

FEATURE

FREE TIME

Public Works

Greg Evans has become one of Orrick Herrington's most-profitable litigators, but it's his commitment to pro bono that nourishes his soul. **By Amy K. Spees**

Orrick, Herrington & Sutcliffe partner Greg Evans learned early the importance of engaging people. The brown-haired, blue-eyed litigator tells the story of a determined Mexican-American kid lobbying for the development of a Los Angeles neighborhood public swimming pool.

"In eighth grade, we had a little park, Cypress Park, right off the freeway on Avenue 26," Evans says. "And we didn't have a swimming pool in the area."

Evans says he saw the city developing pools in West Los Angeles communities but none in his park, where gang activity and drug use were common.

With the help of Sister Joan Maga at St. Bernard's Parish in Los Angeles, Evans organized a busload of students to lobby Mayor Tom Bradley. It was his first big community pro bono effort.

"We got the pool, and I go by there sometimes, especially in the summer. I get out of my car, and I stand there and watch these kids in the neighborhood," Evans says. "And maybe somebody else would have come along and done it, but in eighth grade, I saw the importance of engaging ... in the neighborhood and making a difference."

Evans, 44, says that he realized then that, if a 12-year-old kid could effect change just by loading his classmates on a bus, he could continue to make it happen.

The same boy grew up to become one of Orrick Herrington's most-profitable litigators, whose staunch commitment to pro bono — 516 hours in 2004 — nourishes his soul.

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Photo by Xiang Xing Zhou

"I am not ashamed of the fact that I've become successful in a big firm and I'm making big-firm money, because I was so darn poor when I was a kid," Greg Evans says. "That's the American dream, right? To buy a nice house and be able to support four kids? But it is a broken promise to do that and not to be as committed every day to doing what you need to do to help yourself and your neighbor."

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"But it is a broken promise to do that and not to be as committed every day to doing what you need to do to help yourself and your neighbor."

Evans says it's possible to be a successful lawyer and still do good work if you make pro bono work a habit.

"It's kind of like brushing your teeth: You just have to do it every day," Evans says. "You have to get into a routine of working on matters in the community or [of] public interest daily."

Evans says it's too hard to try to push aside billable work to concentrate completely on a pro bono or community issue and vice versa.

"I view each as a necessary part of a professional day," Evans says. "By the end of the year, you accomplish a great deal more."

Evans developed his habit of pro bono early, from starting his own practice in South Bend, Ind., while in law school to his work with the NAACP Legal Defense and Education Fund Inc., to which he was recently named to the board of directors.

Evans has handled numerous cases for the fund, was a financial supporter of the group and always demonstrated an interest in being more broadly involved with the New York-based organization, Fund President Theodore Shaw says.

Shaw plans to tap Evans for fund raising on the West Coast.

"He's moved into a point in his career that he's playing an influential role in his firm, and people will want to grab him," Shaw says. "He has good direction with respect to general policy, ... and we're happy to have him here. It's a no-brainer for everyone at the Legal Defense Fund."

Evans is now among Johnnie Cochran Jr., Vernon E. Jordan Jr., Caroline Kennedy, Quincy Jones and 25 additional prestigious members of the fund's board.

The group is the nation's oldest civil rights organization, founded by Thurgood Marshall.

The legal advocacy group attempts to achieve social justice for people of color by influencing policy-making and through litigation.

Evans first caught the attention of Shaw in the late 1980s when the two worked on a case together in Indio. Shaw was impressed with what he saw.

"[Evans] really put extraordinary effort, time and resources into that case to represent homeowners and others in this poor black and brown community," Shaw says.

Bill Lee, a former NAACP Legal Defense Fund staffer and President Clinton's assistant attorney general for civil rights, brought Evans into the Indio case. The case, *Oliver v. City of Indio*, SACV90-0097 (C.D. Cal. 1993), was a housing discrimination class action, in which a group of African-Americans sued the city for undervaluing their properties when they wanted to take over the land to build a shopping mall, Evans says.

"But the mall wasn't expanding straight back or straight to the left, it was expanding diagonally in the direction of the oldest African-American community in Coachella Valley called Noble's Ranch," Evans says. "And the reason is because they wanted to get rid of all the black people."

The lawsuit was filed in 1990 and settled

in 1994, with the rebuilding of the entire neighborhood.

"But not just in the beat-up old homes that they were in," Evans says. "We got two-story Spanish-style homes on a cul-de-sac with beautifully sodden lawns and, most importantly for me, fireplaces."

Evans says one of his most-prized possessions is a picture with Elvella Davis, an elderly Noble's Ranch resident, outside her new home.

"She was living in a trailer before, and we'd just come out of the home, and it was Christmastime, and she started crying and hugging me," Evans says. "She said, 'I just want you to know' - and she pointed to her fireplace where there was a stocking hanging — 'I never thought in my life ... I would be able to hang a stocking on my fireplace at Christmastime.'"

Growing up in East Los Angeles, Evans saw firsthand the discrimination and inequities that families like Davis' faced. Evans dreamed of joining the mayor's office, where he could identify community needs and find the funds to fulfill them, much like his own childhood swimming pool.

