



Profile: Jayme Walker

Young partner at old firm makes her mark in employment law

BY STEPHEN ELLISON

Passionate, opinionated and never one to let those two traits stagnate, Jayme Walker was a natural for plaintiffs' law. And it's fitting she would return to the place where she first observed and learned that such attributes were essential to some of the shrewdest advocates around.

Walker, a member of the employment law team at Gwilliam, Ivary, Chiosso, Cavalli & Brewer, once answered phones at the Oakland-based firm as she familiarized herself with the atmosphere of a bustling plaintiffs' practice. She left for law school, returned a couple years later as a third-year student and has been with Gwilliam ever since.

"I wanted to be a plaintiffs' lawyer from the beginning," Walker said. "In law school in 2008, when the economy crashed and law firms were closing, I took an internship at the U.S. Attorney's Office Civil Division. They put me on the defense employment side, and I hated it; my mindset just wasn't there. So, everyone wanted me to work on their cases, but nobody wanted me to come to their case evaluations.

"I did explore criminal law," she continued. "I worked at a place called Justice Now, a nonprofit prison abolitionist organization advocating for compassionate release and human rights support on women's prison conditions. But when Gary (Gwilliam) called me and asked me if I wanted to come back and work for him, I jumped at the chance. That's what I really wanted to do."

In the eight years since her return, Walker has obtained a number of six-, seven- and eight-figure awards for her clients in a wide range of cases, including civil rights, employment, wrongful death and police misconduct, which she said are some of the most difficult cases to work on.



Walker

"In terms of procedure and the law, police misconduct cases are really hard because the law just isn't that great for the plaintiff,"

Walker said. "A lot of those cases are dismissed on summary. We had a police misconduct case in Fresno where half the jury pool was correctional officers, and we prevailed on it and got punitive damages. That's pretty remarkable. We had a really good judge, so that helped."

Employment law, however, is Walker's true specialty, comprising about 60 percent of her caseload, she said. She has represented employees in discrimination cases involving race, age and even pregnancy against major banks, insurance companies, tech companies and even law firms.

The employment team at the Gwilliam firm has been recognized as one of the top 10 plaintiffs' employment law groups in the Bay Area. Walker is an active member of the California Employment Lawyers Association and the National Employment Lawyers Association, as well as Consumer Attorneys of California.

Taking a stance

In high school, Walker was on the editorial board of the campus newspaper, on the path of an aspiring journalist. There was just one problem: "I couldn't write an objective article," she recalled. "I always took a position. I started writing about free expression in public schools,

and I started citing court cases and the rights of teachers and students. My journalism teacher suggested rather than journalism, as I had been planning, I should think about law. So that kind of got me started. I didn't have any lawyers in my family, so I had no idea what that would be like."

Walker went to college at Ball State University in Indiana with two fields of study in mind: law school or art school. After she graduated, she moved to San Francisco, a little worried about her job prospects in the art profession. As it turned out, she had a difficult time finding any work for about a year or two.

"I moved to San Francisco right after college because it seemed like a cool place to live," she recalled. "I had trouble getting a job. I worked in wine sales for a little while. Then I thought, well, I should probably work at a law firm to see what that's like. I thought I wanted to do policy work or more political type work, but basically my job was to answer phones at the Gwilliam firm."

After a few months, Walker was growing bored, and she even told her employer as much. So, they started giving her paralegal work. After a few more months passed, Gwilliam, the principal of the firm, sat her down and asked her pointedly what she wanted to do with her life.

"I said, 'I think I want to be a plaintiffs' lawyer.' And he said, 'Good for you. Let's do that,'" Walker said.

Gwilliam wrote recommendations for Walker, and eventually she headed to University of San Francisco law school. In her third year there, she got that call-back from Gwilliam.

Finding her way quickly

Since then, she has subscribed to approaching every case as if it's going to trial, getting experts on board early,



especially for employment cases, and developing a good story. She also believes having a good press strategy is crucial in higher profile cases. And one of her most important trial preparation methods is jury focus groups, which she said informs trial strategy and perhaps even informs whether or not the case is resolved.

