

A photograph of three women standing in a modern building atrium with a glass and steel structure. The woman on the left is wearing a dark pinstriped suit. The woman in the center is wearing a dark suit over a pink and white striped shirt. The woman on the right is wearing a brown suit with a patterned scarf. They are all smiling and have their arms crossed or hands clasped.

Top 75 Women Litigators

How They Got There

The state's trial elite talk about the turning points in their careers and recent cases.

From left,
Joan M. Haratani,
Elizabeth J. Cabraser
and Jan Nielsen Little

Photo by Xiang Xing Zhou

Catalysts for Change

By Sarah Garvey

The catalysts range from the ideal of remedying injustice to overcoming a life-threatening illness. Economic exploitation in a South American country gnawed at one woman's sense of values while rat-infested slum housing drove another.

However different their paths and motivation, the 75 lawyers recognized as the Daily Journal's Top Women Litigators eventually reached a turning point: a decision to enter the arena.

Many forged their own paths, and all continue to expand their roles inside and outside courtrooms.

As the Bar Association of San Francisco's first minority woman president, Joan M. Haratani is working on initiatives to increase diversity within the profession. Her leadership role also is allowing her to hone management skills.

"I feel like I'm growing by leaps and bounds," said Haratani of Morgan, Lewis & Bockius in San Francisco. "I think it's just a matter of finding a path and then following it."

When Jan N. Little first started, she only knew she wanted to be a lawyer.

"I just had no idea what kind," said Little of San Francisco's Kecker & Van Nest.

Happily, it crystallized when, after law school, she spent four years with the U.S. Department of Justice trying criminal cases.

"I just really enjoyed it. It was interesting, challenging and important," said Little, who recently represented former Enron Chief Financial Officer Andrew Fastow.

"I felt like it was work that really mattered."

Jennifer C. Pizer, senior counsel for Lambda Legal Defense and Education Fund, always knew what mattered to her. She studied social and feminist theory at Harvard College and then went to New York University School of Law to learn how to use law as a tool to remedy injustice, particularly in areas of sexuality and gender.

She served as legal director of the National Abortion Rights Action League and then entered private practice in the Bay Area as an antitrust and patent litigator.

But even as she handled "high-tech fights over computer patents," Pizer sat on Lambda's board of directors and participated in volunteer advocacy efforts on behalf of the lesbian, gay, bisexual and transgender community.

Pizer's decision to join Lambda in Los Angeles and devote herself full time to its activities in 1996 marked a turning point because it rerouted

her to an earlier "calling to participate in this civil rights movement we're engaged in."

Barbara E. Hadsell became inspired to devote herself to civil rights while spending time in Bolivia with her husband in the early 1970s. As he studied, she traveled the country, finding economic and human rights violations.

"Bolivia was, and continues to be, one of the poorest countries in Latin America," Hadsell said. Yet its people have a "very proud sense of who they are."

Being in that kind of environment, she said, "helps to knock you off the view of life you get used to in a place like the United States, a privileged point of view that [people with power] define culture and ... who people are and what their rights are."

Determined to make a difference, Hadsell entered law school and took jobs with a union-side labor firm, the Federal Public Defender and progressive lawyer Ben Margolis, who died in 1999.

Today, the Pasadena-based civil rights and international law litigator continues to fight injustice across the globe, from California to Nigeria.

"The struggle itself is what makes you human," Hadsell said, "and makes life worth living."

For securities litigator Susan S. Muck, an intensely personal struggle proved to be a defining professional experience.

Two years ago, Muck was diagnosed with breast cancer. As she endured treatment, she had insights into approaching her work.

Muck gained resolve to tackle cases "with much more serious allegations than just a stock price decline." And she found a new level of confidence to handle whatever unpleasantness comes along with those cases — like having opposing counsel hang up on her.

"It's really hard to scare a woman who's had breast cancer by hanging up on her," Muck said, "or yelling at her."

She also has become more empathetic with clients.

"I spend lots of time with white boards and flow charts ... laying things out for clients," she said. "They want to know what is going to happen to them in the same way I wanted to know what was going to happen to me."

From an intimate experience to international evolution, Nancy L. Abell has seen her work change as a result of globalization. The chair of Paul, Hastings, Janofsky & Walker's 185-law-

yer employment law department said she used to evaluate cases in a "this country, the laws here" manner.

But, as companies have gone from having two overseas outposts to offices in 27 countries, Abell has had to change the way she practices.

"Every day when I get up, I think about what's happening around the globe and how important it is that we be integrated [globally] in our solutions for clients," she said.

"It's almost a feeling like growing up. It's not just about 'this' litigation. It's working with people [who] are taking action around the world and, in many cases, setting standards."

