

Leading Commercial Litigators 2025: Theane Evangelis

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As co-chair of the global litigation practice group at Gibson, Dunn & Crutcher, [Theane D. Evangelis](#) is used to cases involving big money judgments and significant policy issues. Even so, two blockbuster results in 2024 stood out: In June, Evangelis persuaded the U.S. Supreme Court to rule 6-3 that local governments can enforce public camping regulations -- an outcome believed by officials to be a key step in managing the homelessness crisis by encouraging unhoused people to accept social services. *City of Grants Pass, Oregon v. Johnson et al.*, 23-175 (S. Ct., op. filed June 28, 2024). And, in November, Evangelis successfully convinced a federal trial judge in Washington State to vacate a \$198 million punitive damages award against her client, a package delivery service, in a single-plaintiff retaliation and wrongful termination case following a jury trial handled by a different firm. *Gratton v. United Parcel Service Inc.*, 1:22-cv-03149 (E.D. Wash., filed Oct. 18, 2022). "Grants Pass truly was a landmark that has already had an enormous practical impact on cities across the country," Evangelis said. The decision overturned a line of cases including the 9th U.S. Circuit Court of Appeals' *Martin v. City of Boise* ruling in 2018. "The lower courts had twisted the Eighth Amendment beyond all recognition," Evangelis said, referring to rulings that held camping restrictions amounted to the cruel and unusual punishment of homeless people. "Cities and states both blue and red united behind our position." Thousands of cities, 24 states, the U.S. Chamber of Commerce, the Retail Litigation Center, the editorial boards of the Washington Post and the Wall Street Journal and many others filed amicus briefs backing Grants Pass. At one point during oral argument, Evangelis said she was encouraged by Chief Justice John G. Roberts, who asked her opposing counsel, "Why do you think these nine people are the best people to judge and weigh those policy judgments?" "That was a signal to me that he felt the question should be left to local representatives," which was our argument, Evangelis said. "The cities spoke and the court listened." In the UPS case, a jury in September awarded the plaintiff, a former company driver, \$39.6 million in compensatory damages for emotional distress and \$198 million in punitives. He had been terminated following an investigation that confirmed he had sexually assaulted a co-worker. When UPS turned to Gibson Dunn, Evangelis -- with only days to file post-trial motions -- quickly digested the trial record, identified lines of attack and moved for judgment as a matter of law. "There was no evidence whatever to support a punitive damages award, no improper conduct by the company at all," she said. Her motion for a new trial and to vacate the entire verdict is pending. "They did the right thing here."

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