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LITIGATION REAL ESTATE EMERGING COMPANIES BUSINESS

Malaika M. Eaton

Malaika Eaton's practice includes all aspects of civil litigation. Before joining McNaul Ebel in 2008, Ms. Eaton was a senior associate at Heller Ehrman LLP. She also served as a law clerk for the Honorable Thomas G. Nelson of the U.S. Court of Appeals for the Ninth Circuit.

Ms. Eaton's practice focuses on complex commercial litigation, including class actions, insurance coverage, antitrust, and environmental litigation in both federal and state courts. She also has significant experience in appellate litigation in both the civil and the criminal arenas, including interlocutory appeals, expedited appeals, and pro bono representation during post-conviction review. Ms. Eaton has served as lead attorney in a number of trials, each of which resulted in a victory for the client. Ms. Eaton has likewise represented clients in the U.S. Supreme Court and served as lead counsel before the U.S. Court of Appeals, again achieving victories for the client.

Awards and Activities

- Selected as a "Rising Star" in *Washington Law & Politics*.
- Earned numerous awards for her commitment to pro bono service, including Heller Ehrman's Richard E. Guggenheim Award, given each year to one or more attorneys in recognition of "exceptional commitment" to pro bono work in their legal practice.
- Ms. Eaton currently serves on the Steering Committee for the Puget Sound Chapter of the American Constitution Society for Law and Policy, and on the Board of Directors for Mother Attorneys Mentoring Association of Seattle.
- Faculty, 11th Annual Law of Lawyering Conference, WSBA Continuing Legal Education seminar.

Publications

- "The Continuous Ownership Requirement in Shareholder Derivative Litigation: Endorsing a Common Sense Application of Standing and Choice-of-Law Principles," 47 *Willamette Law Review* 1, 2010. Coauthored with Leonard J. Feldman and Jerry C. Chiang.
- "Mootness in the Class Action Context: Court-Created Exceptions to the 'Case or Controversy' Requirement of Article III," *The Review of Litigation*, Vol. 26, No. 1, Winter 2007. Coauthored with Leonard J. Feldman, Daniel A. Zariski, and Darin M. Sands.
- "Limitation of Suit: A Call for Equitable Tolling," 12 *Insurance Law Section: Association of Trial Lawyers of AM.5*, Winter 2006. Coauthored with Leonard J. Feldman and Daniel A. Zariski.
- "The Equitable Tolling Doctrine in First Party Insurance Coverage Matters: Analysis, Benefits, and an Illustrative Case Study," 41 *Tort Trial and Insurance Practice Law Journal* 61, 2005. Coauthored with Leonard J. Feldman and Daniel A. Zariski.
- "Litigating in the New Class Action World: An Update on the Evolving Case Law Under the Class Action Fairness Act," 6 *BNA Class Action Litigation Report* 18, 677, Sept. 23, 2005. Coauthored with Peter Danelo, Leonard J. Feldman, and Aneelah Afzali.
- "Note, Of Salmon, Salamander, and Lizards: Can State and Local Conservation Plans 'Preempt' the Endangered Species Act?," 87 *Cornell Law Review* 185, 2001.
- "The Role of Municipalities in Regulating the Land Application of Sewage Sludges and Septage," 41 *Nat. Res. J.* 77, 2001. Coauthored with Ellen Z.

PRACTICE AREAS

- [Litigation](#)

EDUCATION

- Cornell Law School (J.D., 2002), magna cum laude; articles editor, *Cornell Law Review*
- Cornell Institute for Public Affairs (M.P.A., 2002)
- Willamette University (B.A., 1996), cum laude

BAR ADMISSIONS

- Washington State, 2002

COURT ADMISSIONS

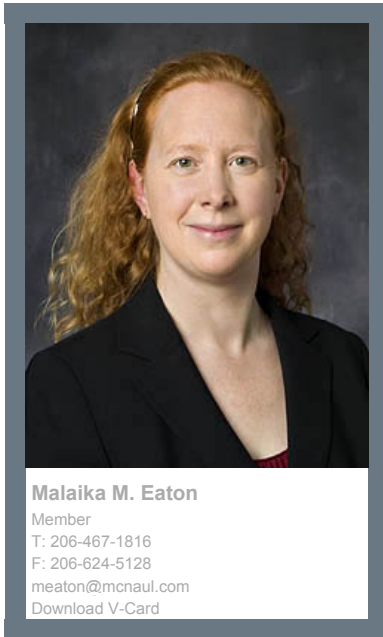
- U.S. District Court for the Western District of Washington
- U.S. District Court for the Eastern District of Washington
- U.S. Court of Appeals for the Ninth Circuit
- U.S. Court of Federal Claims
- U.S. Supreme Court

SUPER LAWYERS DESIGNATION



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