







# Bruce Campbell

Partner

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 @millernashllp

Bruce Campbell heads Miller Nash’s Portland litigation and appellate practice teams. His practice emphasizes appeals, securities litigation, and commercial litigation. He served as a judicial clerk for Ninth Circuit Court of Appeals Judge Cecil F. Poole in San Francisco. Bruce’s litigation experience includes handling matters involving securities, shareholder litigation, school law, energy law, antitrust and trade regulation, and appeals. He served as chair of Miller Nash’s hiring committee from 1997 through 2003 and was a member of the firm’s executive committee from 2004 through 2006.

## Professional Activities

- Multnomah Bar Association, member
- Oregon State Bar, member
  - Antitrust, Trade Regulation Section, member
    - Executive Committee, past member
  - Appellate Practice Section, member
    - Executive Committee, past member
  - Litigation Section, member
- Washington State Bar Association, member
- American Bar Association, member
- Noerr-Pennington and State Action Gazette, former contributor

## Civic Activities

- Goose Hollow Family Shelter, volunteer
- SMART (Start Making a Reader Today)
  - Program and Literacy Committee, member
- Multnomah Athletic Club, member
- ACLU of Oregon, Lawyer’s Committee

## Representative Experience

### Appellate Law

- Represented public school district in appeal from judgment for plaintiff on IDEA and §1983 claims. Obtained reversal of judgment and affirmance of pretrial rulings dismissing ADA and Rehabilitation Act claims. *C.O. v. Portland Public Schools*, 679 F3d 1162 (9th Cir 2012)

## Education

J.D., University of Michigan, *cum laude*, 1988

M.A., Northwestern University, Kellogg Graduate School of Management, with honors, accounting and finance, 1982

B.A., University of Oregon, finance, 1980

## Bar Admissions

Oregon, 1992  
Washington, 1990

## Court Admissions

U.S. Supreme Court

U.S. Court of Appeals for the Ninth Circuit

U.S. District Court, District of Oregon

U.S. District Court, Eastern District of Washington

U.S. District Court, Western District of Washington

- Represented securities broker-dealer in appeal from order denying motion to compel arbitration. Court of Appeals reversed and directed trial court to compel arbitration. *Citigroup Smith Barney v. Henderson*, 241 Or App 65 (2011)
- Represented industrial property owner in appeal seeking insurance coverage for over \$20 million in environmental cleanup costs. Oregon Supreme Court reversed Court of Appeals, ruling that property owner is entitled to coverage under comprehensive general liability, bumbershoot, and marine insurance policies. *ZRZ Realty Co. v. Beneficial Fire and Cas. Ins. Co.*, 349 Or 117 (2010)
- Represented electric utility in appeal from order denying motion to compel arbitration. Court of Appeals reversed trial court, and ordered it to grant motion to compel arbitration. *Jeld-Wen, Inc. v. PacifiCorp*, 240 Or App 124 (2010)
- Represented electric utility in defense of \$80 million claim challenging increase to industrial users electric rates. Court of Appeals affirmed trial court's dismissal of all claims. *Klamath Off-Project Water Users v. PacifiCorp*, 237 Or App 434 (2010)
- Represented electric utility in defense of \$80 million claim challenging increase to industrial users electric rates. Court of Appeals affirmed trial court's dismissal of all claims. *Klamath Off-Project Water Users v. PacifiCorp*, 237 Or App 434 (2010)
- Coauthored amicus brief in *Doe v. Medford School District*, addressing public-entity rights as property owner and employer and state statutes concerning concealed weapons. *Doe v. Medford School District*, Or App 38 (2009)
- Represented utility in defense of employment discrimination lawsuit. Summary judgment for utility affirmed on appeal. *Phillips v. PacifiCorp*, 304 F Appx 527 (9th Cir 2008)
- Represented broker-dealer in appeal from pretrial dismissal of negligence claims. Oregon Supreme Court concluded that the broker-dealer did not have a special relationship with investor that permitted assertion of tort claims. *Boyer v. Salomon Smith Barney*, 344 Or 583 (2008)
- Represented defendant in appeal of \$1 million judgment based on jury verdict. Court of Appeals reversed judgment and remanded for new trial. *Cyberco Holdings, Inc. v. Con-Way Transp. Services*, 212 Or App 576, rev denied, 343 Or 366 (2007)
- Coauthored amicus brief in *Washburn v. Columbia Forest Products* concerning intersection of Oregon Medical Marijuana Act and federal law pertaining to controlled substances. *Washburn v. Columbia Forest Products* (2006)
- Successfully defended broker-dealer in arbitration, federal district court, and Ninth Circuit in action arising from options trading. *Nordahl Development Corp. v. Salomon Smith Barney*, 309 F Supp 2d 1257 (D Or 2004)
- Obtained reversal on appeal of \$1 million jury verdict on counterclaim for breach of contract. *Atlas Copco v. Karn*, 172 Or App 317, rev denied, 332 Or 316 (2001)
- Represented Louisiana-Pacific (respondent) on appeal from defense verdict in claim by State of Oregon for restitution of costs of suppressing forest fire. *Louisiana Pacific v. State*, 166 Or App 205 (2000)
- Represented Springfield School District (appellant) in appeal from judgment for defendant in public records act case. *Springfield School District v. Guard Publishing*, 156 Or App 176 (1998)

