

Profiles: Lori Andrus and Jennie Anderson

Since meeting as associates at Lieff Cabraser, the two women have become masters of class actions

By Stephen Ellison

Both are daughters of lawyers. Both are protégés of the same mentor. Most importantly, both are shrewd advocates for women, workers, consumers and others who have been harmed by large corporations and insurance companies. And while the similarities likely don't end there for Lori Andrus and Jennie Anderson, those are three primary reasons why they form one of the Bay Area's top plaintiffs' litigation teams.

While their firm, Andrus Anderson LLP of San Francisco, covers many areas of plaintiffs' litigation, one of its specialties is employment law, whether it's wage and hour issues, workplace discrimination or equal pay for equal work.

Andrus recently has been focused on the latter in a class-action case where she represented women defense attorneys against Farmer's Insurance. While that case has reached a settlement agreement pending a judge's approval, Andrus believes more of these cases are bound to come up given it's a hot-button issue across the U.S.

"Everyone's talking about it," she said. "The Sony email breach revealed that women in Hollywood are making a fraction of what their male counterparts are being paid, and Obama recently issued an executive order requiring the Department of Labor to collect additional data on gender and pay so that companies can be held accountable by the federal government. Even Pope Francis is talking about how denying women equal pay is a travesty.

"I think it may be a complex set of factors that keeps women's wages low and keeps women's work undervalued," she continued, "but the law does not require us to prove intentional discrimination. It's simply an issue of equal pay for substantially similar work, so it's up to companies to figure out how to fix it."



Jennie Anderson (left) and Lori Andrus

Class actions like the Farmer's case are at the heart of what Andrus Anderson does. Anderson's experience consists mostly of representing plaintiffs in a variety of class-action and complex-litigation cases. Her practice focuses on representing individuals and classes in antitrust, consumer protection, personal injury and employment cases, which she believes require a fair amount of specialization to master.

A wrong to make right

"Lori and I like to think all cases are essentially torts of some kind," Anderson said. "If the story is compelling to us, and if there is a wrong that we see in need of righting, then that is a case that we'd like to work on. And sometimes that means we take cases with substantive legal issues that we have to become familiar with and master new areas of law. So that keeps us busy. But we really enjoy our practice, and we really like to take cases that speak to us."

Indeed, both women, as principal partners in their own firm, enjoy having the freedom and decision-making power to be selective with the cases they work on. In fact, it's one of the main reasons they broke away from Lieff Cabraser.

For her part, Anderson likes having that control over caseload because oftentimes a case just feels right – they like the themes, they like the plaintiff – and they'll take even the most difficult case because it strikes a chord, she said. Other times, a case comes in that just doesn't get them excited and they'll likely refer it to another attorney.

Andrus liked the idea of having a smaller unit. It better fits her definition of partnership, she said. And both knew when they hung up that shingle that it would be a work in progress.

"You just learn so much about running a business in the first couple years," Andrus said when asked about first opening her own firm. "There wasn't a day that passed where we weren't confronted with something that we did not intuitively know how to handle and had to go figure out. "Hiring people, paying for benefits, making sure taxes are in order; there are so many things. … You have to make sure that you're making the right choices and you have the support you need from trusted individuals."

Anderson agreed, saying: "The biggest drawback of owning your own firm is the buck does stop with us. So if something needs to be done either on a case or administratively, ultimately we have final responsibility."

Both children of lawyers

With all they have in common, the pair traveled different paths in the early years. Anderson grew up in Indianapolis, where she had early designs on becoming a lawyer like her father. Dad was a labor lawyer, and both her parents were civil rights activists, she said, which inspired her to follow in her father's footsteps.

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Anderson earned a bachelor's degree in political science at the University of Wisconsin-Madison and went on to earn her law degree from UC Hastings College of the Law in San Francisco. While in law school, she served as an extern to Judge Martin J. Jenkins in the Northern District of California and was an intern with Legal Aid of Cambodia in Phnom Penh, Cambodia.

Andrus grew up in Louisiana, where she, too, admired her trial-lawyer father. She even worked with him on a couple of cases but chose not to go into business with him because she wanted to forge her own path, she said. Andrus completed her undergrad work at Boston University and then went to work in Washington, D.C., for two congressmen, first Rep. Rick Boucher, of Virginia, then Rep. James Hayes, of Louisiana.

It was there on Capitol Hill where Andrus sort of figured out her path to success. "As I looked around, I saw that all the women I knew who were really succeeding in their jobs and happy with their jobs professionally had law degrees," she recalled. "And all the women I saw who were not moving up the way they wanted to didn't. So it was very simple: To succeed in this town, I needed a law degree. That's how I ended up going to law school."

