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Phone: +1 646 783 7100 | Fax: +1 646 783 7161 | customerservice@law360.com

Rising Star: Munger Tolles' Jonathan Blavin

By **Drew Singer**

Law360, New York (April 29, 2014, 1:22 PM ET) -- You don't have to look far to find outrage at how the government uses secret courts to obtain private user information from tech companies like Google Inc. and LinkedIn Corp., but it's a bit tougher to find someone who's actually stood up to the government and won. Enter Jonathan Blavin of Munger, Tolles & Olson LLP, a 2014 Law360 Rising Star.

Named one of the best four tech attorneys under the age of 40 by a panel of Law360 editors, Blavin represents some of the world's most important tech companies on some of the world's most important issues as they litigate against and negotiate with the government in the controversial U.S. Foreign Intelligence Surveillance Court.

“It's an interesting place to have a case,” he told Law360. “It posed some very unique challenges to us.”

In a case where Google, LinkedIn, Facebook Inc. and others wanted to publicly disclose the type of user information they have been forced to share with the government, the government had much of its argument sealed to everyone including its opposing parties.

“It was the government's position that even lawyers with high-level national security clearances are not permitted to see their documents,” Blavin said. “It was a challenge, we had actually filed a motion with the court to either strike those parts of the record that were sealed or to give us access to them. We were doing everything we could to convince the court that this was essentially an unfair procedure we were in because we couldn't see the underlying evidentiary basis of their argument.”

Ultimately, Blavin's team settled with the government in a deal that allowed the tech companies to share more details about the breadth of the government's information requests. This type of success is something Munger Tolles is getting used to from 37-year-old Blavin, the firm said.

“Even in matters where he is not the lead lawyer, Mr. Blavin has served as the 'legal architect,' helping to craft critical litigation and trial strategies,” it said.

But Blavin's work isn't limited to the taciturn domain of a FISA court.

He is also serving as lead counsel for LinkedIn against anonymous parties that allegedly use computer programs to improperly scrape member data from the social network.

He also represented Facebook when the U.S. Supreme Court in November declined to disturb the social network's $9.5 million settlement of user privacy claims over its notorious "Beacon" feature.

The high court let stand a divided Ninth Circuit opinion approving a class action settlement in which Facebook agreed to terminate its short-lived Beacon feature — designed to track users' online purchases and post them on their Facebook pages — and pay $9.5 million to set up an online privacy foundation and pay class counsel.

With those experiences, it's safe to say that Blavin, who has wanted to work in technology since his days as a Harvard student, has found a field in which he is excelling — even if that work takes him to one of the most infamous nooks of the American legal system.

“It's always interesting to have new and unique opportunities,” he said. “And this sure was one of them.”

--Additional reporting by Andrew Scurria. Editing by Andrew Park.

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