



MARISA C. LIVESAY

SENIOR COUNSEL
SAN FRANCISCO

☎ 415.956.1900

📠 415.291.4520

Marisa Livesay is a Senior Counsel at Bartko Pavia LLP and a member of the Litigation Practice. She takes pride in her ability to distill complex research and arguments into effective and persuasive writing that achieves positive results for her clients. Marisa's practice focuses on navigating the intricacies of antitrust and unfair competition law, utilizing a collaborative and pragmatic approach to resolve challenges in the management of complex cases. Marisa possesses expertise across all stages of litigation, including drafting pleadings and dispositive motions, overseeing complex discovery, and handling trial preparation and mediation. Before joining the firm, Marisa gained extensive experience litigating a variety of complex class actions at both the state and federal court levels, with a particular emphasis on large-scale antitrust litigation. She has successfully litigated cases involving unfair and deceptive practices as well as unlawful taxation claims, achieving favorable outcomes in multiple actions before the California Supreme Court. Additionally, Marisa has represented institutional investors, including public and labor pension funds, who suffered losses due to corporate fraud in securities and derivative litigation.

CREDENTIALS

EDUCATION

- University of California, Los Angeles School of Law, J.D., (Corporate Law Specialization)
- University of Arizona, B.A.

BAR ADMISSIONS

- State Bar of California

COURT ADMISSIONS

- United States Court of Appeals for the Ninth Circuit
- United States District Court for the Northern District of California
- United States District Court for the Eastern District of California
- United States District Court for the Southern District of California
- United States District Court for the Central District of California

EXPERIENCE

The representative cases for Marisa Livesay primarily involve complex antitrust and unfair competition litigation, with a focus on large-scale class actions, unfair practices, and corporate fraud. One notable case she has managed is:

VHS Liquidating Trust v. Blue Cross Blue Shield Association (Alameda County Superior Court, Case No. RG21106600)

- Marisa has been involved since the early stages of the case, overseeing day-to-day management, motion practice, and pleadings.
- She successfully defeated Defendants' motion to strike regarding the statute of limitations, allowing claims on behalf of providers to be tolled back to 2008.
- She also upheld all claims through two rounds of demurrer.
- Key rulings include:
 - *VHS Liquidating Trust v. Blue Cross of California (June 1, 2022)* (2022 WL 2073534)
 - *VHS Liquidating Trust v. Blue Cross of California (June 5, 2023)* (2023 WL 3880421)

In addition to this case, Marisa has worked extensively on complex class actions at the state and federal levels, focusing on antitrust litigation, deceptive practices, and unlawful taxation. Her experience includes representing institutional investors, such as public and labor pension funds, in securities and derivative litigation arising from corporate fraud.

INSIGHTS

PRESS RELEASE | 05, JUNE 2023

HOSPITALS SCORE ANOTHER MASSIVE VICTORY AGAINST THE BLUES AS COURT REJECTS INSURANCE COMPANIES' SECOND ATTEMPT TO DISMISS HEALTHCARE PROVIDERS' ANTITRUST CLAIMS

San Francisco, CA – In a June 5, 2023 Order, only made available on the public docket late June 6, 2023, the Honorable Evelio Grillo of the Alameda Superior Court, in VHS Liquidating Trust, et al. v. Blue Cross Blue Shield Association, et al., Case Number RG21106600, issued a comprehensive Order resoundingly rejecting the Defendant Blues' second attempt to dismiss the Plaintiffs'...

PRESS RELEASE | 01, JUNE 2022

COURT REJECTS INSURANCE COMPANIES' EFFORT TO DISMISS ANTITRUST CLAIMS AND LIMIT DAMAGES OF HEALTHCARE PROVIDERS

San Francisco, CA – On June 1, 2022, the Honorable Evelio Grillo of the Alameda Superior Court, in VHS Liquidating Trust, et al. v. Blue Cross Blue Shield Association, et al., Case Number RG21106600, issued two comprehensive orders that emphatically rejected the Defendants' attempts to dismiss the Plaintiffs' claims and limit their potential damages.

PUBLICATIONS

- November 2023 Complex Civil Litigation Symposium, Co-Moderator of Cutting Edge Management of Complex Cases Panel

AREAS OF FOCUS

PRACTICES

Litigation