

MVP: Cahill Gordon's Joel Kurtzberg

By **Theresa Schliep**

Law360 (November 17, 2025, 4:03 PM EST) -- Joel Kurtzberg of Cahill Gordon & Reindel LLP secured significant victories on behalf of companies like X Corp. and Grubhub in cases challenging state measures that address online speech, earning him a spot as one of the 2025 Law360 Technology MVPs.

His biggest accomplishment over the past year:

Kurtzberg said his biggest accomplishment over the past year was representing X Corp. in its successful challenge to a California state law that required companies to disclose their treatment of certain categories of online speech, including disinformation.

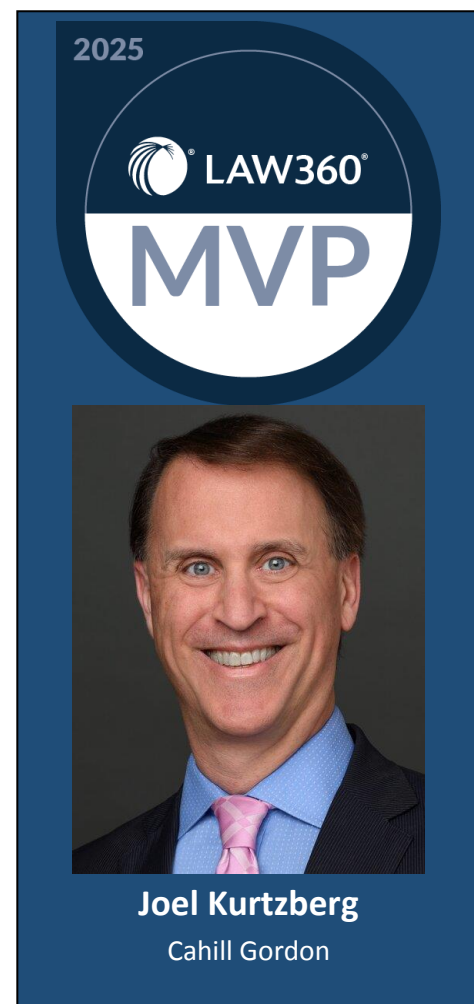
California's A.B. 587, considered a landmark content moderation law, was expected to face First Amendment challenges from the outset, and X Corp. filed its lawsuit targeting the measure in September 2023. The case made its way to the Ninth Circuit, which in September 2024 found certain provisions unconstitutional.

The case concluded in a settlement in February in which the California attorney general agreed to eliminate the problematic provisions that required social media companies to disclose their policies for defining, identifying and rooting out hate speech or racism, extremism or radicalization, disinformation, harassment, foreign political interference and controlled substance distribution. The rest of the law remains intact.

Kurtzberg said he was able to argue that the measure wasn't so much a "very common sense transparency measure," but was rather a "compelled speech problem."

X Corp. is now challenging a similar measure in New York.

"We think that given the outcome in California, and what we hope will be the outcome in New York, that states will think twice before making this kind of law a requirement going forward," Kurtzberg said.



His biggest challenge in the past year:

As far as challenging cases are concerned, Kurtzberg said he's dealing with a complicated, and ongoing, matter involving X Corp.'s claims that a group of Vietnamese nationals are running a cybercrime ring that farms money using computer-generated content and manipulating its social media platform's engagement metrics through bots.

The company in May sued the individuals, alleging they violated the Racketeer Influenced and Corrupt Organizations Act and the Electronic Communications Privacy Act, among other laws.

Kurtzberg said the investigation underlying this case was challenging, as it involved working with X's internal investigative team and pursuing numerous cases to get discovery and identify the suspects. The team even pursued a covert sting operation to confirm that the alleged crimes were taking place in the U.S., according to Kurtzberg.

"It was a really involved matter," he said. "We had to peel back the layers of the onion and try to get to the bottom and identify these people."

But the case, which the defendants haven't responded to, "has had the effect of largely halting the misconduct and stopping these cyber criminals and their sales channels," Kurtzberg added.

His proudest moment in the past year:

Kurtzberg's proudest moment was getting a deal done in litigation involving a facial recognition artificial intelligence company in what he called a classic "bet the company case."

Clearview AI, Kurtzberg's client, faced a litany of proposed class action complaints over the company's collection of biometric data. The cases largely took issue with the company's controversial "scraping" of internet photos to collect biometric facial data and made claims under various state privacy laws.

The Judicial Panel on Multidistrict Litigation centralized a handful of lawsuits challenging Clearview's business practices — which also caught flak from some public officials — in the Northern District of Illinois in 2021. Kurtzberg said the litigation threatened Clearview's existence, saying "the goal of the cases was very clearly to stop the company from continuing to do business, and to completely shut them down."

But the parties reached a unique settlement that entitles members of the class a stake in the company's future growth. The judge overseeing the case approved the deal in March 2025.

Kurtzberg said he thinks the settlement could serve as a model for future cases.

"To emerge on the other end with the company not only not shut down, but also with the plaintiffs having an interest in the success of the company, we thought was a very big success," he added.

Why he's a technology attorney:

Kurtzberg describes himself first and foremost as a First Amendment lawyer. And Cahill Gordon has a rich history of litigating important free speech issues, including the firm's work on New York Times Company v. United States, a 1971 case often called the Pentagon Papers case that solidified the press's

right to publish classified information.

Kurtzberg said he's deeply passionate about the First Amendment and has as a mentor Floyd Abrams, a "legendary First Amendment litigator" who worked on the Pentagon Papers case. And to work on free speech issues in today's society means working with the internet and developing an expertise in technology, Kurtzberg said.

"If you want to litigate about First Amendment issues, you really have to be able to litigate about technology too, since that's how people are getting their information nowadays," he said.

His advice for junior attorneys:

The first piece of advice that Kurtzberg said he might give a mentee is to work on things they're passionate about.

But Kurtzberg said a possibly more important piece of advice is young lawyers should also keep the big picture in mind, even if they're often deep in the weeds of their cases.

Put more simply: The big picture isn't just for the more senior attorneys to worry about.

"There are a lot of talented junior lawyers who do what they're told, and they do it really well," Kurtzberg said. "I think, though, that really great junior lawyers do what they're told, and they do it well. But they also think about what they've been asked to do and how it fits into the overarching strategy of the case."

--As told to Theresa Schliep. Additional reporting by Hannah Albarazi, Hailey Konnath, Dorothy Atkins, Rae Ann Varona, Lauraann Wood and Celeste Bott. Editing by Michael Watanabe.

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