But during his junior year at the University of Southern California, Evans faced the reality that public administrators could do only as much as policy allowed, so he focused on social welfare in a master's degree program at the University of California, Berkeley.

"When I got to UC Berkeley, I realized this is where I was meant to be," Evans says. "I was surrounded by all of these people who had such great ideas and were so smart — and despite their wealth or ability to get into chemistry or engineering or law or whatever — they wanted to study at UC Berkeley social welfare."

During his studies at Berkeley, Evans worked as an Americorps VISTA volunteer for the Larkin Street Youth Center in San Francisco.

"At the time, 1985, AIDS was running rampant, and people were still calling it the gay flu," Evans says. "No one was being protective, and no one really understood the disease like they should have. Male prostitution in San Francisco was out of control."

The Larkin Street center was funded with federal grants to reach runaway and exploited youth in the core of San Francisco's male-prostitution community where drug use was high. Evans was part of the center's outreach and statistical analysis

staff.

Building friendships over a pack of cigarettes, he ushered runaways down Hemlock Street, an alley off of Polk Street, past a mortuary.

"At the end, you'd get to Larkin Street Youth Center," Evans says. "We would try to keep them there, get them off the road and stop the running."

In 1986, Evans completed the VISTA program and began working at San Francisco's juvenile hall under the leadership of Chief Probation Officer Dennis Sweeney and San Francisco Superior Court Judge Daniel Weinstein.

He studied runaway youth and completed a report for Mayor Dianne Feinstein's administration in which he found that "when the supportive services don't happen the way that they're supposed to, guess what? Kids die."

Evans studied the mortality rates for the children he was working with and found that, if administrators fail to respond after the first or second report of abuse, there was a 70 percent chance the child was going to die before reaching adulthood.

Evans envisioned legislation protecting children's constitutional rights to assess qualified social workers.

"But I can't make it happen unless I'm a politician, and where's your constituency there?" Evans says. "Big company A or B is not going to come in and say, 'We think that's great, legislator Evans. We want to get behind that.'"

So Evans looked to law school. He participated in the Thomas J. White Center on Law and Government at the University of Notre Dame in South Bend. He was one of 10 students who, in addition to the normal law-school curriculum, took classes in public policy, wrote articles on social issues, and designed and attended lectures.

But Evans saw unmet needs for the homeless in Indiana's Rust Belt.

"There was a mission there. It was called Hope Rescue Group and had a big electrified [cross] in the window. There was an anteroom and soup room in the back. To get to the soup room, you had to claim Jesus as your savior," Evans says.

But there was no shelter.

"People were sleeping on the street," Evans says. "This is not California. It's cold. This is deadly."

Thanks to federal McKinney Act funding — the first piece of legislation mobilizing federal resources to address homelessness

— Evans, in partnership with South Bend's interfaith community and the law school's dean, helped to open a shelter to offer psychological, medical, nutrition and advocacy services to the homeless.

Under Indiana law, students can practice under the direction of a professor if the work is pro bono, and the South Bend Legal Clinic for the Homeless was developed.

"I did very well in law school, but where I was really getting an education was in my law firm," Evans says.

His first trial was on behalf of Christine Williams, a woman who, crying, called Evans looking for room in the shelter because she and her three children had just been evicted from their Section 8 apartment, which is federally subsidized for qualifying low-income residents.

Evans drove to Williams' house in the snow and listened as she explained that she'd been living in the apartment for years but paying rent late.

To make matters worse, Williams was distraught with worry that her children might be put in protective custody because she'd tried to commit suicide by drinking a bottle of Prell shampoo.

"I told her I had no duty to report it and asked, 'You're OK now, and you're not going to kill yourself?'" Evans says. "So let's win this case."

Williams, a worker at a Bonnie Doon Ice Cream shop, had saved every receipt for every money order she had purchased to pay rent with, Evans says.

There had been a change in administration at the state's Department of Housing and Urban Development, and the administration was looking to make an example of renters paying late, according to Evans.

"I explained to her the basic principle of waiver and estoppel, that if you've been paying late month after month, and year after year, and the landlord's accepting it, they are estopped from unlawful-detainer proceedings," Evans says. "I could see the hope coming to her face, and now I had to go back and make it work."

Evans and fellow law student Dianne Freese, who would become his wife, spent that entire night preparing an emergency ex parte application because Williams was facing eviction the following day.

"It was time for her to leave, and there's nothing that would prohibit the sheriff from coming in and putting her in handcuffs in front of her children, and, if she resists, he can take her and move her into the street,"



Photo by Xiang Xing Zhou

Greg Evans, right, standing with Elvella Davis in front of her new home in 1997, which Evans helped her win after the City of Indio undervalued her old property, part of an historic black community, when they wanted to take over the land to build a shopping mall.

Evans says.

"I was reminded of times when we were evicted when I was a kid," Evans says. "So my heart is in it, and there's no way we're going to lose this."

