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TOP Women Lawyers 2024



Evangeline A.Z. Burbidge

“They took that leap of faith on their own, and I joined them a little later,” she said.

Burbidge was steeped in the law from childhood, when she watched old black-and-white Perry Mason episodes with her father, Michael D. Zimmerman, who was then the chief justice of the Utah Supreme Court.

“Raymond Burr inspired me, and I always wanted to be a lawyer,” she said. “Now, my kids think black-and-white shows are boring.”

Burbidge and colleagues are prepping for an upcoming trial for a major technology company client that is defending against trade secret misappropriation claims plus allegations of the breach of a non-disclosure agreement.

She’s keeping mum about details, but she noted that an important lesson she’s learned from previous trials will influence witness strategy. In cases like this one where the allegations date back years, attorneys sometimes present testimony to juries by showing excerpts from depositions.

“It works much, much better with juries to have live witnesses in the courtroom,” Burbidge said. “We are doing everything we can to get our witnesses in this case to show up in person.”

Burbidge, as lead counsel for her firm, represented software maker EchoSpan Inc. and obtained a \$25.7 million federal jury verdict on claims that a rival signed up for a free trial of its employee review platform and created a copycat product. *EchoSpan Inc. v. Medallia Inc.*, 5:22-cv-01732 (N.D. Cal., filed Oct. 15, 2021).

“EchoSpan’s CEO cared so much about this,” Burbidge said. “His wife came to court every day. He was a great witness, he teared up. He told the jury that he’d cashed out his retirement to fund this case. He testified that he brought the lawsuit because he’d taught his kids to stand tall and to stand up to bullies. The jury saw a credible, hardworking witness.”

The award included \$11.7 million in compensatory damages and \$14 million in punitives. The jury found that during the six-day trial Medallia had willfully misrepresented its activities. Following entry of judgment on Nov. 1, 2023, Burbidge’s client was awarded more than \$1 million in attorney fees.

Burbidge examined the plaintiff damages expert. “He was fundamental to the case,” she said. “We had four lawyers at our counsel table and the other side had a much deeper bench. It was a happy outcome.”

— JOHN ROEMER

Lewis & Llewellyn LLP

LITIGATION

SAN FRANCISCO

Evangeline A.Z. Burbidge is a civil litigation partner and advisor at Lewis & Llewellyn LLP who focuses on contract disputes, trade secrets theft and founders’ disputes.

She joined the firm in 2014 from her post as an associate at Latham & Watkins LLP, following Latham partners Marc R. Lewis and Paul T. Llewellyn who’d founded Lewis & Llewellyn in 2012.

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