



John C. Clarke

 Associate

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🐦 @millernashllp

“I value my relationship with clients as a collaborative, professional journey toward a resolution that makes sense for each client’s goals and circumstances. My approach is simple: work hard, listen, and never give up on identifying more innovative, cost-effective, and practical ways to resolve client disputes across various legal landscapes.”

As an Oregon native, John Clarke brings significant value, commitment, and experience to the work that he performs for a diverse group of businesses, nonprofits, public entities, and individuals. He is an associate in the firm’s litigation group, where he focuses on securities, corporate governance, class action, and business litigation, representing clients in a wide variety of disputes in state and federal courts, and in arbitration proceedings. John is also proud to serve his clients beyond litigation, assisting with internal compliance reviews and representing clients in administrative investigations and enforcement proceedings.

John is a constructive writing advocate, formulating strategies that go beyond traditional legal arguments and brief-writing. He is adept at telling a compelling story, untangling complicating facts, and maintaining the highest level of professionalism to maximize the potential for favorable outcomes. John has made winning arguments and achieved successful outcomes in several matters, including:

- Compelling the production of documents withheld under the attorney-client privilege and work-product doctrine;
- Opposing motions to dismiss for failure to state a claim under the Oregon Securities Law;
- Prevailing on a motion for summary judgment in a state-court action asserting claims under antidiscrimination statutes; and,
- Creating new law in California for compliance with the Oregon Tort Claims Act.

Before joining the firm, John graduated from the University of Oregon School of Law, becoming a member of the Order of the Coif, an honor society that recognizes the top graduating law students from their class. During school, John obtained valuable experience by serving as an extern for the Honorable Michael

Education

J.D., University of Oregon
School of Law, 2015
▪ Order of the Coif

B.A., Arizona State
University, *magna cum
laude*, political science,
2011

Bar Admissions

Oregon, 2015

Court Admissions

U.S. Court of Appeals for
the Ninth Circuit, 2016

U.S. District Court, District
of Oregon, 2015

J. McShane of the U.S. District Court for the District of Oregon and as a law clerk at Eugene-based firm Arnold Gallagher P.C. He received the Laird Kirkpatrick Book Prize in trial practice, awarded to the top student in a class that focused on trial strategy and oral argument. As part of the University of Oregon's nationally ranked legal-writing program, John also served as a tutor and mentor for legal-writing students.

Professional Activities

- Multnomah Bar Association, member
- Oregon State Bar Association, member
- American Bar Association, member
- Federal Bar Association, member

Civic Activities

- U.S. District Court of Oregon Historical Society
 - board of directors, 2019-present
- Campaign for Equal Justice
 - Large Firm Associates Committee, member

Representative Experience

Securities & Corporate Governance Litigation

- Representing Oregon corporation involved in a closely held business dispute among its shareholders, defending against allegations of minority oppression.
- Representing group of investors that collectively lost millions of dollars arising out of the collapse of an Oregon investment company accused of defrauding investors.
- Represented individual clients involved in a closely held business dispute, defending against claims for common law fraud, breach of fiduciary duty, and claims under the Oregon Securities Law, obtaining a favorable resolution for the clients.

Class Action Litigation

- Represented publicly traded corporation in a securities class action in federal court, a state court shareholder derivative lawsuit, and government investigations by the Department of Justice and Securities and Exchange Commission Enforcement Division, defending against claims that arose from allegations of accounting impropriety and insider trading.

Other Commercial Litigation

- Representing American comic book and manga publisher in a copyright infringement lawsuit in federal court, prevailing on multiple motions to dismiss and successfully obtaining a dismissal of an appeal in the U.S. Court of Appeals for the Ninth Circuit.
- Defended client in a state court action asserting claims under state common law and state and federal antidiscrimination statutes, prevailing on a motion for summary judgment that resulted in the dismissal of all claims.
- Defended hydroelectric turbine manufacturer in federal court against claims for product liability and resulting delay. After developing defenses with engineering and construction delay experts, obtained a favorable resolution for the client.

Pro Bono Service

- Assisting Spanish-speaking client in collecting a \$30,000 judgment through Miller Nash Graham & Dunn’s virtual legal aid clinic.
- Assisted client with vacating 25-year-old convictions that were a result of her having been a victim of trafficking in New York.

Publications

- “Controversial Cap on Damages Against Public Entities and Employees Upheld in *Horton v. OHSU*,” Miller Nash Graham & Dunn, *From The Ground Up* (June 2016)
- “2015 Broker-Dealer Litigation Survey,” American Bar Association, contributor (Mar. 2016)

Recognition & Honors

- Recipient of the Multnomah Bar Association’s Pro Bono Award of Merit, 2021
- Recipient of the 2020 Clifford N. Carlsen, Jr. Pro Bono Award
- Selected for inclusion in *Best Lawyers: Ones to Watch* in Commercial Litigation, Corporate Governance and Compliance Law, and Litigation—Securities, 2021
- Selected for inclusion as an Oregon Super Lawyer—Rising Star, 2020

Personal Activities

An Oregon native, John enjoys spending time outdoors. He enjoys playing golf, running, and spending time with his high-energy boxer, Kaya.