



Erica A. Clausen

 Associate

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🐦 @millernashllp

“I provide pragmatic, solution-oriented advice to effectively and efficiently achieve a client’s legal objectives. Thoughtful communication and active listening are fundamental to any relationship, whether collaborating with a client or conversing with opposing counsel. Relatedly, I recognize the value of a simple telephone call and the opportunity to provide a personable approach expeditiously.”

Erica Clausen’s practice focuses on eminent domain, construction, nonprofits, and maritime; she also has broad familiarity with various types of complex civil litigation. Erica has diverse experience representing local, national, and international clients in complicated and often high-profile disputes in state and federal courts. She prides herself in addressing client needs in advance of litigation, including negotiations with various regulatory bodies or governmental entities.

Erica supports Oregon transit authorities, municipalities, utilities, and school districts in their efforts to acquire land through the use of eminent domain. She advises clients on the initial precondemnation process and, if necessary, proceeding with condemnation.

During law school, Erica was a litigation staff member and developed a wealth of knowledge in managing complex litigation, problem-solving with attorneys and staff, and building relationships with clients. Erica’s background also includes externships at law firms in Tokyo, Japan, and Perth, Australia, both of which have enriched her awareness of international legal dynamics and cultures. In 2010, Erica worked as an intern for U.S. Senator Ron Wyden.

Professional Activities

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

Civic Activities

- Campaign for Equal Justice

Education

J.D., Lewis & Clark Law School, 2017

- Notes and Comments Editor, *Lewis & Clark Law Review*

B.A., University of Iowa, with honors, political science, international studies, 2010

- President’s List
- Dean’s List

Bar Admissions

Oregon, 2017

Representative Experience

Litigation & Dispute Resolution

- 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.
- Acting on behalf of both the condemning authority and property owner, Erica has litigated more than a dozen Oregon condemnation actions.
- Successfully negotiated and contested the U.S. Customs and Border Patrol's seizure of product imported by clients in the cannabis industry.
- Represented 70 investors who collectively lost nearly \$100 million in the Aequitas Ponzi scheme. Obtained favorable settlements with third-party professionals in state court litigation and private arbitration, resulting in a gross recovery exceeding our clients' investment losses.

Publications

- "Chapter 26: Cyber Insurance," Oregon State Bar BarBooks™, *Insurance Law in Oregon 2020 Edition*, coauthor (May 2020)
- "Cultivating the Benefit of § 501(r)(3): § 501(r)(3) Requirements for Nonprofit Hospitals," 20 *Lewis & Clark L. Rev.* 1025, coauthor (Oct. 2016)

Presentations

- "Professionalism Orientation Fall 2020," Lewis & Clark Law School, discussion leader (Aug. 2020)
- "Enforcement of US Maritime Liens "Created" in Foreign Jurisdictions," Washington State Bar, Current Issues in Maritime Law 2018 CLE seminar (May 2018)

Recognition & Honors

- Selected for inclusion in Best Lawyers: Ones to Watch
 - Commercial Litigation, 2022

Personal Activities

Erica seizes every opportunity to get outside, whether for a hike, run, or water activity. As a lifelong soccer player, and former D1 student-athlete, she can also be found lacing up the boots for an indoor game on occasion. One of her true passions is traveling, where she enjoys absorbing the local culture by appreciating art museums and local cuisine.