### Litigation & Arbitration

- Successfully challenged the National Women's Soccer League's minimum age rule in U.S. District Court as an illegal boycott in violation of federal antitrust law on behalf of 15-year-old professional soccer player Olivia Moultrie. Trial team obtained a temporary restraining order and a preliminary injunction in this landmark case, prohibiting the NWSL and its teams from boycotting Moultrie due to her age. Achievements also included securing favorable rulings on significant questions arising out of federal antitrust and labor law, including that the NWSL and its teams did not constitute a "single entity" for antitrust purposes and that Moultrie's claim

was not precluded by federal labor statutes and did not interfere with ongoing collective bargaining between the NWSL and the NWSL Players Association. Case culminated in the negotiation of a settlement ensuring Moultrie's right to continue playing in the NWSL, subject to the provisions of any final collective bargaining agreement.

- Represented electric utility in declaratory judgment action seeking to terminate power purchase agreement. District court granted summary judgment for client, ruling that it was entitled to terminate agreement on reasonable notice. *PacifiCorp v. Public Utility Dist. No. 2 of Grant County*, CV. No. 09-1012-KI (D Or 2011)
- Obtained \$1.4 million arbitration award and permanent injunction based on claims for corporate raiding, breach of fiduciary duty, aiding and abetting breach of fiduciary duty, and breach of contract. *Strand Atkinson v. Wear* (2009)
- Obtained dismissal of complaint alleging \$80 million in damages due to increase in electric rates. *KOPWU v. PacifiCorp*, Klamath County (Oregon) Circuit Court (2008)
- Represented Portland School District discrimination claim before Oregon Supreme Court in which the Court upheld school district's practice. *Powell v. Bunn*, 341 Or 306 (2006)
- Represented broker-dealer against claims for violation of federal and state securities laws arising from respondent's securities lending business. Claimant sought damages of over \$50 million plus attorney fees. After five days of hearings, panel granted summary award for respondent and awarded it \$287,000 in attorney fees and costs. *Barinaga v. UBS* (2005)
- Represented broker-dealer in lawsuit alleging that broker-dealer and its registered representative failed to follow instructions and recommended inappropriate investments. District court granted client's motion for partial summary judgment and dismissed claims for negligence, breach of fiduciary duty, and violation of Oregon Unfair Trade Practices Act. *Thompson v. Smith Barney*, 324 F Supp 2d 1152 (D Or 2004)

## Publications

- "The Oregon Supreme Court Sets Precedent for Burden of Proof and Allows for Insurance Coverage of Contaminated-Sediment Cleanup," Oregon State Bar, Environmental & Natural Resources Section's "E-Outlook" Newsletter (Dec. 2010)
- "Oregon Supreme Court Win for the Zidell Companies Could Mean Millions in Insurance Coverage," Miller Nash (Nov. 2010)
- "Contorts (Contractual Torts)," Oregon State Bar, educational publication on business torts (2010)
- "Venue and Transfer," Oregon State Bar, chapter in OSB publication on federal civil litigation (2010)

## Recognition & Honors

- Recognized as a "Leader in Their Field" by *Chambers USA* for Litigation: General Commercial, 2021
- Elected as a Fellow of the American Academy of Appellate Lawyers
- Selected for inclusion as an Oregon Super Lawyer, 2008-present
  - Top 50 Oregon Super Lawyers, 2010-2011, 2018-present
- Named "Oregon Litigation Star" by *Benchmark Litigation*, 2012-present
- Selected for inclusion in *The Best Lawyers in America*® (Portland, OR)
  - Appellate Practice, 2012-present
  - Litigation—Securities, 2013-present; "Lawyer of the Year," 2022
- Peer Review Rated Lawyer of AV® Preeminent™ by Martindale-Hubbell®

## Personal Activities

Bruce enjoys running, politics, movies, and Chicago Cubs baseball.