governors, 1992–2000
- Fellow, American College of Trial Lawyers, 1998–2025
    - President, 2019–2020
- Fellow, American Board of Trial Advocates, 2000–2025
    - “Advocate” Rank (more than 50 trials)
- Fellow, American Academy of Appellate Lawyers, 2001–2025
- Patron Life Fellow, American Bar Foundation, 2006–2025
- Fellow, International Academy of Trial Lawyers, 2008–2025

- Fellow, International Society of Barristers, 2008–2025
- Fellow, Academy of Court Appointed Masters, 2010–2025
- Fellow, Litigation Counsel of America, 2015–2025
- Member, America's Top 100 Bet-the-Company Litigators, 2020–2025
- Life Member, The American Law Institute, 1994–2025
- Member, Criminal Justice Act Defense Panel, U.S. District Court, Northern District of California, 1986–2000
- Member (Master), San Francisco American Inn of Court (McFetridge Inn: President, 1999–2000)
- Appointed by Chief Judge to Ninth Circuit's Advisory Committee on Rules of Practice and Internal Operating Procedures (28 U.S.C. § 2077), 1993–1999
- Past Member and President, Advisory Board, Ninth Circuit Court of Appeals
- Member, American Judicature Society
- Member, American Constitution Society
- Member and Past President (1996–1997), California Academy of Appellate Lawyers
- Lawyer Representative from the Northern District of California to the Ninth Circuit Judicial Conference
- International Legal Exchanges: Trial and Appellate Advocacy Projects, 1989–1994 [including State Department task forces (under awards of Academic Specialist Grants by United States Information Agency or sponsorship by Agency for International Development) in administration of justice legal exchange projects in Uruguay, Mexico, Panama, Egypt and Bolivia, with protocol visits to Argentina, Chile and Greece]
- Appointed by California Chief Justice to Supreme Court's Advisory Committee on Lawyer Regulation

Military

- Veteran, United States Marine Corps
    - Active Duty, 1970–1973
    - Formal Discharge, 1976
- Life Member, The American Legion
- Life Member, Vietnam Veterans of America
- Life Member, Marines' Memorial Association
- Member, Consensus for American Security (an initiative of the American Security Project)
- Member, Yale Veterans Association
- Member, Military and Veterans at Berkeley Law

- Member, Ivy Vets, 2025

Selected Publications

- Rothauge and Young, “Ponzi Schemes, Pollution, and the Death Penalty: Doug Young on Advocating for the Unpopular,” *Trial Tested: A Podcast by the American College of Trial Lawyers*, Season 11, Episode 4, 2024
- Breyer, Wood, Varner, Young, “’Secret’ Courts and ‘Secret’ Evidence In the United States and United Kingdom: A Review of the Procedures and Balances of the U.S. FISA Court and U.K. Investigatory Powers Tribunal,” prepared for 2015–2016 United States/United Kingdom Legal Exchange Program by the American College of Trial Lawyers
- Ginsburg, Wood, Young, “Where Angels Fear to Tred: A Review of the Role of U.S. Courts in Resolving Political and Other Questions Influenced by the Globalization of Legal Disputes,” prepared for 2016 United States/United Kingdom Legal Exchange Program by the American College of Trial Lawyers
- Young and Aquino, “Observations on the Rule of Law,” prepared for the Forum on the Rule of Law by the Association of Marshall Scholars and the American College of Trial Lawyers, 2021
- Purver, Young & Davis, *California Trial Handbook*, 2d, Bancroft-Whitney, 1987; *California Trial Handbook*, 3d, Bancroft-Whitney, 1992 (with Honorable Richard P. Byrne as additional author)
- Purver, Young, Davis & Kerper, *The Trial Lawyer’s Book: Preparing and Winning Cases*, Lawyers Cooperative Publishing Co., 1990
- Young, “Attorney-Client Privilege in Federal Courts,” CEB Federal Practice Institute, California Continuing Education of the Bar, 1991–1999 editions
- Young, “Advising the Corporate Client on the Duty to Preserve Electronic Evidence,” White Collar Crime Institute, 2001 (ABA 2001)
- Young and Mann, "Litigation and Resolution of Complex Class Actions: Increased Scrutiny and Liability for Attorneys and Accountants and Internal Investigations in the Sarbanes-Oxley Era," 14th Annual Institute: Litigation and Resolution of Class Actions (Glasser Legal Works 2005) at 393
- Young and Mann, "Investigation and Enforcement: Selected Issues Related to Internal Investigations, Enforcement Actions, and Wells Submissions" 7th Annual SEC Disclosure, Accounting & Enforcement Conference (Glasser LegalWorks 2005)
- Young, "Issues General Counsel Must Consider in Navigating the Rubric of the SEC's ‘Reporting Up’ Requirements," Internal Investigations CLE International, 2005 at B2-1
- Young, “Rethinking the Specific-General Intent Doctrine in California Criminal Law,” California Law Review, 1975

- Young and Nall, “Inside the Minds: White Collar Case Strategies in the Public and Non-Public Spheres,” Aspatore Books, 2009

Teaching

- Faculty: National Institute for Trial Advocacy; Hastings College of Advocacy; California Continuing Education of the Bar; Practising Law Institute; Litigation Section of the State Bar of California; Price Waterhouse/NITA Expert Witness Seminars; The Rutter Group; Federal Practice Program of the U.S. District Court for the Northern District of California; California Appellate Project; CACJ/CPDA Criminal Law Seminars; Federal Public Defender/CJA Seminars; ABA White Collar Crime Institute; ABA Institute on the Foreign Corrupt Practices Act; Association of Business Trial Lawyers Annual Institute; American College of Trial Lawyers Trial Advocacy Training Programs in the United States and Canada.
- Visiting Lecturer, University of California, Berkeley, School of Law, 1986 (Evidence Advocacy), 1990 (Advanced Appellate Advocacy), 1991 (Advanced Appellate Advocacy)
- Adjunct Assistant Professor, Hastings College of the Law, 1990–1991
- Miscellaneous educational panels, lectures, etc.

Representative Speaking Engagements

- Young speaks regularly (approximately twice a year) at programs sponsored by the American College of Trial Lawyers.
- In April 2021, he presented at the Spring Symposium sponsored by the Advocates’ Society (Canada) and the American College of Trial Lawyers.
- He has also spoken at several PLI, Rutter Group and CEB programs.
- In 2022, he was the featured interview on “Trial Tested,” a podcast sponsored by the American College of Trial Lawyers, in an episode titled “The Humility to Prepare and the Confidence to Pull it Off.”

Background and Education

- Farella Braun + Martel LLP, 1977–2024
- Judicial Law Clerk, U.S. District Court, Northern District of California, 1976–1977
- United States Marine Corps, 1970–1976
    - Active Duty, 1970–1973
    - Formal Discharge, 1976

- J.D., University of California, Berkeley, School of Law, 1976
    - Executive Editor, *California Law Review*
    - Moot Court Board
- B.A., *cum laude*, Philosophy, Yale University, 1971