“I don’t know that they’re totally predictive of what happens in trial, but they can show you where your strengths and weaknesses are and inform the theme of your case – and where your focus is,” Walker explained. “Sometimes you think you’ve figured out the focus of your case, and you hammer and hammer away at that, and then the focus group jury doesn’t even care about that. It’s also just good preparation. In my last case, I pretty much turned my focus group presentation into my opening statement and the beginning of my closing argument.”

Whistleblower retaliation

In a high-profile whistleblower retaliation case, Walker represented San Francisco Police Department attorney Kelly O’Haire, who was fired in 2011 by then-Chief Greg Suhr. Walker said O’Haire had investigated and prosecuted Suhr for alleged misconduct before he became the chief, and O’Haire’s dismissal was in direct retaliation of that probe. Suhr and the city contended O’Haire was fired as a result of department cutbacks. Walker obtained a \$725,000 settlement, and the trial in total ended up costing the city nearly \$1.5 million.

“She was such a good client,” Walker said of O’Haire. “The case really turned around for us at the end, and she was really happy with the result. She felt vindicated – instead of ‘Kelly O’Haire was fired,’ it was ‘Police chief retaliated against her.’ She’d never been fired before. She was just a really ambitious attorney who had been a police officer and a prosecutor and was the victim of political retaliation when she was just trying to make sure the police

officers were following the rules they’re supposed to.”

Vehicle products liability

Walker also recalled a product defect case in which she represented a 17-year-old girl involved in a horrific rollover crash that resulted in the teen becoming a paraplegic. The case against General Motors focused on an electronic stability control function that was standard on most vehicles to prevent rollovers but was not on the vehicle in question. Such cases weren’t garnering favorable results for plaintiffs across the country, and Walker was fearful of losing at trial. Reluctantly, she accepted a settlement offer, but it ended up being a gratifying result all around.

“It wasn’t what I wanted for her, but it was enough to change her life,” Walker said. “She was a first-generation immigrant. She said to me, ‘It wasn’t about the money for me; I wish they would give me my legs back.’ I’ll never forget her saying that. Even when you can’t win but you can just help someone and make somewhat of a difference in their life, that’s one of the most rewarding things that can happen – better than a trial verdict or publicity.

“I almost started crying when I told her what she was getting,” Walker continued. “She gave me a big hug and said, ‘That’s more money than I’ve ever seen in my life.’ It feels good to make a difference in someone’s life, even if it’s not the big headline verdict.”

In other notable cases, Walker was co-counsel with Gwilliam in a trial where they represented a small business owner against a large company in a contract dispute. It resulted in a verdict of more than \$11 million for the plaintiff.

With firm partner Steven Cavalli, she represented a family whose husband and father was killed in a bicycle accident due to roadway conditions in Oakland. The result was a \$2 million settlement.

She represented 10 former insurance agents in an age discrimination case that settled just before trial after Walker

defeated 10 separate summary judgment motions; she represented three employees in race discrimination claims against a major bank, a case that resolved just before trial; she represented a longtime employee of a big bank in an age discrimination case that resolved just before trial; she represented female attorneys in pregnancy discrimination claims against major law firms; and she represented African-American clients in race discrimination claims against big tech companies.

Maintaining balance

When she’s not in court or at the office, Walker is a singer and musician. She and her husband play guitar and perform “a little duet,” she said. “If I didn’t have a day job, I would focus more on music. They have this really fun thing at conferences called a hootenanny. We get together with other lawyers who play. It’s a lot of fun.”

Walker also enjoys yoga, backpacking and cooking.

When asked about what sage advice she had to offer young and aspiring lawyers today, Walker said what’s most important is to maintain a work-life balance and to have stability with all parties.

“A lot of times when you’re fighting the fight, you lose sight of we’re all human, we all have a job to do,” she said. “I just think the whole experience of being a lawyer is a lot better when you treat everybody with respect, no matter what side they’re on.

“Make sure you have your boundaries, so that you’re not overstressed or overworked and you don’t have a life outside of this. Being balanced and not being overstressed can help with stability in this profession. I just think our profession needs to improve on those two things, having balance and being kind to each other. I just hope for new lawyers coming up they can see it’s a lot less stressful when you’re not hating everybody.”

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