



Clair E. Wischusen

PARTNER

Alexandria

703.650.7030

cwischusen@grsm.com

RELATED SERVICES

- Commercial Litigation
- Food & Beverage
- Intellectual Property Litigation
- Class Action Defense
- Franchise
- Unfair Competition

OFFICES

- Alexandria
- Livingston
- Philadelphia

OVERVIEW

Clair Wischusen is a Partner in the Alexandria and Philadelphia offices of GRSM and a member of the firm's Class Action, Commercial Litigation, Food & Beverage, and Intellectual Property practice groups.

Clair is a seasoned litigator with a national practice focused on complex commercial litigation and class action defense. She has represented clients in a wide range of high-stakes business disputes, including director and officer liability claims, franchise litigation, consumer protection and unfair competition matters, commercial contract disputes, partnership breakups, intellectual property litigation, and real estate and land use disputes. Clair has also developed a particular niche in defending false advertising and food labeling class actions. She has a strong record of success in securing early dismissals in federal and state courts nationwide, often prevailing through strategic motions practice that mitigates litigation risk and expense.

She is also an accomplished appellate advocate with multiple successful appeals in both federal and state courts. She regularly serves as lead counsel in class actions and other complex disputes and has obtained favorable outcomes for clients through dispositive motions, targeted discovery strategies, and effective positioning for resolution or trial.

Clair interned for the Honorable Nan R. Shuker of the Superior Court of the District of Columbia and with the Philadelphia Office of Chief Counsel of the Internal Revenue Service. While in law school, she was an executive editor and staff member of the *Temple Journal of Science, Technology and Environmental Law*. She is an active member of the Federal Bar Association, Northern Virginia Chapter.

REPRESENTATIVE EXPERIENCE

- Obtained dismissal with prejudice of consumer class action alleging false advertising claims against leading toothpaste manufacturer in the United States District Court for the Northern District of New York.
- Represented advertiser in obtaining dismissal of a class action under the Telephone Consumer Protection Act (TCPA) alleging claims for alleged unauthorized text messages in the United States District Court for the District of New Mexico.
- Represented national beverage manufacturer in obtaining dismissal with prejudice of consumer class action alleging false advertising claims in the United States District Court for the Northern District of California.
- Represented digital media company in obtaining dismissal with prejudice of a class action under the Video Privacy Protection Act (VPPA) in the United States District Court for the District of California.
- Represented manufacturer and distributor of consumer healthcare products in obtaining voluntary dismissal with prejudice of putative class action alleging Lanham Act false advertising claims in the United States District Court for the Northern District of Illinois.
- Obtained Third Circuit decision affirming dismissal of \$250 million adversary proceeding against former officers and directors of medical diagnostic company.
- Represented payment card company in obtaining published Fourth Circuit decision affirming favorable summary judgment ruling on antitrust and Lanham Act claims.
- Represented medical device company in obtaining precedential Pennsylvania Supreme Court decision enforcing restrictive covenants against former employee.
- Represented major entertainment company in obtaining dismissal of copyright infringement and idea submission claim in connection with reality television show.
- Obtained dismissal of putative class action under the federal Worker Adjustment and Retraining Notification Act (WARN Act) in the United States District Court for the Eastern District of Pennsylvania.

CREDENTIALS

Admissions

- Virginia
- District of Columbia
- New Jersey
- Pennsylvania
- U.S. Court of Appeals, Third Circuit
- U.S. Court of Appeals, Fourth Circuit
- U.S. Court of Appeals, Tenth Circuit
- U.S. District Court, Eastern and Western Districts of Virginia
- U.S. District Court, District of New Jersey
- U.S. District Court, District of Maryland
- U.S. District Court, Eastern, Western, and Middle Districts of Pennsylvania
- U.S. District Court, District of Columbia

Education

- J.D., *cum laude*, Temple University James E. Beasley School of Law
- B.A., *magna cum laude*, Muhlenberg College