

Ingrid M. Evans

The gift for playing guardian embodies her life's work.

BY STEPHEN ELLISON

The role of protector was thrust upon Ingrid Evans early in life. She had little choice but to accept it then, standing up for her mentally disabled brother against the cruel taunts of childhood peers. Today, that gift for playing guardian embodies her life's work.

"Her heart's always in the right place," says Owen Clements, a former colleague of Evans in the San Francisco City Attorney's office. "It's more than just the law with her. She always has her eye on something more important."



Evans

The law is Evans's platform, though. It is the law

that allows her – and helps her – to stand up for the underprivileged and those who cannot protect themselves against wrongdoers. It is the law that recently put her in a position as lead counsel and enabled her to recover \$4.8 million dollars in a class-action settlement against AIG retirement services for defrauding its elderly customers. It is the law that made her a national presence in the battle against financial elder abuse.

Evans may be familiar to many plaintiffs' attorneys. Her appearances on the NBC Nightly News, NPR, The Today Show and Fox News, among other national and regional media outlets, have showcased her expertise in protecting the elderly from financial fraud while bringing the issue much-deserved public attention and validation.

Evans's expertise has also been a benefit. She provided expert testimony before California Senate and congress-

sional committees, as well as the Department of Insurance, on issues involving the protection of senior citizens.

One of Evans's most significant elder financial abuse cases appeared in the New York Times. (See *Who's Preying on Your Grandparents?* By Gretchen Morgenson, published May 15, 2005, at www.nytimes.com/2005/05/15/business/yourmoney/15vict.html?scp=1&sq=preying%20grandparents&st=cse.) When the reporter initially contacted her, Evans just thought her case would be mentioned briefly. It was quite a shock to her when she saw that her case was featured on the front page of the Sunday Business section.

The case that piqued the interest of the New York Times reporter was the AIG case – *Beverly Buhs v. American International Group Inc.* (San Francisco Superior Court, State of California, case number CGC-04-435919) – and involved about 750 plaintiffs. According to Evans, Mrs. Buhs had been recently widowed. Upon her husband's death, AIG informed Mrs. Buhs that because of her husband's death, she would lose 20 percent of her retirement savings in penalties.

According to Evans, "The majority of annuity policies are going to seniors because those are people who have the money and are scared of the stock market. . . . But over a certain age it's not acceptable to sell someone a deferred annuity because they are going to pass away before it matures."

When asked how she is able to fight some of the largest multi-national corporations, Evans's response is simple. "I guess you could say it became a crusade of sorts for me," Evans says. "I wasn't going to allow insurance companies to take advantage of these innocent, elderly people."

The path to success

Evans always knew she was interested in being a litigator. One of the reasons she chose to attend the University of the Pacific's McGeorge School of Law was because of its outstanding litigation program.

Her education prepared her well. After passing the California Bar (Evans is also licensed to practice law in New York and Washington, D.C.), she went to work at a prominent plaintiff's litigation firm. It was here that Evans got her first taste of litigation and she loved it. Within six months, at the tender age of 26, Evans was second chair in a large personal-injury trial.

When Evans's career took her to another plaintiff's firm, she had the opportunity to work on a number of high profile cases. Her first trial was a lawsuit against a gun manufacturer for failure to childproof a weapon. That trial was the first-ever gun litigation case to go to trial.

Plaintiff's lawyers from all over the country valued Evans's research and work in the very specialized area of gun litigation. This was confirmed when Evans, then only 28, was elected chair of the American Association for Justice (formerly ATLA) Firearms and Litigation Group. She was one of the youngest people ever to hold that position but her extensive experience made the decision easy.

It was around this time that West Publications approached Evans to write a book about litigating cases against gun manufacturers. Evans completed her book when she was 30, and since then, plaintiff's attorneys view it as the essential "how-to manual" for litigating against firearm manufacturers in product defect cases. (See *Litigating Against the Firearm Industry*, American Jurisprudence Trials, West Publications, July 2002.)

Suing for the City

It was around this time that the San Francisco City Attorney's office lured Evans away from her role as a traditional plaintiff's attorney. When asked why she initially switched from doing plaintiff's work to defense work, Evans responds, "I thought it was important to know how that side worked."

