







Joseph Vance Partner

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“I take great pride in helping clients resolve difficult problems. I am easily accessible and respond quickly to clients. I work closely with my clients to do a thorough early evaluation of each case and to develop a litigation strategy based on my clients’ short-and long-term goals. Using the judgment, wisdom and trial skills developed over 20 years of litigating cases, I am a strong and effective advocate for my clients.”

Joe Vance takes great pride in helping clients resolve different problems. He is the chair of Miller Nash’s Vancouver litigation team and has more than 20 years’ experience successfully representing clients in a wide variety of complex litigation in state and federal court in Washington and Oregon. The type of cases litigated include defending employers in a full range of employment-related claims; all types of real estate related litigation, including adverse possession and other property disputes; corporate governance disputes; construction disputes; and TEDRA and guardianship litigation.

Joe’s deep knowledge of his clients’ business and their people strengthens his litigation practice. He focuses on understanding how his clients work and their goals. Joe works closely with clients to do a thorough early evaluation of each case and to develop a litigation strategy based on his clients’ short- and long-term goals. In recognition of his professional accomplishments, Joe has been recognized as a “Labor and Employment Star—West” by Benchmark Litigation and as a Top-Rated Employment Litigation Attorney in Vancouver, Washington, in *Washington Super Lawyers Magazine*.

Professional Activities

- American Bar Association, member
- Washington State Bar Association, member
- Clark County Bar Association, member
- George and Donald Simpson American Inns of Court, barrister
- J. Reuben Clark Law Society, member
- Washington State Council of School Attorneys, member

Education

J.D., University of Washington School of Law, 1995

B.S., Brigham Young University, 1992

Bar Admissions

Oregon, 1999
Washington, 1995

Court Admissions

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court, Western District of Washington

U.S. District Court, Eastern District of Washington

U.S. District Court, District of Oregon

Civic Activities

- Columbia Credit Union, board of directors
 - Executive Committee, member, 2020-present
 - treasurer, 2020-present
- Ridgefield School District, board of directors
 - president, 2020-present
- Vancouver Rotary Foundation, past chair
- Boys & Girls Club of Southwest Washington, board member, 2011-2015
- Brigham Young University FHSS National Advisory Committee, board member, 2000-2011
- Vancouver Symphony Orchestra, board member, 2007-2010

Representative Experience

Employment

- *Kramer v. Tosco*. Defended employer in eight-day federal-court jury trial alleging ADA discrimination and wrongful discharge. Defense verdict on all claims.
- *McCarthy v. Barrett Business Services, Inc.* Defended employer in five-day arbitration alleging sexual harassment, FMLA discrimination, retaliation, and wrongful discharge. Defense verdict on all claims.
- *Melton v. Philip Morris*. Successfully compelled plaintiff to arbitrate claims, through motion in district court and subsequent appeal to Ninth Circuit. Defended employer in five-day arbitration alleging age discrimination, workers' compensation retaliation, and wrongful discharge. Defense verdict on all claims.
- *Barnett v. Emerson's Fresh Food Solutions, LLC, et al.* Defended employer in state-court case alleging wrongful termination, disability discrimination, and workers comp retaliation. Obtained summary judgment dismissal on all claims.
- *Black v. Barrett Business Services, Inc.* Defended employer in federal-court Equal Pay Act and Title VII discrimination case. Obtained summary judgment on all claims.
- *Morse v. Venator*. Defended employer in federal-court age-discrimination and wrongful-termination case. Obtained summary judgment on all claims.
- *Speed v. Adidas*. Defended employer in federal-court case alleging race discrimination, FMLA violations, and wrongful discharge. Obtained summary judgment on all claims.
- *Zietoun v. Adidas*. Defended employer in state-court case alleging wrongful termination. Obtained summary judgment dismissal of claim.
- *Lloyd v. PacifiCorp*. Obtained summary judgment for employer on marital status discrimination claim.
- *Hall v. Sally Beauty Supply Company*. Defended employer in federal-court whistleblower and wrongful-termination case. Plaintiff voluntarily dismissed the case with prejudice after completion of her deposition.
- *Scroggs v. Great Northwest Restaurants, Inc.* Defended employer in five-plaintiff, state-court case alleging sexual harassment. Favorably settled claims before trial.
- *Lee v. AT&T Broadband*. Defended employer in state-court case alleging wrongful termination and retaliation. Plaintiff voluntarily dismissed the case with prejudice after completion of his deposition.
- *Deoca v. Matheson Flight Extenders, Inc.* Defended employer in federal-court case alleging wrongful termination and retaliation. Obtained dismissal of all claims on a motion to dismiss.

Commercial Landlord Tenant Disputes

- *Glendale Farms, Inc. v. Sester Farms, Inc.* Defended tenant in commercial lease dispute with landlord involving claims in excess of \$4 million. Favorably settled claims before trial.
- *Gateway Med, LLC v. Hwang Ghorbanian, PLLC, et al.* Represented landlord in commercial lease dispute with tenant. Favorably settled claims before trial.
- *Bennett Family Trust II v. NW Glass.* Successfully represented the landlord in a commercial landlord/tenant dispute.

