Wheeler Trigg O'Donnell

Herman J. Hoying

Counsel

HOYING@WTOTRIAL.COM

303.244.0162

Whirlpool Win Nets "Litigators of the Week"

Herman Hoying represents clients in high-stakes commercial litigation. Prior to joining WTO, he was a civil trial attorney for the U.S. Department of Justice, litigation associate at Am Law 100 firms, and federal law clerk. He has represented clients including manufacturers, financial institutions, health care companies, and technology companies.

Herman has handled complex disputes involving antitrust, consumer protection, intellectual property, employment, and catastrophic injury tort claims. He also has extensive experience defending clients in class action and multi-district litigation.

Herman is also committed to pro bono work, receiving an Outstanding Volunteer Award from the Justice & Diversity Center of the San Francisco Bar Association and the Transgender Law Center's Community Partner Award.

Herman's personal interests include travel, live music, and skiing.

Credentials

Education

Washington and Lee University School of Law, J.D., *magna cum laude,* Order of the Coif, 2003; Most Outstanding Contribution to Diversity in the Law School

Northwestern University, B.A., 2000, Psychology and Political Science

CLERKSHIPS

Law Clerk to Magistrate Judge Scott T. Varholak, United States District Court for the District of Colorado

Law Clerk to the Honorable Ivan Lemelle, United States District Court for the Eastern District of Louisiana

GOVERNMENT SERVICE

Trial Attorney, U.S. Department of Justice, Civil Division - Torts Branch in Washington, D.C.

RECOGNITION

Outstanding Volunteer, Justice & Diversity Center of the San Francisco Bar Association, 2015

Community Partner Award, Transgender Law Center, 2015

BAR AND ADMISSIONS

California
Colorado
District of Columbia
Georgia
New York
U.S. Court of Appeals, 9th Circuit
U.S. District Court, C.D. California

U.S. District Court, D. Colorado
U.S. District Court, W.D. Michigan

OTHER EXPERIENCE

Ad Astra Law Group,
Senior Counsel

Morgan, Lewis & Bockius,
Associate

King & Spalding,
Associate

Cravath, Swaine & Moore,
Associate

Practices

Catastrophic Injury
Class Actions
Commercial Litigation
Mass Torts
Product Liability

Cases

Won on behalf of a home appliance trade association in a complex federal constitutional case challenging state legislation on First Amendment grounds.

Won dismissal for Whirlpool in industry-wide consumer class action litigation alleging tens of millions of gas cooking products emit harmful pollutants in homes.

Defended a global manufacturer of LCD panels in multidistrict litigation involving state and federal antitrust and consumer protection claims brought on behalf of classes of direct and indirect purchasers, opt-outs, and state attorneys general.

Defended an auto parts manufacturer in multidistrict antitrust litigation that resulted in settlement shortly before trial.

Served as national coordinating counsel for a large financial institution in litigation arising out of the subprime mortgage crisis.

Served as lead counsel in pro bono representation of two transgender women in custody of the California Department of Corrections seeking access to gender affirmation surgery. Successfully litigated a motion for a preliminary injunction and negotiated a settlement that resulted in the first such surgery for an incarcerated individual in the United States.

© 2026 Wheeler Trigg O'Donnell LLP. All Rights Reserved