

**BAR ADMISSIONS:**

WA – 2021; OR – 2011; CA – 1991; MT – 1988

**EDUCATION:**

B.A. with honors – Montana State University  
J.D. – Harvard Law School

**PROFESSIONAL RECOGNITION AND ACTIVITIES:**

Oregon Super Lawyers: 2020 – 2023  
Martindale Hubbell, AV Rated: 25+ years  
Oregon Trial Lawyers Association (OTLA), Co-Chair, Employment Law Section 2014-2016  
Alaska Supreme Court, Summer Law Clerk

**SELECTED CASES:**

***Gessele v. Jack in the Box, Inc., Case No. 3:14-cv-01092-HZ (D.Or. 2023)*** (\$12.9 million judgment after jury trial in U.S. District Court in wage and hour class action on behalf of thousands of employees – Jim Vogele second chair trial counsel)

***Cole v. Kraft, Case No. 2:18-cv-02121-SU (D.Or. 2020)*** (lead attorney in FMLA interference and retaliation case resulting in confidential settlement after summary judgment oral argument in U.S. District Court)

***Britton v. Brown, 2013 MT 30 (2013)*** (co-authored appellant’s briefing in Montana Supreme Court and obtained reversal for appellant on constitutional due process grounds)

***Bell v. Farmers Insurance Exchange, 115 Cal.App.4th 715 (CA 2004)*** (\$200 million recovered for thousands of employees in overtime class action after nearly 10 years of litigation and jury trial -- Jim Vogele second chair trial counsel)

***Breaux v. Agency Rent-A-Car, (N.D.Cal. 1997)*** (\$8 million judgment in U.S. District Court for employees in overtime class action -- Jim Vogele second chair trial counsel)

***Williams & Woods v. RIACS, (San Mateo County CA 1995)*** (lead counsel in complex breach of contract case representing two computer programmers employed by RIACS at NASA Ames Center; case favorably settled for confidential amount on first day of trial)

***Triunfo v. Philippine Airlines, (N.D. Cal. 1994)*** (lead plaintiff's counsel in age discrimination case resulting in confidential settlement and statutory fee award)

***Dept. of Rev. of Mont. v. Kurth Ranch, 511 U.S. 767 (1994)*** (in first year as attorney, handled initial investigation, pleadings, and appearances in U.S. Bankruptcy Court where MT Dangerous Drug Tax Act held unconstitutional in ***In re Kurth Ranch v. Dept. of Rev. of Mont.***, 145 B.R. 61 (1990), aff. by Ninth Circuit Court of Appeals and U.S. Supreme Court).

***Masto v. Uniphase Corporation, (Santa Clara County CA 1994)*** (plaintiff's counsel in successful arbitration and settlement of a whistleblower case)

#### **RECENT SPEAKING ENGAGEMENTS:**

"Employment Agreements, Noncompetition, Nonsolicitation and Trade Secrets," Oregon State Bar, Labor and Employment Section Bootcamp CLE, June 9, 2023, co-presenter with Laura Salerno Owens, Markowitz, Herbold PC

"Employment Agreements, Noncompetition, Nonsolicitation and Trade Secrets," Oregon State Bar, Labor and Employment Section Bootcamp CLE, September 30, 2021, co-presenter with Laura Salerno Owens, Markowitz, Herbold PC

"Non-Competition, Non-Solicitation and Severance Agreements," Oregon State Bar, Labor and Employment Section Bootcamp CLE, June 13, 2019, co-presenter with Laura Salerno Owens, Markowitz Herbold PC

"Employment Settlement Agreements -- Catch and Release," Oregon Trial Lawyers Association ("OTLA") CLE, Portland, OR, March 5, 2018

"Lessons Learned from Recent Disability Discrimination Trials," OTLA CLE, Portland, OR, 2016 – co-panelist

"Wage & Hour Claims: Sometimes Simple, Sometimes Not," OTLA CLE, Portland, OR, 2014

"Sexual and Racial Harassment," Employment Law Beyond the Basics CLE, Portland, OR, 2014

"Evidence – Rule 404 and 'Other Acts'," OTLA CLE, Employment Law Section, Portland, Oregon, 2013

"Sexual, Racial and Other Harassment in the Workplace," CLE, Portland, OR, 2013

"Contract Lawyering – Getting Paid," Oregon Women Lawyers CLE, Portland, OR, 2013

"Montana Employment Law Update" CLE, Missoula, MT, 2011

"Montana Employment Law Update" CLE, Missoula, MT, 2010

**PUBLICATIONS:**

**"Preliminary Injunctive Relief: When Damages Are Not Enough,"** Trial Lawyer (Oregon Trial Lawyers Assoc.), Fall 2017

**"The Continuing Bar Exam,"** Trial Lawyer (Oregon Trial Lawyers Assoc.), Summer 2017

**"When Things Go Wrong,"** Trial Lawyer (Oregon Trial Lawyers Association), Winter 2015

**"Contract Lawyers: Independent Contractors or Employees,"** Co-Author with Lisa Brown, In Brief (Oregon State Bar), 2012

**"Others Evidence,"** Co-Author with Deborah England, Feature Article, California Employment Law Reporter, 2003

**"Compensation,"** Treatise Chapter 11 (Wage & Hour law), Co-Author, Rutter California Practice Guide, 2001

**"Dickens and the Law,"** Harvard Law Record, 1987

Book Review, "Snow Falling on Cedars," Montana Lawyer, 1998

Book Review, Co-Author with Jennifer Moore, Harvard Women's Law Journal, Vol. 11,  
1988