The diverse nature of litigation was precisely the initial attraction for Morrison & Foerster's Rachel Krevans. As a young associate, she spent three years in the firm's tax department.

She learned the tax implications of compensation plans, nonprofit organizations and municipal finance bonds.

Though she ached to try something different, a tax partner told her that the practice required specialists. So, in 1989, she transferred to the firm's litigation group.

"And that's when I realized that the thing I liked the best was doing something for the first time," Krevans said.

She never looked back. During the past 17 years, the head of the firm's San Francisco office has handled everything from patent infringement to sex discrimination to oil and gas royalty cases.

"In my heart, I'm just a litigator," Krevans said. "It's what I want to do every day."

Becoming emotionally connected to her work proved a major turning point for Los Angeles litigator Adela Carrasco.

After graduating from Stanford University, she "fell into law school" and figured she'd practice "five years max" before moving on to something else.

Twelve years later, she had gained substantial litigation skills from doing defense-side work at various firms but still felt a lack of direction and emotional fulfillment.

"I was pretty much living day-to-day," she said.

In 2001, she took a break to travel, read, run, socialize and refocus. In the meantime, she agreed to help represent a group of low-income tenant families allegedly living among rats, mold and doors without locks.

The case ended in a \$2.1 million confidential settlement, and each family was able to purchase its own home.

For Carrasco, it was a transformative experience.

"You're essentially their voice," she said. "You give them a voice."

And in giving her clients the voice of justice, Carrasco developed her own voice as an advocate.

"My desire [is] to make an impact in our society," she said, "even if it's one case at a time."

DAILY JOURNAL TOP 75
WOMEN LITIGATORS

Daralyn Durie
San Francisco

Place of birth: Ottawa

Law school: Boalt Hall

Law firm: Keker & Van Nest

Practice area: Intellectual property

Daralyn Durie says her decision to become a lawyer likely stemmed from her intellectual debates with her father.

She credits her success as a litigator largely to her decision to join San Francisco's Keker & Van Nest.

Durie joined the firm after clerking for Judge Douglas Ginsberg on the U.S. Court of Appeals for the District of Columbia Circuit.

"I think the most important decision I have made so far was the first one — choosing to start work at a firm with a terrific group of people who support and encourage each other to excel," Durie said.

Today, Durie handles complex patent litigation. She recently obtained a ruling invalidating a patent owned by Acacia Research Corp. Acacia had claimed infringement against much of the cable and satellite television industries on the



ground that the claims of the patent are indefinite.

The trial turned when it became clear that Acacia's own expert could not make much sense of the patent.

Durie will soon head to the Eastern District of Texas where she will represent Comcast Cable in an infringement claim against its digital voice service.

— Kevin Livingston

Susan Harriman
San Francisco

Place of birth: Providence, R.I.

Law school: Hastings College of the Law

Law firm: Keker & Van Nest

Practice area: Business litigation

In a recent battle over the construction of an underground parking garage in Golden Gate Park, Harriman represented the Music Concourse Community Partnership, the nonprofit created to raise funds for and run the garage.

Various individuals brought complaints seeking to prevent the garage from being built, but the San Francisco Superior Court ruled in favor of Harriman's client, and the decision was affirmed on appeal.

The turning point in that case, Harriman said, was when the Court of Appeals reversed the entry of a preliminary injunction halting construction for the garage, which opened in October.

Harriman, who's been working with John Keker and Bob Van Nest since 1985, grew up in a housing project in Providence as the fifth of nine children. She learned early how to stand up for



herself and her siblings.

That experience and a two-year stint in the Peace Corps in Zaire "honed my interest in a career that enables me to stand up for what I believe in," Harriman said.

— Anna Oberthur

Jan Nielsen Little
San Francisco

Place of birth: Oakland

Law school: Yale Law School

Law firm: Keker & Van Nest

Practice area: Business litigation, white-collar criminal defense

Along with two of her Keker & Van Nest partners, Jan N. Little secured the dismissal of a federal shareholder class action earlier this year on behalf of Electronic Arts Inc. The trio also managed to convince plaintiffs' counsel to drop three separate derivative claims.

The turning point in Little's career came when she got a job at the U.S. Justice Department. It was supposed to be a one-year stint, but she ended up staying for four because she found she loved criminal cases and trial work so much.

"I felt like it was work that really mattered," Little said.

Growing up in Oakland, Little, who has a host of big-name clients, including former Enron Chief Financial Officer Andrew Fastow, spent her afternoons working in her dad's solo law office run-



ning the Thermo-Fax copy machine and doing other tasks.

"He always discouraged me from being a trial lawyer," Little said, "so that's what I am."

— Anna Oberthur