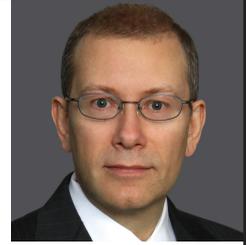


EVAN M. TAGER

MAYER BROWN



PIONEER SPIRIT In law school, Evan Tager had two opportunities to write appellate briefs. “Both times it was like a duck hitting the water. It felt so natural and intuitive.” He knew what he wanted to do. A few years after an appellate clerkship, he joined Mayer Brown “where I got to work with many of the most recognized appellate lawyers in the country.”

TRAILS BLAZED Tager considers his first big accomplishment taking part in an effort to limit punitive damages. He was the principal author of the briefs in the seminal BMW case, which Mayer Brown partner Andrew L. Frey argued in front of the Supreme Court. Since then Tager has built a reputation as the go-to lawyer on punitive damages. Tager was also instrumental in Cingular Wireless’ (now AT&T) efforts to use arbitration as an alternative to costly class actions. He helped draft Cingular’s arbitration clause to be fair to consumers and even provide bonuses to them if they prevailed. “We defended the clause in a lot of cases and won most, but the Ninth Circuit rejected our ‘preemption’ argument.” Tager built a nuanced preemption argument to earn certiorari from the Supreme Court, where it prevailed. “It’s one of the reasons I wanted to be an appellate lawyer: to have an opportunity to have an impact on the law.”

FUTURE EXPLORATIONS Seeing too many inordinately high judgments, Tager hopes to see some rebalancing of the litigation system. For example, “a theme in all cases with runaway verdicts is bought-and-paid-for expert testimony.” Another issue is state law-mandated interest rates on judgments. “These fixed rates do not relate to the costs and give judgment winners massive leverage during the appeals process.”

Affirmed

Congratulations to our partner Evan Tager, whose rare combination of tenacity, insight and advocacy has helped transform the law of both punitive damages and arbitration.

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