Real Estate Disputes

- *City Harvest Church v. Harper Vancouver.* Represented the plaintiff in a weeklong arbitration establishing claims for breach of contract related to real estate development.
- *Tonn v. Eggleston.* Represented defendants in a two-day trial establishing a counterclaim for declaratory judgment to quiet title, ejectment, and breach of contract related to a dispute over property ownership. The trial court's decision was upheld on appeal.
- *Weyerhaeuser Company v. JAJ Family Limited Partnership.* Represented Weyerhaeuser in a four-day private condemnation trial to obtain a private way of necessity over Weyerhaeuser's preferred route.
- *Weyerhaeuser Company v. McWhorter.* Represented Weyerhaeuser in a four-day private condemnation trial to obtain a private way of necessity over Weyerhaeuser's preferred route. Successfully reduced defendants' petitions for attorney fees and costs by 75 percent.
- *Matson and Morgan v. Cambridge Estates Homeowners Association, et al.* Represented property owners in state court bench trial to determine whether platted road was public or private.
- *Parker v. Parkview Trails.* Obtained summary judgment in a quiet title action related to the enforceability of a deed of trust. The trial court's decision was upheld on appeal.

Commercial Contracts & Tort Disputes

- *Freightliner Aftermarket Sales Corp. v. Bank of America.* Defended bank against claims of breach of contract and fraud alleging damages in excess of \$35 million. Obtained directed verdict on all claims.
- *Bank of America v. Hemp Street.* Obtained summary judgment for bank on \$16 million breach-of-contract claim.
- *Clough v. Texaco Refining & Marketing, Inc.* Represented Texaco and Equillon Enterprises LLC in antitrust case brought by gasoline dealers in the Portland area. Plaintiffs alleged that defendants had violated price discrimination statutes and sought \$9 million in damages. Case settled after summary judgment motions filed.
- *RD Offutt Farms v. Goulds Pumps, Inc.* Defended manufacturer against claims for over \$3 million based on alleged products liability, negligence, and breach of warranty.
- *Rosen Products LLC v. Lear Corp.* Represented defendant in federal-court breach-of-contract case alleging in excess of \$6 million in damages. Favorably settled claims before trial.
- *Sunset Appraisal v. Bank of America.* Defended bank against UCC and negligence claims seeking damages in excess of \$100,000 related to embezzlement by plaintiff's bookkeeper. Favorably settled claims at start of trial.

Publications

- "Does COVID-19 Excuse Performance?" *Vancouver Business Journal* (Apr. 2020)
- "Social Media Networking Guidelines for Employers," *Vancouver Business Journal*, coauthor (Jan. 2017)
- "Forbidden Love? How Employers Should Handle Office Romances," *Vancouver Business Journal*, coauthor (Dec. 2016)
- "Employees' Rights to Privacy: Washington Laws Restrict Employers' Access to Private Social Media Accounts," *Vancouver Business Journal*, coauthor (Dec. 2013)
- "Legalization of Marijuana Doesn't Negate Employer Drug Policies," *Vancouver Business Journal* (Feb. 2013)

- “Avoiding Wage-and-Hour Class Actions,” Miller Nash, *News You Can Use*, coauthor (June 2011)
- “Employers’ Take on Telecommuting: Tips to Prevent Wage and Hour Claims From Homebound Workers,” *Vancouver Business Journal* (Mar. 2010)
- “The Red Flag Rules for Health Providers: Tips for Safeguarding Patient Identity—And Your Bottom Line,” *Vancouver Business Journal* (Aug. 2009)

Presentations

- “Force Majeure,” Association of Women in the Metal Industries, Western Region Chapters, webinar (June 2020)
- “Final Preparation for New Washington Employment Laws,” Miller Nash Graham & Dunn, Breakfast Roundtable Series (Dec. 2019)
- “Icebergs Lurking Below the Surface: Best Practices for Conducting Unsinkable Workplace Investigations,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2019)
- “To Document, or Not, and Other Hot Topics in Employment,” Miller Nash Graham & Dunn, Breakfast Roundtable Series (June 2019)
- “Following the Breadcrumb Trail: Managing Social Media in the Workplace,” Miller Nash Graham & Dunn, Employment Law Seminar (Nov. 2016)
- “Employment Law: Rights, Benefits, and Emerging Issues,” Sterling Education Services Seminar (Oct. 2016)
- “Navigating Workplace Investigations—Tips to Conduct Fair Investigations and Avoid Risk,” Miller Nash Graham & Dunn, Breakfast Roundtable Series (Sept. 2016)
- “Superheroes or Creatures From the Black Lagoon? Restrictive Covenants,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2015)
- “Case Law Concerto: A State and Federal Employment Law Update,” Miller Nash, Employment Law Seminar (Oct. 2013 and Nov. 2013)
- “How to Take a Winning Deposition,” Washington State Bar Association, Solo and Small Firm Conference (July 2013)
- “It’s Elementary: Simple Tips to Manage Agency Charges and Retaliation Claims,” Miller Nash, Employment Law Seminar (Oct. 2012 and Nov. 2012)
- “When Will the Information Age Arrive? E-Verify, No-Match Letters & the Immigration Reform and Control Act,” Miller Nash, Employment Law Seminar (Oct. 2011 and Nov. 2011)
- “The Ever-Changing Tide of Employment Law: State & Federal Law Updates,” Miller Nash, Employment Law Seminar (Sept. 2009 and Oct. 2009)
- “Updates to State and Federal Employment Law,” Miller Nash, Employment Law Seminar (Sept. 2008 & Oct. 2008)
- “Employee Misuse of Workplace Technology,” Miller Nash, Employment Law Spotlight Series (May 2007)
- “Defending and Taking Depositions” (Aug. 2009)
- “Lincoln on Professionalism” (May 2009)

Recognition & Honors

- Recognized as a “Labor and Employment Star—West” by *Benchmark Litigation*
- Selected for inclusion as a Washington Super Lawyer, 2013-present

Personal Activities

Joe enjoys coaching his kids in baseball, soccer, and basketball.