



Eric R. Mills Associate

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🐦 @millernashllp

“I take pride in guiding clients out of difficult legal disputes or unfamiliar business challenges. Our clients deserve and expect skilled attorneys who align their goals with the best possible outcome, in or out of court.”

Eric Mills is an adept litigator who focuses on helping companies and individuals in the cannabis industry and other consumer product and services industries as they face litigation, regulatory regimes, and investigations. He represents national, regional, and local businesses and individuals from all backgrounds in federal and state court and in administrative proceedings before government regulatory bodies, including the Oregon Liquor Control Commission.

Eric brings an attentive, thoughtful, and thorough approach to solving his clients’ problems and achieving favorable resolutions both in and out of court. He excels at mastering complex facts and the detailed workings of his clients’ businesses, industries, and lives and enjoys unraveling complicated problems.

Eric routinely handles contract disputes, tort claims, corporate governance disputes, and other cases. His experience extends to helping clients in a wide array of industries, including financial services, telecommunications, retail, automotive, transportation, software, real estate, shipping, energy, and many others. He is also closely familiar with issues related to antitrust and competition law, the Foreign Corrupt Practices Act, and other complex areas of federal and state law and regulation.

Prior to joining Miller Nash, Eric practiced in the Washington, DC, office of a global law firm, where he specialized in antitrust and competition law, civil litigation, and government and internal investigations. During law school, Eric completed a judicial externship with the Honorable Michael H. Simon of the United States District Court for the District of Oregon. Before attending law school, he interned at The White House and worked as the field director for an Oregon state senate campaign and a legal assistant at a small law firm.

Professional Activities

- Oregon State Bar, member
- Gus J. Solomon Inn of Court, member

Education

J.D., Vanderbilt University Law School, 2016

- Order of the Coif
- Managing Editor, *Vanderbilt Law Review*

B.A., University of North Carolina at Chapel Hill, economics, political science, 2010

Bar Admissions

Oregon, 2019
District of Columbia, 2017
Virginia, 2016

Languages

French

Representative Experience

Antitrust

- 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.

Consumer Products & Services

- Represented producer of industrial hemp in breach of contract litigation against provider of harvesting services.
- Represents potential purchaser of marijuana retail business defending ongoing against breach of contract, fraud, and other claims arising out of termination of transaction.
- Represents potential purchaser of marijuana retail businesses in ongoing litigation regarding expiration of OLCC licenses associated with businesses to be purchased.
- Represented individual owner of marijuana production, wholesale, and retail businesses in successfully avoiding cancellation of licenses by OLCC due to reporting violations committed by co-owner and securing transfer of licenses to client as sole owner.
- Represented producer of industrial hemp seed in litigation against neighboring farmers resulting from cross-pollination of hemp crop by neighboring marijuana crop.
- Represents sellers of chemical business defending ongoing breach of contract, indemnification, and other claims by purchasers of business arising out of dispute regarding scope of sellers' post-closing indemnification obligations.
- Counseled producer of automotive accessories regarding competitive aspects of distribution agreements.
- Counseled retailer of consumer product regarding competitive aspects of agreement with supplier/competitor.

Business Disputes

- Represented general partner in petitioning to compel arbitration of corporate governance claims by limited partners regarding sale of real property owned by limited partnership.
- Represented individual, manager of LLC, and trustee of individual estate in obtaining six-figure settlement of claims against purported owners of real property for fraud, elder abuse, and other claims arising out of dispute over transfer of title.
- Represents freight transportation company in breach of contract litigation against former operator of grain terminal arising out of termination of exclusive services agreement.

Compliance

- Counseled merging company regarding compliance with federal antitrust reporting requirements.
- Counseled to-be acquired company in corporate acquisition regarding compliance with federal antitrust reporting requirements.

Publications

- "How NCAA Can Avoid Athlete Compensation Antitrust Issues," *Law360* (Feb. 2022)

- “Coordination, Sophistication and Cooperation: Recent Developments in Cross-Border Anti-Corruption Enforcement,” 457 *Développements récents en enquêtes internes et réglementaires* 143, *Barreau du Québec*, coauthor (2019)
- “Ninth Circuit Affirms Dismissal of Antitrust Suit Against Mexican State-Owned Joint Venture Under Act of State Doctrine,” California Lawyers Association, coauthor (Oct. 2018)

Presentations

- “Wait, Wait...Don’t Expel Me!” Gus J. Solomon Inn of Court, co-presenter (Apr. 2022)

Recognition & Honors

- Selected for inclusion as an Oregon Super Lawyer—Rising Star, 2022-present

Personal Activities

Eric spends his time outside of the office working on his house and yard, travelling with his wife, Leigh, and perfecting his homemade pizza recipe. Eric was born and raised in the Portland area and is just as at home in the Timbers Army as he is in court. He enjoys spending time at the Oregon coast, home-brewing beer, and attempting new hobbies like fishing and woodworking.