



NOVEMBER 2, 2022

TECH INDUSTRY LITIGATION DEPARTMENT OF THE YEAR WINNER:

GIBSON, DUNN & CRUTCHER

Q&A Gibson, Dunn & Crutcher secured an anti-trust victory on behalf of Apple in litigation from Epic Games over the tech giant’s App Store marketplace, earning the firm the top spot as the Tech Industry Litigation Department of the Year winner as part of The Recorder’s California Legal Awards.

Gibson Dunn partner Theane Evangelis in Los Angeles recently caught up with The Recorder about how lawyers’ relationship with clients is evolving into even more of a partnership. *Answers have been edited for length and clarity.*

What do you see as your team’s most significant achievements over the past year?

We are proud of all the wins in our submission. But our victory for Apple in the Epic antitrust trial was our most significant achievement this past year: Not only did we prove that Apple’s business model complies with the antitrust laws; we persuaded the court to grant millions of dollars in damages against Epic, the plaintiff in the suit. This shows how Gibson Dunn wins tech cases: We assembled a team that included veteran trial lawyers; experienced antitrust specialists; and our market-leading appellate team. And our win for Uber in the Ninth Circuit is critical for the entire “gig economy” sector, because it established that these companies’ arbitration agreements are enforceable under the Federal Arbitration Act.

What does your firm look for when hiring a litigator?

We look for talented lawyers who will enhance our capabilities in areas we

have identified as strategically important—including the tech sector. Diversity is important to us, and the ability to work well in our collegial and team-oriented culture is critical. At the more junior level, we look for lawyers who are smart, creative, tenacious and practical—litigators who want to learn about our clients’ businesses and help them solve their problems quickly and effectively. In the past year we have hired three California lateral partners into our technology litigation practice: Vivek Mohan in Palo Alto, and Elizabeth McCloskey and Rosemarie Ring in San Francisco. All three already had strong relationships with our existing clients in the technology sector, and we knew they would thrive on our platform.

What do you see as your firm’s competitive advantage compared to other firms when a client considers you for representation on a piece of litigation?

We handle more disputes in the tech sector than any other law firm. Our lawyers are adept at quickly learning about our clients’ complex technologies and explaining them to courts and juries clearly, concisely, and effectively. We understand our clients’ business models, which enables us to help them solve their disputes in the manner that suits their needs—whether that means winning a motion to dismiss or motion to compel arbitration; defeating class certification; prevailing at summary judgment; taking a case all the way through trial and up on appeal—or settling a dispute at the appropriate time, from a position of strength. And because we



Courtesy photo

Theane Evangelis, Gibson Dunn.

have been handling these cases for decades, we can field the most effective and efficient trial and appellate team for any given matter.

How is the business of litigation changing, and how are you adapting to those changes?

Clients increasingly want their lawyers to be their partners: to understand their business imperatives and to help them advance their objectives efficiently and effectively. This is true for technology clients at every stage of the life cycle: Whether the company is a startup or a trillion-dollar public company, its lawyers need to understand its assets, business model, goals and relationships with its business partners and users. We have adapted to these changes by developing a deep bench of lawyers who are passionate about working with our clients to accomplish their goals and solve their disputes quickly and decisively.