

Daily Journal

FEBRUARY 27, 2013

TOP 20 UNDER FORTY

EDITOR'S NOTE

To compile this list, *Daily Journal* editors and reporters considered hundreds of lawyers from throughout California. We looked at every major practice type, including corporate transactions, criminal prosecution and intellectual property litigation.

The most important consideration was the work.

How have this lawyer's cases impacted the law, a particular sector of industry or society? That's the first question we ask ourselves in considering each person. We also look at the candidate's impact on the legal community. Is he or she taking a leadership role within the firm, agency or organization? Are they active in bar groups and public

service organizations?

This is the 20th year we've published the list, and the remarkable thing is that the pool of worthy candidates gets deeper every year. As you read through this supplement, we think you'll agree that California's legal talent is some of the best you'll find anywhere in the world.

THEANE EVANGELIS KAPUR

Kapur has carved out a piece of history for herself as a key member of the team representing two gay couples in the closely-watched federal constitutional challenge to Proposition 8, California's ban on same-sex marriage.

"It's been the highlight of my career in private practice," Kapur said. "I had the honor of preparing the first draft of the complaint that started the case when I was an associate. This has really been a life-changing experience."

Some history: In 2010, a trial court held that the measure was unconstitutional, and last year the 9th U.S. Circuit Court of Appeals affirmed the ruling.

Kapur served as one of the lead writers of the briefing in the district court and 9th Circuit, as well as the U.S. Supreme Court, which has agreed to hear the case later this year. *Hollingsworth v. Perry*, 12-144.

"When I first learned about the case, I knew how enormously important and historic it would be," said Kapur, who served as a law clerk to U.S. Supreme Court Justice Sandra Day O'Connor before joining Gibson Dunn. "This will be a game changer."

Kapur also is representing plaintiffs in the constitutional challenge of California's teacher tenure laws. The current laws, she said, "make it virtually impossible for school districts to fire grossly ineffective teachers." *Vergara v. State of California*, BC484642 (L.A. Super. Ct., filed May 14, 2012).

"I feel that we are failing our students in California by not providing them with



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the kind of teachers they deserve and are guaranteed under the Constitution," she said.

In 2011, Kapur argued a case for client Hewlett-Packard before the 9th Circuit, securing a precedent-setting published opinion regarding a manufacturer's duty to disclose latent defects under California law. *Wilson v. Hewlett-Packard Co.*, 668 F.3d 1136 (9th Cir. 2012).

The court dismissed the putative nationwide class action last year, holding that a manufacturer has no duty to make

FIRM

Gibson, Dunn & Crutcher LLP

LOCATION

Los Angeles

PRACTICE TYPE

Constitutional law, class actions, media and entertainment

SPECIALTIES

Appellate

AGE

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a disclosure unless there is a known or unreasonable safety risk.

"It was a very important decision," Kapur said. "For many years, plaintiff lawyers have been bringing suits under California consumer protection statutes. It was becoming increasingly difficult for businesses to operate here."

She added, "It was important to focus the court on how far-reaching the plaintiff's theory was. They were arguing that companies had a duty to disclose all manner of things."

Sometimes, Kapur said, "Our cases deal with dry legal issues, but it's important to put them in context and explain to the court what the practical result would be if they adopt a certain rule or reach a certain decision."

— Pat Broderick