

[Contact](#)**Susan L. Gutierrez****Partner****Los Angeles**    **+1.310.284.5624****sgutierrez@proskauer.com**

Susan L. Gutierrez is a partner in the Litigation Department and co-head of the firm's 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 Gilead Sciences, Johnson & Johnson, National Football League and McDonald's.

Most recently, Susan was 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.

### Notable representations and victories include:

- *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

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

#### Industries

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Entertainment, Private Capital

#### Education

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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

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California

#### Memberships

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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

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Benchmark Litigation, Future Star 2023-2024

Benchmark Litigation, 40 and Under 2023

Los Angeles Business Journal Minority Leaders of Influence 2021

Southern California Super Lawyers Rising Stars 2015-2018

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

The Legal 500 United States: General Commercial Disputes: Next Generation

Lawyer 2019-2023

Daily Journal Top 40 Under 40 Lawyers 2019

Minority Corporate Counsel Association Rising Star 2019

Law360 Rising Star (Trials) 2019

California Legal Awards: Lawyers on the Fast Track, 2023

Lawdragon 500 Leading Litigators in America 2024