However, the City Attorney's offer was intriguing: they wanted her to handle the City's affirmative litigation. In affirmative litigation, the City and County of San Francisco is the plaintiff suing various defendants. One well-known example of this "affirmative" litigation is the case in which California cities and counties joined the San Francisco City Attorney's office in suing the manufacturers of lead paint to protect children from lead exposure. (Early exposure to lead can cause neurological and brain damage in young children.)

It was during this time that Evans began to speak nationally about how public entities could file public interest cases, rather than just doing traditional defense work. Evans gave talks to various groups all over the country explaining how government attorneys could work with plaintiffs' attorneys and non-profit groups to file public interest cases. She was an anomaly - a defense lawyer

instructing plaintiffs' lawyers on how they could join government entities in filing lawsuits, rather than simply suing the government agency.

As Deputy City Attorney, Evans developed a reputation as a tireless litigator. Legend has it that she would take any case to trial and win. Indeed, she was 12-0 in the courtroom during her five-year tenure.

"She really excelled in those cases," Clements says. "At the same time, if a small case came her way, she wouldn't pass on it. She was always looking to go to trial. I can't recall a time when she ever said she was too busy."

A litigator and a leader

Evans's enthusiasm for litigation spills over to her involvement in various trial lawyer organizations. She currently serves on the board of directors for the Consumer Attorneys of California (CAOC), the American Association for Justice (formerly ATLA) and the Public Justice Foundation. Evans is the only attorney in California to serve on the boards of AAJ, CAOC and Public Justice.

Evans was instrumental in forming the Women's Caucus of the CAOC, boosting the number of female trial lawyers to about 50 percent of the membership. She urges everyone, especially new lawyers, to become active in these organizations.

"Some of my best friendships and professional relationships have been created through my work and involvement with AAJ, Public Justice and CAOC. Moreover, hearing about the accomplishments of my fellow trial lawyers is incredibly inspiring. It reminds me exactly why I went to law school."

For new lawyers interested in becoming successful litigators, Evans suggests letting go of fear. "Figure out what it is that you want to do and go after it," she urges. "I don't just sit back and let things happen. Don't be afraid to take on leadership roles."

When asked if a bias still exists against women lawyers, Evans agrees to an extent, saying there are subtle discriminations, and in certain courtrooms or at certain events people "assume you are a paralegal." She recalls one curious instance when she was with the City Attorney and just finished closing a case: "Afterward, a member of the jury came up to me and congratulated me. She went on to say she really liked the way I dressed and how I wore my hair," Evans says with a smile. "Obviously, she meant it as a compliment, and that was nice. But that's a great example of something that would never happen if I were a man."

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Evans opens Waters & Kraus LLP's new San Francisco office

In November 2008, Evans decided on a new direction. The law firm of Waters & Kraus, LLP hired her as Of Counsel, and she will open the firm's new San Francisco office. Waters & Kraus, LLP is a prominent plaintiffs' law firm based in Dallas, with offices in Los Angeles and Baltimore.

Needless to say, this was quite an honor for the 38-year-old Evans. "I wanted to be part of a firm that had a national presence and supported my ideals," declared Evans. "We will grow the office at a reasonable pace so that we can continue to take a stand against big interests and win." Evans's focus will continue to be on consumer fraud and elder financial abuse cases.

Does she ever not work?

Once Evans gets Waters & Kraus, LLP's new location up and running over the holidays, she and husband Art Klein will be travelling to Tahiti and Bora Bora for a vacation. Evans was married in early August, but she and her husband haven't yet had the chance to go on a honeymoon.

Klein, the chief information officer for the San Francisco Health Plan, said the couple met through mutual friends at a wine tasting party a little more than two years ago. He was immediately taken by Evans's passion for justice and sense of loyalty. "My first question to her was: 'Do you fight the man, or are you the man?'" he recalls. "Without any hesitation, Ingrid responded: 'I fight the man.' I was impressed by her immediate response and her dedication to her values," Klein explained.

"Ingrid shows a tremendous amount of commitment to her clients," Klein continued. "I think that level of loyalty from a lawyer surprises some people. However, for Ingrid, it is just part of who she is. She has such a strong desire to do what is right."

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