



Dan Skerritt

PARTNER

dan.skerritt@tonkon.com

503.802.2024 direct

503.972.3724 fax

LEGAL SERVICES

Litigation

Contract & Commercial Disputes

Securities Litigation

Mediation & Arbitration Services

EDUCATION

J.D., *summa cum laude*, Willamette
University College of Law, 1968

L.L.M., George Washington University, 1972

B.A., Willamette University, 1965

BAR & COURT ADMISSIONS

Oregon State Bar

U.S. District Court, District of Oregon

Ninth Circuit Court of Appeals

U.S. Supreme Court

AWARDS & RECOGNITIONS

Benchmark Litigation

2011–2017, Litigation Star

The Best Lawyers in America

2016, Lawyer of the Year - Bet-the-
Company Litigation

2006–2019, Arbitration

2006–2019, Bet-the-Company Litigation

2006–2019, Commercial Litigation

2006–2019, Mediation

Chambers USA: America's

Leading Lawyers

2004–2019, Litigation: General

Commercial Law

Super Lawyers

2014, Top 10 Oregon Super Lawyers

2007, 2009–2015, Top 50 Oregon

Super Lawyers

2006–2018, Oregon Super Lawyer -
Business Litigation

Widely recognized for trial excellence during his past 35 years of practice, Dan represents both plaintiffs and defendants in their complex commercial litigation and disputes. He was the 2010–2012 State Chair of the American College of Trial Lawyers. He is a fellow and past state chair in the International Society of Barristers. In 2015, Dan was named a Senior Statesman by Chambers.

Dan's background includes litigation involving securities, corporate governance, energy, and general business issues. He regularly represents clients in cases involving the jurisdiction of U.S. courts over international transactions, disputes, and enforcement of judgments.

The defense of securities class actions and derivative claims is a particular area of achievement for Dan. He represents clients regionally, nationally, and internationally. Dan's IP litigation experience includes enforcement of high tech firms' noncompetition and trade secrets agreements.

Dan frequently serves as a mediator or arbitrator in commercial and other complex disputes. His listings in Best Lawyers in America include ADR services. In addition, he regularly testifies as an expert witness on attorneys' fee issues.

[Here is a link](#) to an October, 2018 article featuring Dan as a giant in Oregon corporation litigation.

Following law school, Dan served for four years as a captain in the U.S. Army's Judge Advocate General (JAG) Corps.

A prolific writer, Dan has authored more than 20 CLE articles on substantive areas of the law and trial practice techniques, and recently served as co-editor of the 2012 two-volume Oregon State Bar CLE Oregon Civil Pleading and Practice.

For several years, he has served as co-editor of the Oregon State Bar's Oregon Civil Pleading and Practice Manual.

Dan's article, "Why Not Trials Instead of Depositions?" was published by the American Bar Association's Litigation Journal for their Winter 2019 issue on persuasion. In 2014, his article, "Cross-Examination: Torching the Calendar," was published by the ABA Litigation Section for The Art of Cross-Examination: Essays from the Bench and Bar.

In 2015 Dan presented to the Multnomah Bar Association Young Lawyers Section on cross examination as part of their "Advanced Litigation Skills Series." He also was invited to speak at the Oregon State Bar's 22nd Annual Litigation Institute, where he discussed his litigation experience in a master class panel alongside several of Oregon's top litigators.

PROFESSIONAL MEMBERSHIPS

American Bar Association
American College of Trial Lawyers
Federal Bar Association
International Society of Barristers
Multnomah Bar Association
Oregon Association of Defense Counsel

COMMUNITY INVOLVEMENT & ACTIVITIES

Oregon State Bar

Civil Jury Instructions Committee –
Past Member
Civil Rights Section – Past Chair
Military and Veterans Law Section –
2014, Treasurer
2003–2006, House of Delegates Member

Citizens' Coalition for Court Funding

Past Board Member

United States Supreme Court Historical Society

2013–2014, Oregon State Membership Chair

Campaign for Equal Justice

2014–2016, Co-Chair, Large Firm Committee

Oregon State Parks Trust

Board of Trustees
Past Chairman

World Trade Club

Past President
Past Director

Cathedral School

Past Advisory Board

Representative Matters

William Davis et al. v. Cascade Tanks LLC et al. — Successfully abated breach of contract and business tort claims against foreign client, enforcing foreign arbitration agreement, 2014, U.S. District Court for Oregon, case NO. 3:13-cv—2119-MO.

Amen v. Roberts — \$5.1 million arbitration award, reduced to judgment, February 2009, Josephine County, Oregon.

Star-Wood v. Swanson et al. — Plaintiff's verdict, 2008 breach of fiduciary duty claim.

Johnson et al. v. Buchanan Ingersoll — \$850,000 verdict in 2008 legal malpractice case.

2008 — Successful mediation of multiple plaintiffs' claims against a broker-dealer.

State of Oregon v. Philip Morris Incorporated — Served as one of the legal team members representing the state in Big Tobacco litigation which resulted in a \$2.25 billion state settlement.

PPM Energy, Inc. v. Black Hills Power, Inc. — Represented the plaintiff, an energy marketing company, in arbitration claims, for breach of an energy exchange agreement. Client was awarded \$1.7 million in damages and favorable declaratory relief. In this private arbitration matter, the award was reduced to judgment in District Court, Jefferson County Colorado.

Burlington Northern Santa Fe Railway v. Gunderson Inc. — Obtained summary judgment for our client, the defendant, to defeat a \$14 million products liability claim in Texas arising from a train derailment.

Gray and Company v. Archer Daniels Midland Company et al. — Successfully prosecuted plaintiffs' antitrust case alleging price-fixing conspiracy by high fructose and corn syrup producers. Following successful appeal before the United States Court of Appeals for the Seventh Circuit, we negotiated a favorable settlement.

Word Logic v. Hewlett Packard — Settlement of plaintiff's copyright infringement claims reported in [Word Logic SEC filing](#).

Allen v. OHSU — Successfully represented Oregon Health & Science University in defense of a whistleblower complaint.

eFusion v. Zuber — Obtained injunction enforcing high tech firm's non-competition and trade secrets agreement.

Power Medical System v. Intermedics — Obtained \$9 million plaintiff's verdict resulting from failed merger of a medical device company.

Eischen v. Avia et. al. — Defended a class action shareholder claim through to completed trial, challenging Avia-Reebok merger.

Midway-Sunset Cogeneration Company v. Southern California Gas — Achieved a judgment valued at more than \$9 million for a breach of contract case involving a cogeneration facility.

Nevada Cogeneration Associates v. Nevada Power Company — Awarded \$1.3 million in arbitration for cogenerator against a utility for improper curtailment.

Evergreen International Airlines v. Pan Am — Reclaimed leased aircraft from Pan Am bankruptcy on behalf of a private aviation company.

Estates of Renae and Lola Cottam v. Nelson (Coos County Circuit Court, No. 14-CV-0085) — 2014 judgment in wrongful death action of \$2 million.

