



# John C. Clarke

Partner

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**“As an experienced business litigation and conflict resolution attorney, I am committed to delivering strategic solutions and resolute advocacy to clients. To achieve successful outcomes, I strive to provide cost-effective, creative, and practical legal solutions tailored to each client’s needs.”**

As an Oregon native, John Clarke brings significant value, commitment, and experience to the work that he performs for businesses, public institutions, and individuals. As an attorney in the firm’s litigation team, he focuses on business, financial services, class action, securities, intellectual property, sports and entertainment law, and corporate governance disputes, representing clients in a wide variety of high-stakes disputes in state and federal courts, arbitration, and administrative proceedings. John provides personalized attention and guidance throughout the litigation process, ensuring that clients are well-informed and empowered to make sound decisions.

As the cochair of the firm’s pro bono committee, John brings unwavering dedication and commitment to advancing access to justice for underserved communities in Oregon. With an exceptional record as a litigation attorney, John embraces the core values of social responsibility and strives to make a lasting impact through pro bono service. John plays a pivotal role in identifying and spearheading pro bono initiatives that address critical legal needs to individuals and nonprofit organizations. His leadership allows the firm to engage in meaningful pro bono work, championing the firm’s long history as a socially conscious and compassionate legal advocate.

John is an effective written and oral advocate for clients. Through telling a client’s story and maintaining the highest level of professionalism, John has made winning arguments and achieved successful outcomes in several high-profile matters, including:

- Prevailing in a state court jury trial arising from an alleged breach of contract and breach of the covenant of good faith and fair dealing;
- Prevailing on a motion for summary judgment in a federal lawsuit asserting claims for fraud against a publicly traded company;

## 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  
Washington, 2023  
Arizona, 2024

## Court Admissions

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

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

- Prevailing a motion to dismiss in a state court lawsuit asserting consumer protection claims against a financial service institution; and
- Prevailing on a motion for summary judgment in a state-court action asserting claims under Oregon's antidiscrimination statutes.

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 served as an extern for the Honorable Michael 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, which is awarded to the top student in a class focusing 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 students.

### Professional Activities

- Multnomah Bar Association, Member
- Oregon State Bar Association, Member
- American Bar Association, Member
- Federal Bar Association, Member
- Armenian Bar Association, Member
- Miller Nash Pro Bono Committee, Cochair

### Civic Activities

- Leadership Portland, Portland Metro Chamber, Class of 2024
- SOLVE Oregon
  - Board of Directors, 2023-present
- U.S. District Court of Oregon Historical Society
  - Board of Directors, 2019-present

### Representative Experience

#### Securities & Corporate Governance Litigation

- Represented a financial institution in a putative class action in state court asserting claims for breach of contract and violations of Oregon's Unlawful Trade Practices Act, prevailing on motion to dismiss.
- Represented a Southern Oregon company involved in a closely held business dispute among its shareholders, defending against allegations of minority oppression.
- Represented a group of more than 60 investors that collectively lost millions of dollars arising out of the collapse of an Oregon investment company accused of defrauding investors, Aequitas Capital.
- 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.

#### Class Action Litigation

- Representing a large retailer in a putative class action lawsuit arising from the assessment of Portland's Clean Energy Surcharge.
- Represented a software company in a putative class action in federal court asserting claims under the Telephone Consumer Protection Act.
- Represented national trading card seller in a putative class action in federal court asserting claims for violations of Oregon's Unlawful Trade Practices Act, prevailing on motion to dismiss.

- 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.

### **Sports, Entertainment & Media**

- Represented a Seattle-based private high school in administrative appeals relating to conference alignment and admission into a local athletic conference for public and private high schools.
- Represented an owner of an Oregon minor league baseball team in a state court lawsuit arising from a corporate governance and ownership dispute.
- Represented American comic book 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.

### **Business, Intellectual Property, and Civil Rights Litigation**

- Defended a public school district in a state court lawsuit arising from claims for breach of contract and breach of the covenant of good faith and fair dealing from two general contractors, achieving a favorable verdict from a jury.
- Represented private education institution in federal lawsuit alleging claims under Section 1983, prevailing on motion to dismiss and successfully obtaining dismissal with prejudice.
- Represented 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.
- Represented 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**

- Represented Transgender Law Center and other nonprofit organizations in connection with filing amicus brief with Oregon Court of Appeals in support of appeal defending the rights of nonbinary Oregonians.
- Represented Spanish-speaking client in collecting a \$30,000 judgment through Miller Nash's virtual legal aid clinic.
- Represented client with vacating dozens of 25-year-old convictions that were a direct result of her being a victim of sex 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*® (Portland, OR)
  - Litigation—Antitrust, 2024-present
  - Litigation—Banking and Finance, 2024-present
  - Mass Tort Litigation/Class Actions—Plaintiffs, 2022-present
  - Commercial Litigation, 2021-present
  - Corporate Governance and Compliance Law, 2021-present
  - Litigation—Securities, 2021-present
- Selected for inclusion as an Oregon Super Lawyer—Rising Star, 2020-present

## Personal Activities

An Oregon native, John enjoys spending time outdoors. He enjoys landscape and lifestyle photography, running, and spending time with his family and high-energy dogs, Kaya and Pickles.