

Professional Experience

Ater Wynne LLP, Portland,
Oregon, Partner, 2004 to present;
Associate, 1996 to 2003
Law Clerk to U.S. District Judge
Robert E. Jones, 1994 to 1996

Education

Northwestern School of Law of
Lewis and Clark College, J.D.,
cum laude, 1994
University of
Wisconsin-Madison, B.S., 1990

Admitted to Practice

Oregon
U.S. District Court, District of Oregon
Washington
U.S. District Court, Western District
of Washington

Professional Activities

Lexwork International, Board
Member
Lexwork International, Past Chair
Classroom Law Project, a
non-profit organization, Board
Member
The Racquet Club, Board Member
Owen M. Panner American Inns
of Court, Barrister
Oregon State Bar, Litigation
Section, Member
Oregon State Bar, New Lawyers
Division, Executive Committee
Past Member
Oregon State Bar, Intellectual
Property Section, Executive
Committee Past Member
Oregon Association of Defense
Counsel, Member
Oregon Association of Defense
Counsel, Commercial Practice
Group, Past Chair
Multnomah Bar Association,
Member
American Bar Association,
Member



Daniel P. Larsen

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Dan Larsen is a partner in the Intellectual Property and Litigation Groups of Ater Wynne. Dan joined Ater Wynne in 1996. Prior to that, after graduating from law school *cum laude*, he served as law clerk to the Honorable Robert E. Jones of the United States District Court for the District of Oregon. While Dan's practice focuses on resolving and litigating business disputes, he also advises businesses in many substantive areas to develop creative, cost-effective solutions to achieve business goals. Dan's clients consult him to manage risk while balancing business interests and economic realities. He tailors solutions that are feasible and practical. Dan mainly guides businesses through disputes and litigation concerning commercial relationships and transactions, centered on contractual obligations, duties of directors and officers, intellectual property rights comprising trade secrets, trademarks, and copyrights, shareholder rights, business torts, and commercial insurance coverage. Dan advises and litigates in both state and federal courts in Oregon, Washington, and California.

Following the national banking crisis, Dan has also been a lead investigator on multiple failed banks involving multi-million dollar losses with respect to evaluating potential responsibility of former directors and officers, and other professionals.

Dan was listed in *Oregon Super Lawyers* in 2006 and 2011 through 2017. He has also been selected by his peers for inclusion in the *Best Lawyers in America* in the field of Labor and Employment litigation.

Dan is a proud father, as well as an avid windsurfer, downhill and nordic skier, and tennis player. His more sedentary activities include scuba diving and road bicycling.

Representative Matters

Efran v. All In Enterprises, et al., in consumer class action suit regarding alleged false advertising concerning pesticide, successfully obtained dismissal of claims against investor and pesticide marketer

Physician v. Physician Medical Group, after arbitration on claim of alleged disability discrimination, obtained award in favor of Medical Group dismissing all claims. Later prevailed at trial on Physician's Petition to Vacate the arbitral award, and obtained final judgment against Physician

The Baseball Club of Tacoma, LLC v. SDL Baseball Partners, LLC, et al., in suit regarding alleged misrepresentations in sale of minor league baseball team for \$20 million, following successful appeal to the Washington Court of Appeals, case resolved to satisfaction of clients

A. Proctor Group Ltd. v. VaproShield, LLC, in a suit to enforce an exclusive distribution relationship, defeated motions for summary judgment and bifurcation to position case for successful resolution

Boyd Coffee Company v. Technivorm, B.V.
Technivorm, B.V. v. Boyd Coffee Company, in suits commenced in different jurisdictions concerning the enforcement of a distribution agreement, succeeded in transferring foreign case and compelling litigation to proceed in client's home forum

Edsal Manufacturing Company, Inc. v. Vault Brand, Inc., defeated claims of trademark infringement and vindicated client's use of mark

UBS Financial Services v. Lawrence, et al., in suit for misappropriation of trade secrets and breach of employment agreements, obtained injunctive relief against former employees of financial services company

Collins v. Nelson, et al., in suit for alleged elder abuse and negligence against commercial real estate brokers, successfully obtained dismissal of complaint and first amended complaint, and then resolved to satisfaction of client

In re Cowlitz Bank, on behalf of the Federal Depository Insurance Corporation, investigated claims against directors and officers of failed Bank for their negligence, gross negligence and breach of fiduciary duty

In re United Western Bank, on behalf of the Federal Depository Insurance Corporation, investigated claims against directors and officers of failed Bank for their negligence, gross negligence and breach of fiduciary duty, and later filed suit on behalf of FDIC-Receiver for more than \$30 million in damages

In re Silver Falls Bank, on behalf of the Federal Depository Insurance Corporation, investigated claims against directors and officers of failed Bank for their negligence, gross negligence and breach of fiduciary duty, and negotiated settlement of \$1.3 million to the FDIC

Truong v. La Cie, Limited, defended manufacturer of computer hard drives in class action lawsuit and, after filing motion for summary judgment to dispose of all claims, achieved favorable resolution

Morris Ventures v. Full Market Value, Inc., et al., sued current and former officers and directors for securities fraud and, after completion of discovery and pending motions for summary judgment, obtained settlement of entire amount of investment lost in failed venture

SkylarkCo., LTD v. Enway, Inc., successfully placed company in receivership to preserve assets and prevent mismanagement

Large Manufacturing Company v. Former Employee and Creditor Company, achieved multi-million dollar settlement of federal copyright infringement and trade secret case for large manufacturing company after proving that former employee and a competitor took our client's software, used it on over 100 projects, and destroyed evidence

Convsys Corporation v. Karen Fast, after discovery, mediated resolution to recover for client favorable settlement of substantial sums for shares of stock owed under stock option agreement

Douglas Berry and Dustin Milberg v. WebTrends, Inc., succeeded in compelling fraud claims totaling \$8 million into arbitration and reaching final resolution on behalf of company

Skyward Construction v. Rogers Construction, et al., won award for compensatory and punitive damages for fraud

Brooks v. Pilip, won arbitration award for damages and attorney fees for conversion of client's property

Whirlwind, Inc. v. West Oregon Wood Products, defended claim of breach of contract and won arbitration, as well as award of attorney fees

Venture Mechanics v. Apex Drive Laboratories, won summary judgment and final dismissal with prejudice of claims by investment agent who alleged partial ownership or equivalent damages of newly formed venture

Quantum Technology Partners II, L.P. v. Altman Browning and Company, et al., won final dismissal with prejudice of shareholder derivative action for alleged breaches of fiduciary duties by directors and officers

Representative Publications

Demand in Shareholder Derivative Litigation, Oregon Association of Defense Counsel (Fall 2009) (co-author)

The Adequacy of Shareholder Representatives in Derivative Litigation, Oregon Association of Defense Counsel (2008) (co-author)

Attorney and Accountant Liability, American Bar Association, Litigation Section, Business Torts (Supp. 1997) (co-author)

Securities Arbitration, Oregon State Bar CLE Chapter, Arbitration and Mediation (Supp 2001) (co-author)

Information Technology – The New 800 LB Gorilla, Ater Wynne Employment Law Seminar (December 2013)

Computer Fraud and Abuse Act Update, Ater Wynne Employment Law Seminar (December 2012)