



## → Melissa M. Mikail

### **Associate**

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Melissa M. Mikail is an associate in the Business Trial Practice Group in the firm's Orange County office. She serves on the firm's Pro Bono Committee, Sustainability Committee and is a member of OC's Diversity & Inclusion Working Group.

### **Areas of Practice**

Melissa represents clients in a range of commercial and business litigation matters. She has litigated claims in both state and federal court involving breach of contract, fraud, unfair competition, class action, data breach, false advertising, breach of fiduciary duty, defamation, and trademark and copyright disputes. Her securities litigation practice includes shareholder derivative claims, class actions, SEC enforcement actions and internal investigations.

Melissa provides comprehensive litigation services for every stage of the litigation, including pre-lawsuit advisement and negotiation, discovery, law and motion, settlement, mediation and pre-trial preparation.

Melissa is a committed pro bono attorney and has an extensive record of giving back to her community. She represents parents in adoption proceedings, handles asylum cases, and volunteers at the Federal Pro Se Clinic in Santa Ana, California, providing legal advice to individuals representing themselves in federal civil actions.

Melissa also serves as an adjunct professor of law at Chapman University School of Law where she teaches civil procedure lab to first year law students.

Melissa received her J.D. from Harvard Law School where she engaged in courtroom advocacy and argument while representing indigent clients in felony criminal matters as part of the Harvard Criminal Justice Institute. During law school, Melissa received the Dean's Award for Community Leadership. She served as a judicial extern to the Honorable Geraldine S. Hines for the Massachusetts Supreme Judicial Court.

Most recently, Melissa clerked for the Honorable Consuelo B. Marshall of the Central District of California. During her clerkship, Melissa managed five jury trials and two bench trials for civil matters. Melissa managed cases from the filing of the complaint to the issuance of judgments.

Outside of the courtroom, Melissa loves exploring new recipes with vegetables from her garden and enjoys travelling with her husband and toddler.

## Honors

Sheppard Mullin's Bob Williams Community Betterment Award, 2021

2020 Bob Gerber Pro Bono Award, which honors and recognizes Sheppard Mullin attorneys and staff who demonstrate a significant commitment to pro bono.

## Articles

- Extraterritorial Application of the Computer Fraud and Abuse Act  
*IP Watchdog*, 05.29.2020

### Corporate and Securities Law Blog Posts

- "Supreme Court Limits SEC's Enforcement Power to Penalize Fraud," June 28, 2024
- "California Court of Appeal Holds that a Corporation's Direct Cause of Action for Breach of Fiduciary Duty is Legal Rather than Equitable, Requiring a Trial by Jury," September 15, 2022
- "SEC Commissioner Calls for a Brave New Approach to Corporate Penalties," March 18, 2021
- "Delaware Supreme Court Confirms That Federal Forum Provision Is Facially Valid, Reversing Court of Chancery," March 19, 2020
- "California Court of Appeal Enforces Delaware Forum Selection Bylaw," January 25, 2020
- "Delaware Court of Chancery Declares Ineffective Exclusive Federal Forum Provision for 1933 Act Claims," January 14, 2019

### Trade Secrets Law Blog Posts

- "Extraterritorial Application of the Computer Fraud and Abuse Act," June 25, 2020
- "Members Of The Fashion and Retail Industry: Trade Secret Claims Are In Vogue These Days," July 13, 2020

### White Collar & Government Enforcement Blog Posts

- "DOJ's Updated Enforcement Policy: A Game-Changer for Corporate America?," May 15, 2025

## Media Mentions

'My Lawyers Did Splendid Work!' Tony Buzbee Defeats Jay-Z  
*Texas Lawyer*, 07.14.2025

Jay-Z Loses Defamation And Extortion Suit Against Buzbee  
*Law360*, 07.02.2025

## Events

OC DIAN Wellness CLE

Reclaiming Purpose: Cultivating Fulfillment and Resilience in Legal Practice

Sheppard Mullin 650 Town Center Drive, 10th Floor Costa Mesa, CA 92626, 08.07.2025

## Practices

Litigation

Class Action Defense

Securities Enforcement

Securities Litigation

Intellectual Property

## Industries

Advertising

Aerospace, Defense & Government Services

Entertainment, Technology and Advertising

Food and Beverage

## Education

J.D., Harvard Law School, 2018

B.A., University of California, Riverside, 2015, *summa cum laude*, *Phi Beta Kappa*

## Clerkships

Law clerk to the Honorable Consuelo B. Marshall, Central District of California

Extern to the Honorable Geraldine S. Hines, Massachusetts Supreme Judicial Court

## Admissions

California

U.S. District Court for the Central District of California

U.S. District Court for the Northern District of California

U.S. District Court for the Eastern District of Michigan

## Languages

Arabic