

Gibson Dunn Earns Litigator of the Week Shout-Out for Rare Complete Summary Win in Harassment Case

Accolades | May 16, 2025

The AmLaw Litigation Daily

A Gibson Dunn team earned a Litigator of the Week shout-out from *Litigation Daily* for securing a rare complete summary judgment win on behalf of our client, GRAIL, Inc., against a former employee's claims of race-based discrimination, harassment, and retaliation under the California Fair Employment and Housing Act.

The plaintiff filed a complaint after overhearing an inappropriate joke made by a direct report to another employee at a sales event. The company investigated the complaint and took disciplinary action against the offending employee. The plaintiff disagreed with the level of discipline, believing the decision not to terminate the employee violated company policy. Gibson Dunn demonstrated that our client had robust anti-harassment policies and responded promptly — investigating the complaint, issuing a written warning, and mandating sensitivity training.

The plaintiff also alleged retaliation when her role was eliminated during a restructuring. Our team showed that the client had offered a comparable role that avoided supervision of the alleged harasser, and that the plaintiff had already accepted another job before learning her role had been eliminated.

The Alameda County Superior Court found that the conduct did not meet the legal threshold for harassment, the company's response was appropriate, and the job elimination was not retaliatory. The court also excluded the plaintiff's speculative evidence and granted summary judgment in our client's favor.

The team included partners Theane Evangelis, Katherine V.A. Smith and Cynthia Chen McTernan, and associates Emily Sauer, Anna Ziv, and Jacob Arber.

Read more (subscription required): <https://www.law.com/litigationdaily/2025/05/16/litigator-of-the-week-runners-up-and-shout-outs/>

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