



2021 RISING STAR

Sierra Elizabeth

Kirkland & Ellis equity partner Sierra Elizabeth has spent the last two years representing 3M in massive multidistrict litigation against the company by service members who used its earplugs and now have hearing loss, resulting in a hot-off-the-press bellwether trial win, earning her a spot among the top trial lawyers under age 40 honored by Law360 as Rising Stars.

His biggest case:

In late May, Elizabeth won a bellwether trial for 3M in multidistrict litigation over its combat earplugs, which were provided to service members who have since claimed they lost their hearing because the earplugs weren't effective. 3M stands by the earplugs.

Interviewed for this story following closing arguments in the trial, but before she found out that she and her team had won, Elizabeth told Law360 that her role in the 236,000-plaintiff litigation had been the most important of her career, regardless of the trial's outcome.

"In terms of scale, in terms of difficulty, this is probably one of the most difficult [cases] of my career," she said, adding that it has "taken

most of my time over the last couple of years" as she's traveled from Los Angeles to 3M's headquarters in Minnesota and its labs in Indiana.

Cases that involve David vs. Goliath optics can be some of the hardest to try, Elizabeth explained.

"When you're representing a giant of the industry, you're walking into every case with that bias on your back," she said. On the opposite side, the plaintiffs — military veterans from all branches, though mainly from the U.S. Army — were some of the "most sympathetic plaintiffs that you can have," she added.

Her other significant wins:

Elizabeth's first big trial was a personal injury trial against the movie studio Warner Bros., which she won.

Another David vs. Goliath case, it was an early opportunity to experience the heat of courtroom battle alongside some of the most senior attorneys at Kirkland, working on behalf of a major name in the industry.

"We got a complete defense verdict. ... We were representing a big company, which is difficult to do when you're facing a single person

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on the other side,” Elizabeth said, noting that she has had “the pleasure of being taught by some of the best trial lawyers in the world.”

What motivates her:

A former basketball and track athlete at the University of Michigan, Elizabeth said that courtroom work requires the same competitive nature and provides a similar energy.

“Trial work, in particular, is the only thing I know that matches that adrenaline rush,” she said. “It’s unpredictable.”

She also acknowledged that trial work is grueling. Each time she goes to trial, “I probably lose a couple of years off my life,” she said, laughing. “I don’t get to see my family and friends, and I’m stressed. But it’s all worth it.”

Changes she expects in the next decade:

The legal industry has been transformed by the COVID-19 pandemic, perhaps nowhere more than in the world of trial work, Elizabeth said. The number of trials occurring annually had been dwindling for many years before the pandemic hit, and it was more and more difficult for young lawyers to get that very specific experience under their belts, even in prosecutors’ offices. Much of that decrease “was because of the burden and the backlog on the court system,” Elizabeth said.

But after the legal world’s sudden crash course in working differently began in March 2020 and clients began to realize that litigation and trial work can be done in a much more inexpensive and

straightforward way, things are likely to change moving forward, she said.

“I actually think that the cases we couldn’t try before because of the logistics, et cetera, will now have the possibility to get tried. And I’d actually predict I will try more cases now because people are actually [willing] to try cases by Zoom,” she said. “I would imagine that the next generation is going to be trying a lot of cases remotely.”

There are no guarantees, and it’s “still unclear as to how that will go,” she said. “But as a person who loves to try cases, I want to try as many as I can.”

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