

# Daily Journal

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## TOP 40 UNDER 40

For 22 years, the Daily Journal published an annual list of 20 leading California lawyers under age 40. In recent years, we came to realize there was no way 20 people could embody the breadth and depth of legal work being done by California's rising lawyers. They are working on issues affecting technology, health care, energy, criminal justice, civil rights and so much more.

For this list, our 23rd, we selected 40 lawyers. Doubling the size of the list did not diminish the quality

of the lawyers who appear on it. To the contrary. Our editors and reporters considered hundreds of lawyers. They represented every major practice type and specialty. Dozens of top-notch attorneys working on major issues of our time were left on the proverbial cutting room floor.

Our selection process centered on the impact of the lawyer's work. How has it affected the state of the law, a particular sector of industry or society? We also looked

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?

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.

—The Editors

### TOP 40 Under 40

## Paul T. Llewellyn

### Lewis & Llewellyn LLP

San Francisco

Practice: Civil litigation

Age: 39

Working at a large firm, Llewellyn and colleague Marc R. Lewis grew restless. "In 2012, I departed the safety of Latham & Watkins," Llewellyn said, "and co-founded Lewis & Llewellyn with the specific mission of winning high-stakes, complex civil cases for our clients."

They started with no clients and now have more than 100; from two lawyers the firm has grown to nine. "It's been a chance to develop a diverse practice, to try more cases and to experience the excitement of opening our own litigation boutique," he said.

He said San Francisco is an exciting place to practice law. "There's a booming tech economy and an ever-increasing demand for litigation here," he said.

In late April, Llewellyn settled a closely watched case involving another sector of the Bay Area's hot economy: real estate. For client Top Agent Network Inc., he sued rival real estate dissemination service

Zillow Inc., alleging misappropriation of proprietary information that allowed Zillow to develop a competing "Coming Soon" feature. *Top Agent Network Inc. v. Zillow Inc.*, 14-cv-04769 (N.D. Cal., filed Oct. 27, 2014)

"The parties have reached an amicable resolution," Llewellyn said. "Clients and adversaries know we are fully prepared to take cases to trial. I try to achieve the best result for the client, whether it is settlement or trial."

Llewellyn represented Plantronics Inc., the manufacturer of Bluetooth headsets, in a suit over whether its insurer had a duty to defend Plantronics in underlying class actions that alleged failure to warn and breach of warranty because the headsets could allegedly cause noise-induced hearing loss. The insurer contended that because the class was not seeking damages for physical injuries, its policies did not apply.

"We argued that because the claims could be amended



to include physical harm, our client was covered, and the judge granted us summary judgment," he said. "We were pleased with the result." *Plantronics Inc. v. American Home Assurance Co.*, 07-cv-06038 (N.D. Cal., filed Nov. 11, 2007)

With business litigation, Llewellyn's firm has developed a reputation for representing victims of childhood sexual abuse. He obtained a \$1.35 million settlement for his client against a South Bay school district on claims she had been sexually abused by a school janitor more than a decade earlier. Llewellyn's complaint alleged that the district failed

to try to protect his client. To prevail, he had to overcome serious statute of limitations issues.

"We argued that until 2012, following an investigation by a local newspaper, Ms. Cunnane did not know, and had no reason to know, that the district had engaged in wrongdoing by allegedly concealing knowledge that one of its employees was a sexual predator," Llewellyn said. The district's insurers settled on the eve of trial last September. *Pedro v. Belmont-Redwood Shores School District*, CIV527064 (San Mateo Super. Ct., filed Feb. 26, 2014).

— John Roemer