Associates at Lieff Cabraser

Andrus earned her law degree from Duke University. During her second summer in law school, she got a summer associate job with Lieff Cabraser. She and Anderson started at the firm on the same day, and a friendship was born.

Both Andrus and Anderson cut their teeth on a variety of representative and class-action plaintiffs' cases under the guidance of Elizabeth Cabraser. Anderson eventually moved on to practice with the firm currently known as Robbins Geller Rudman & Dowd LLP, prosecuting both securities and consumer protection class actions. She also gained knowledge and experience in habeas corpus proceedings, having represented indigent inmates on California's death row at the Habeas Corpus Resource Center.

"I think that if I wasn't doing plaintiff-side litigation, I probably would be doing criminal defense work at the appellate level," Anderson said. "I have some experience there, and I've found that to be intellectually and personally rewarding. I can't imagine doing transactional work or contract law. I need a little bit more of a personal attachment to my cases."

Andrus went on to become a partner at Lieff Cabraser, where she played a leadership role in nationwide consumer class cases and defective pharmaceuticals cases.

"I never considered doing anything other than plaintiffs' law," Andrus said. "The first few years working at Lieff Cabraser, I was working on class actions, and I quickly came to understand the power of class actions and how important they are. I mean, I viewed them as an extension of the regulatory system – enforcing the law, holding companies accountable for the harm they do to lots of people. That's a really powerful tool.

"Later, I started doing mass torts, where you're helping the losses of individual people, who have been physically harmed by medical devices or pharmaceuticals. … They're also taking on big powerful companies that are represented by the best of best. It's intellectually challenging and difficult litigation that I enjoy."

Stepping up for big cases

Over the course of her career, Anderson has been lead counsel in multiple state or nationwide consumer class actions, including a mortgage loan class action that resulted in a more than $100 million settlement for borrowers. She also has represented consumers and small business owners in antitrust class actions.

Although most of the firm's cases do not go to trial due to their nature, Anderson said she would cherish the opportunity to get to that stage more often.

"Because about 75 percent of our cases are class actions and because the stakes are high on both sides, those cases do tend to settle," she said. "Just from a risk mitigation standpoint on both sides, I think that's the nature. I wish more cases went to trial honestly – I think the cases would benefit and the practice would benefit, ultimately."

In addition to the Farmer's case, one of Andrus' more memorable cases was a class action involving the Ortho Evra birth control patch. The manufacturer, Johnson & Johnson, was the definitive darling of the pharmaceutical industry, trusted by juries, trusted by patients and doctors, and they just lied about safety and efficacy of the product, Andrus said. "It basically was an estrogen bomb, and it was the same size, and they put it on 98-pound women and 300-pound women," she said. "If you took a shower and put another one on, you got an extra dose of estrogen. If you exercised and you slept, you got an extra dose of estrogen. It was really not well regulated how it was absorbed into the body and how quickly it could be absorbed into the body. Women were having heart attacks and strokes, and they were marketing this to 14-15-year-olds."

Johnson & Johnson has paid upwards of $70 million to settle the cases.

Anderson said some of the more memorable cases are the smaller ones, including one where a man was injured by a scissor lift. They worked with experts to argue that the design of the equipment was defective because the designers should have foreseen these dangers that put their client in harm's way. "To be able to help somebody whose livelihood had been severely limited by this injury and give him and his family financial stability was a very memorable moment," she said.

Choose the path of passion

When not at work, both partners like to get outdoors. Andrus and her husband live in Oakland and enjoy hiking in the East Bay hills. As he is from England, they often travel to his homeland. And they both love to cook, she said.

Anderson is all about the bike. She rides recreationally with friends, frequently planning vacations around cycling, and races competitively. In fact, the firm this year is co-sponsoring her road racing team, so she's happy to report the Andrus Anderson name will be on the team jersey.

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On the subject of advice to aspiring lawyers, Andrus and Anderson feel it's critical to make the positive choice.

"I would say try to choose a path you feel passionate about because practicing law is very difficult," Anderson said. "It's stressful, challenging and we have very worthy and smart opponents that are challenging us every day. I don't think I could do this job if I didn't feel passionate about plaintiffs. … It's something that's so unique and special to our legal system. If I didn't feel so passionate about it, I don't think I could withstand the stress and the amount of work it takes to be a good lawyer."

Said Andrus, perhaps in a nod to young lawyers coming up through the ranks: "You have more power than you realize. Use your law degree for good, not evil."

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