



# Erica R. Tatoian

## Special Counsel

 503.205.2335
  Portland Office  
 [erica.tatoian@millernash.com](mailto:erica.tatoian@millernash.com)

**“I believe in providing clients with clear, strategic communication, collaborating effectively with opposing counsel, and focusing on creative problem-solving and practical, results-driven resolutions.”**

Erica Tatoian is an experienced attorney focused on appellate law, business and complex litigation, regulatory and administrative law, and tort claim defense. She combines deep procedural knowledge with strategic insight to effectively represent clients across diverse industries.

Before joining Miller Nash, Erica practiced at a prominent Oregon law firm, guiding clients through complex litigation matters. She also served as a judicial clerk at the Oregon Court of Appeals, gaining firsthand experience in appellate decision-making and a deep understanding of appellate processes. During law school, Erica externed for Oregon Supreme Court Justice David Brewer, a role that provided unique insights into the highest level of state law and an opportunity to develop and refine her analytical, writing, and advocacy skills.

With a strong foundation in both trial and appellate law, Erica is dedicated to providing results-driven legal solutions tailored to each client’s needs.

### Professional Activities

- Multnomah Bar Association, Member, 2018-present
  - Equity, Diversity & Inclusion Committee, 2018-2021
- Coalition of Oregon School Administrators (COSA), Member, 2024-present
- Oregon Women Lawyers, Member, 2016-present
- Oregon State Bar, Member, 2016-present
  - Appellate Practice Section, Executive Committee, 2023-present

### Civic Activities

- Boys & Girls Club of Metropolitan Portland, Associate Board Member, 2019-2020
- Boys & Girls Club of Salem, Marion, & Polk Counties, Associate Board Member, 2017-2019
- SMART Reading: Lawyers for Literacy, Board Member, 2024-present

### Education

J.D., University of Oregon School of Law, 2016

- Notes & Comments Editor, *Journal of Environmental Law and Litigation*

B.A., University of California, Santa Cruz, 2013

- University Honors, *cum laude*
- Dean’s Honors

### Bar Admissions

Oregon, 2016  
Washington, 2021

### Court Admissions

U.S. District Court, District of Oregon, 2018

U.S. Court of Appeals for the Ninth Circuit, 2019

## Representative Experience

### Litigation

- On review before the Oregon Supreme Court, successfully obtained reversal of Oregon Court of Appeals decision holding that civil forfeiture under Oregon law violates the federal Double Jeopardy Clause. *Yamhill Cnty. V. Real Property*, 373 Or 82 (2024)\*
- Successfully defended trial court decision declining to hold attorney personally liable in lawsuit commenced by attorney's client's creditor for purported fraudulent transfer. *Lincoln Loan Co. v. PDFX3, LLC*, 334 Or App 258 (2024)\*
- On summary judgment, successfully defended private utility against claim that utility's records were subject to disclosure under Oregon's Public Records Law.\*
- Successfully petitioned the Supreme Court to grant discretionary review in three cases spanning three consecutive years.\*
- Successfully defended jury verdict awarding \$1.65 million in quantum meruit for services rendered over a twelve-year period. *Patton v. Cox*, 313 Or App 262 (2021), *rev den*, 369 Or 209, *recon den* (2022)\*
- Successfully defended trial court judgment rejecting HOA's attempt to prevent development on neighboring gold course property. *Creekside Homeowners Ass'n v. Creekside Golf Course, LLC*, 316 Or App 646 (2021)\*
- Successfully appealed trial court and Court of Appeals decisions to Oregon Supreme Court, establishing law on corporate succession, contribution rights among insurers under the Oregon Environmental Cleanup Assistance Act and common law, and interpretation of liability insurance pollution exclusions. *Allianz Global Risks v. ACE Property & Casualty Ins. Co.*, 367 Or 711 (2021)\*
- Successfully defended trial court judgment denying anti-SLAPP motion to dismiss client's break of fiduciary duty claims against homeowners' association and its board of directors. *Tokarski v. Wildfang*, 313 Or App 19 (2021)\*
- At trial, successfully defended public university's application of faculty research exemption to public record disclosure requirements for vast majority of records requested by advocacy group. (2020)\*
- Successfully appealed Court of Appeals decision to Oregon Supreme Court, establishing law on the status of persons working for local government through a temp agency for purposes of public employee retirement benefits. *Eugene Water and Electric Board v. Public Employees Retirement Board*, 365 Or 59, 442 P3d 596 (2019)\*

\*Prior to joining Miller Nash

### Publications

- "Statute of Limitations" (Chapter 32), *Torts*, Oregon State Bar, co-author (2024)
- "Chapter 39: Oregon," Thomson West, *Lobbying, PACs, and Campaign Finance—50 State Handbook* (2019-present)
- "Chapter 43: Writs of Review and Proceedings in Quo Warranto," Oregon State Bar, *Oregon Civil Pleading and Litigation* (2020)
- "Special Writs," Oregon State Bar, *Oregon Civil Pleading and Practice* (2019)
- "Animals in the Law: Occupying a Space Between Legal Personhood and Personal Property," University of Oregon School of Law, *Journal of Environmental Law & Litigation* (2015)

### Presentations

- "Civil Forfeitures in Oregon," Oregon State Bar, Government Law Spring Forum (May 2025)
- "Best Practices for Public Records Compliance," Coalition of Oregon School Administrators (COSA), Annual School Law Conference (2022)
- "Professionalism and Civility," Willamette Valley American Inn of Court, Ethics CLE (2018)

## Recognition & Honors

- Selected for inclusion in *The Best Lawyers in America*® (Portland, OR)
  - Commercial Litigation, 2025-present
- Selected for inclusion in *Best Lawyers: Ones to Watch*® (Portland, OR)
  - Administrative/Regulatory Law, 2021-2024
  - Appellate Practice, 2021-2024
  - Commercial Litigation, 2021-2024
- Selected for inclusion as an Oregon Super Lawyer—Rising Star, 2022-present

## Personal Activities

In her free time, Erica enjoys spending time with her family and enjoying the Portland food scene.