

Contact

Susan L. Gutierrez

Partner

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Susan L. Gutierrez is a partner in the Litigation Department and co-head of the firm's Mass Torts & Product Liability Group.

As a commercial litigator and trial attorney, Susan specializes in high-stakes matters and complex disputes across industries. She has tried multiple high-profile cases to verdict in state and federal courts throughout the country. Susan also has significant experience coordinating and managing large, complex actions from the pleading stage through discovery and trial, including cross-jurisdiction matters involving multiple parties, counsel, and case issues. She represents many Fortune 500 companies in consumer products, pharmaceutical, media and entertainment and sports industries, including AbbVie, Meta, Sandoz Inc., Gilead Sciences, Johnson & Johnson, McDonald's and National Football League.

Susan has consistently been named a Future Star by *Euromoney's Benchmark Litigation*. Susan was also recognized as one of *LABJ*'s 2021 Minority Leaders of Influence. In 2019, *Law360* named Susan a Rising Star in Trials. *Law360*'s Rising Star list recognizes attorneys nationwide under 40 whose legal accomplishments transcend their age. Susan was also named to the *Daily Journal*'s Top 40 Under 40 in California, and Rising Star (Litigation: Trial Lawyer) by *Euromoney Americas* in 2019.

Matters

Notable representations and victories include:

- *Kennedy v. Meta Platforms Inc. et al.*: Trial counsel for Meta and two individual defendants in a high-stakes gender discrimination action in San Francisco Superior Court. Plaintiff asserted claims under California's Fair Employment and Housing Act for hostile work environment, retaliation, and sex-based discrimination, seeking $32 million in economic damages and $500 million in punitive damages. Following a multi-month jury trial, the jury rendered a complete defense verdict on all claims.
- *In re HIV Antitrust Litigation:* Trial counsel for Gilead Sciences, Inc., Gilead Holdings, LLC, and Gilead Sciences, LLC in a $3.6 billion antitrust case on allegations that the pharmaceutical company struck an anticompetitive "pay-for-delay" patent settlement related to two HIV medications. A California federal jury deliberated for two days and delivered a full defense verdict.
- *Echeverria v. Johnson & Johnson, et al.*: Trial counsel to Johnson & Johnson (J&J) in the first-ever California product liability trial relating to the company's talc-based Baby Powder and Shower to Shower products and their alleged link to ovarian cancer. After trial, the Court entered judgment notwithstanding the jury verdict for the J&J defendants, and, in the alternative, granted J&J's motion for a new trial.
- *Daniels v. Johnson & Johnson, et al.*: Trial counsel to J&J in a similar product liability trial related to J&J's talc-based products in St. Louis. The jury returned a complete defense verdict on all claims and awarded zero damages.
- *Ruben v. Creative Artists Agency LLC (CAA)*: class action dismissed in exchange for our client's relatively small donation to non-profit organization, while 22 related class actions against other entertainment industry entities (non-clients) settled for more than $74 million.
- *Baylor v. National Basketball Association et al.*: dismissal at trial obtained in favor of NBA.

- *Mintz v. Bartelstein & Assocs. Inc.*: summary judgment granted as to our client's affirmative claims for invasion of privacy and violation of Cal. Penal Code § 502 (Computer Fraud and Abuse Act), as well as to counterclaims for violation of the Uniform Trade Secrets Act, breach of contract, conversion, defamation and related tort claims.
- *Mentor Worldwide LLC v. Sientra, Inc. et al.*: verdict in favor of our clients following an eight-week jury trial on claims for misappropriation of trade secrets, intentional interference with prospective economic advantage and related tort claims. Verdict also returned in favor of our clients in a bench trial of unfair competition claims.

Practices

Trials, Litigation, Antitrust, Mass Torts & Product Liability, Employment Litigation, Copyright, Restrictive Covenants, Trade Secrets & Unfair Competition

Industries

Private Capital

Education

University of California, Berkeley, School of Law, J.D.
Co-Director, Board of Advocates (moot court)
Staff editor, *Berkeley Business Law Journal*
University of California, San Diego, B.A.

Admissions & Qualifications

California

Memberships

Association of Business Trial Lawyers (Los Angeles), Member
The American Red Cross, West Los Angeles, Board Member
Mexican-American Bar Foundation, Board of Trustees
Education Through Music, Associate Board

Awards & Recognition

The Legal 500 United States: General Commercial Disputes: 2019-2025, 2026 (Leading Partners)

Benchmark Litigation, Future Star 2023-2026

Benchmark Litigation, '40 and Under' 2023-2025

California Legal Awards: Lawyers on the Fast Track, 2023

Daily Journal Top 40 Under 40 Lawyers 2019

Euromoney Americas Rising Stars (Litigation: Trial Lawyer), 2018-2019

Law360 Rising Star (Trials) 2019

Lawdragon 500 Leading Litigators in America 2024-2025

Los Angeles Business Journal Minority Leaders of Influence 2021

Minority Corporate Counsel Association Rising Star 2019

Southern California Super Lawyers Rising Stars 2015-2018