St. Joseph County Superior Court Judge George Beamer granted the application, and Evans later won the case. Beamer sent his judgment to Evans' law adviser Robert Rodes.

"Professor Rodes signed the bottom of it and presented it to me in front of the class," Evans says. "The day we won the trial and she got to stay, that was, and has been, the best day I've had as a lawyer."

Rodes says he thought very highly of Evans when he attend Notre Dame.

"He was dedicated to the poor and resourceful in their service," Rodes says. "I recall our appearance before Judge Beamer,

which Greg handled very professionally, requiring nothing of me but my presence in order to comply with the Student Practice Rule."

Evans took Williams to Bonnie Doon for a celebratory shake, cherry-flavored, which has now become Evan's victory tradition. At least a case of cherry shakes later, Evans is at the top of his game.

He joined Orrick Herrington's San Francisco office as a litigation partner three years ago from McKenna, Long & Aldridge in Los Angeles.

Orrick Herrington partner Bill Alderman was part of the team that recruited Evans.

"I'm a fan and unabashedly so," Alderman says. "He's an important part of the glue that holds our practice together. In San Francisco, litigation is a rapidly growing part of our practice, and Greg is a big part of that."

Evans' clients include Vodafone Group, a telecommunications network company; 3M Co., which makes everything from tape to X-ray film; Sherwin-Williams Co.; and Burlington Northern and Santa Fe Railway Co.

"His style is not the in-your-face-at-all-costs style that can give lawyers a bad name," Alderman says. "He's dogged in pursuit of his clients' interests but does it with a grace that isn't found in every lawyer."

Evans is in the top tier of Orrick's compensation scale, whose profits per partner for 2004 were \$1.1 million. Evans says he has consistently generated \$3 million in new business for the firm annually.

Evans' highest-stakes litigation involved Vodafone's \$180 billion hostile takeover of German telecommunications company Mannesmann in 2000. The bid was the telecommunications industry's largest hostile takeover in history, Evans says.

After Vodafone's successful acquisition, a former vice president of Mannesmann sued Vodafone because she was disappointed with her position after the deal.

"She threatened to release trade-secret and other information, which, although untrue, could have halted or delayed this important acquisition," Evans says. "All it took was for one person to come forward and make some claims about this bid to threaten it."

Vodafone asked Evans to handle all of the aspects of the litigation both in U.S. and United Kingdom courts.

In February, the former Mannesmann executive's case was dismissed, and permanent injunctions were issued against her proposed release of confidential information about the takeover.

Also for Vodafone, Evans in December won a case before the Washington Supreme Court involving the enforceability of arbitration agreements entered into by cellular company employees on their hiring. The court decided the agreements are, in fact, enforceable.

But for all of his success, Evans says it was being raised by a single mother in East Los Angeles that drove him.

One of Evans' most vivid childhood memories — and the reason he's taken on housing-discrimination lawsuits for the legal defense fund — begins with Evans and his older brother, James, sitting in a beat-up old car outside a rundown Los Angeles apartment building while his mom looked for an apartment.

"We needed to get out of one place because it was full of rats," Evans explains. "She goes up the stairs — the sign says for rent — she comes back, she gets in the car and closes the door, and she starts to cry.

"They said the place had been rented. We knew that the place hadn't been rented; somehow, she knew the place hadn't been rented. But they decided they didn't want to rent to a single Mexican-American woman with two kids."

It was the 1960s, and single parents weren't as prevalent as they are today, Evans says. But his mother was determined to make a life for herself and, more important, her children.

"She was never out of a job," Evans says. "In fact, she always had two or three jobs."

Evans seems to have followed in his mother's footsteps. Besides his work for Orrick Herrington and the NAACP fund, he is the board president of Angel's Flight, a Los Angeles shelter for homeless and runaway youth.

This year, he will oversee the

development of a new transitional living facility for young adults 18 to 24. The organization has secured several million dollars in funding and is in the planning stages of constructing an independent living facility that will offer housing, job training and life skills for its residents.

And on Wednesday afternoons, Evans will be at the new Bessie Carmichael Elementary School in San Francisco.

He will be teaching speech for an after-school program, an Orrick partnership that, as a board member for the YMCA of San Francisco, he was instrumental in establishing.

The program, which has been in place since 1994, serves 95 children from kindergarten to the fifth grade, 88 percent of whom live below the poverty line.

The school is in San Francisco's South of Market neighborhood, not far from Orrick Herrington's Embarcadero location.

The firm has donated \$250,000 to the after-school program, enough to fund it for five years, and has partnered with the YMCA of San Francisco for the program's administration.

"We have at Orrick a community-responsibility organization," Evans says. "It helps to remind us that we may not be carrying the load we need to carry as lawyers responsible for giving back to the community."

Orrick's approach differs from impact litigation recently taken up by other large law firms, Evans says.

"It's the impact litigation that gets you the attention and, therefore, the kudos, and the impact litigation is very important, I've done a lot of that," he says. "But there is also out there on the streets tonight a mom who has been evicted, ... and she has nowhere to go."