

## Malaika M. Eaton

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### About

Malaika Eaton is a trial lawyer who has served as a member of the Litigation and Trial Practice since joining McNaul Ebel in 2008. She is a fellow of the American College of Trial Lawyers, recognized as "the preeminent organization of trial lawyers in North America."

Malaika's practice focuses on complex commercial litigation such as professional malpractice, securities, business and shareholder disputes, intellectual property, class actions, insurance, real estate and antitrust litigation in both federal and state courts. She has significant experience in appellate litigation, including interlocutory appeals and expedited appeals in federal and state courts.

Malaika has a successful track record of representing numerous clients in jury trials, bench trials, and arbitrations, including as lead counsel. She has represented clients in the Supreme Court of the United States and has served as lead counsel before the US Court of Appeals, where she established a reputation for achieving successful outcomes for her clients.

Before joining McNaul Ebel, she practiced at Heller Ehrman LLP. She also served as a law clerk for the Honorable Thomas G. Nelson of the US Court of Appeals for the Ninth Circuit. During law school, she served as the articles editor for *Cornell Law Review*.

Malaika is a socially active leader in her field who is committed to using her talents and insight to benefit her community. She has earned numerous awards for her pro bono service, including Heller Ehrman's annual Richard E. Guggenheim Award, which was awarded in recognition of her "exceptional commitment" to pro bono work.

In addition, Malaika sat on the Board of Directors for Mother Attorneys Mentoring Association of Seattle and served as president of Mother Attorneys Mentoring Association USA. She is a founding member of the steering committee for the Puget Sound Chapter of the American Constitution Society for Law and Policy, and she has served as faculty for a number of Washington State Bar Association Continuing Legal Education seminars.

### Practice Areas

Litigation & Trial Practice

### Education

Cornell Law School (JD), magna cum laude

Cornell Institute for Public Affairs (MPA)

Willamette University (BA), cum laude

### Bar Admissions

Washington State

### Court Admissions

US District Court for the Western District of Washington

US District Court for the Eastern District of Washington

US Court of Appeals for the Ninth Circuit

US Court of Federal Claims

Supreme Court of the United States

Malaika is a dedicated bike commuter, rain or shine. When she is not representing her clients or biking, she enjoys skiing, snowshoeing, swimming, kayaking, baking, and doing her best to keep up with her three very active kids.

## Representative Cases & Matters

- Represented clients in breach of contract and Washington State Securities Act claims against health clinic; obtained judgment of over \$33 million after arbitration that was confirmed by the court.
- Represented doctor in retaliation and breach of contract related claims against hospital; obtained an award of \$18.2 million in damages and attorney's fees and costs after a hard fought arbitration, and argued the appeal before the Court of Appeals, which confirmed the award.
- Represented clients in defending against wage withholding claim; obtained full defense verdict and a fee award after three week jury trial.
- Represented company in breach of fiduciary duty claims against its former CEO; obtained a judgment of over \$6 million after trial and an additional significant fee award, both of which were upheld on appeal. Watch Malaika's oral argument before the Ninth Circuit [here](#) (starts at 15:54).
- Represented a lawyer in a malpractice and breach of fiduciary duty action arising out of tax-related advice. After a lengthy jury trial, she obtained a favorable verdict that was upheld on appeal.
- Represented manager in lengthy multi-party jury trial over the course of six weeks. Obtained a unanimous jury verdict on manager's defamation claims, defeating false accusations of sexual harassment, retaliation, and related claims.
- Represented majority shareholders in a closely held company in expedited arbitration arising out of a dispute over the purchase of the company. After expedited arbitration, she obtained a favorable verdict that included a fee award.
- Represented a law firm in fee dispute and malpractice counterclaims. She prevailed on summary judgment, which was upheld on appeal.
- Represented a bank in a case alleging unlawful discrimination. After a multiweek jury trial, she settled the case favorably prior to closing arguments.
- Represented a local charity in TEDRA litigation relating to a family's challenge to a decedent's charitable gift. She resolved the case favorably for her client in an expedited time frame.

- Represented majority shareholders in a minority shareholder oppression and breach of fiduciary duty case; obtained a full defense verdict after a multiweek jury trial.
- Represented a doctor in a dispute with a local hospital over removal of privileges, prevailing after a multiday internal hearing process.
- Represented a local business and an employee in a dispute with a competitor over the terms of a non-compete agreement. She settled the case favorably for her client.
- Represented a developer in cross-suits with a lender relating to various projects. She settled the case in her client's favor shortly before trial.
- Represented a lawyer in a malpractice and breach of fiduciary duty claims relating to a real estate development. The case was dismissed on summary judgment.

## Awards

- Fellow, American College of Trial Lawyers
- Ranked by Chambers & Partners
- Rated AV Preeminent (4.9/5.0) by Martindale-Hubbell
- Rated Superb by Avvo
- Selected by Washington Law & Politics as a Rising Star and a Super Lawyer
- Top 100 Washington Lawyers (2018 - 2020)
- Top 50 Women Washington Super Lawyers (2018 - 2020)
- Named a Washington State Super Lawyer (2020)
- Richard E. Guggenheim Award, Heller Ehrman LLP