

Joshua D. Stadtler, Partner

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Focus

[Litigation](#) [Business](#) [Real Estate](#)

Profile

Joshua Stadtler is an experienced and versatile business and real estate litigator known for creatively achieving early resolution of complex disputes. He regularly represents and counsels individuals and businesses of all sizes in litigation involving commercial, corporate, employment, insurance coverage, and trust/estate issues.

Josh draws on the breadth of his litigation and life experience to connect with his clients and understand their concerns within the context of the dispute at hand and the framework of the business and industry realities his clients face. His clients benefit from his collaborative approach to identify and evaluate goals, recognize and assess risk, and develop and implement strategies to realize the client's desired result efficiently and cost-consciously.

Josh has represented clients in state and federal trial and appellate courts and administrative proceedings throughout the country, at numerous mediations and arbitrations, and in investigations conducted by state and federal regulatory enforcement agencies. He was selected for inclusion by *Super Lawyers* on the Oregon Rising Stars list for business litigation from 2017 through 2020.

Within the Portland law firm, Josh serves as Hiring Partner and as a member of the Pro Bono Committee, which oversees participation in a legal clinic serving indigent clients in collaboration with Legal Aid Services of Oregon. He maintains an active pro bono practice of his own, in which he has represented numerous victims of domestic violence in restraining order hearings, a US citizen in obtaining legal status for her husband (an undocumented Mexican national), and a Portland, Oregon non-profit organization in earning financing, performing due diligence, and closing on the purchase of a \$3.5 Million one-acre campus. For those efforts, he was honored by the Multnomah Bar Association in 2015 and featured in *Super Lawyers* in 2018.

Josh serves as co-leader of the firm's trademarks practice, overseeing U.S. Patent and Trademark Office Actions, and advising clients on how to deal with trademark registration obstacles.

Josh's community involvement in Portland extends beyond his work as a business litigation attorney, most notably to his service on the Board of Directors for [Portland Homeless Family Solutions](#) since 2014, currently as Vice Chair.

Josh is one of 21 attorneys worldwide who serve on the Board of Directors of [Meritas](#), a global alliance of prequalified independent law firms. He also serves on the U.S. Leadership Committee and participates in the U.S./Canada Litigation, and Labor and Employment Groups. He was the firm's ambassador from 2016 to 2019, and has served as one of the firm's member contacts since 2020.

Prior to joining Dunn Carney, Josh practiced in the San Francisco Bay Area office of Katten Muchin Rosenman LLP, a global AmLaw 100 firm, and served as a judicial clerk for the Hon. Peter J. Busch in the Law & Motions Department of the San Francisco Superior Court.

Prior to becoming a lawyer, Josh served in the United States Peace Corps in South Africa, and spent several years traveling on his own across Latin America, Europe, and Asia. More than a decade later, he remains fluent in Spanish.

When Josh is not at our Portland office, he is likely hanging out with his young daughters Stella and Lucy and his wife Lily, cheering at Providence Park in the Timbers Army or at home for the Wisconsin Badgers, or swimming laps in the pool.

Admissions

Oregon

Washington

California

District of Columbia

Court Admissions

U.S. Court of Appeals, Ninth Circuit

U.S. District Court, District of Oregon

U.S. District Court, Western District of Washington

U.S. District Court, Northern District of California

U.S. District Court, Central District of California

U.S. District Court, Southern District of California

U.S. District Court, Eastern District of California

Education

University of California, Hastings College of the Law, J.D., *magna cum laude*, 2010

University of California, Los Angeles, B.A., English, *cum laude*, 2002

Languages

Spanish

Results & Expertise

Representative Clients:

- Berkley North Pacific Group
- The Cheesecake Factory
- Ford Motor Company
- Metro Metals Northwest
- Luxottica Retail North America
- Marine Lumber
- Earl Enterprises
- Western Concrete
- Stockbridge Capital Group
- ViolaBrands
- Willamette Biomass Processors
- General Sheet Metal
- Commercial Air Filtration
- Savage Craft Ale Works
- Betts Spring Manufacturing
- Bishops Barbershop
- Tricor Print Communications
- Campbell Global

Representative Matters

Real Estate Litigation

Commercial Lease: Landlord Representation - Multiple judgments obtained and favorable settlements achieved through mediation, judicial settlement conferences, and direct negotiations for commercial landlords on breach of lease against commercial tenants and actions on guaranty against guarantors in Oregon and Washington state court (e.g., unpaid rent, damage to premises following surrender, lease termination rights, delay in delivery of premises, etc.).

Condemnation Judgment: Affirmed on Appeal - Induced settlement for 20 times the initial offer of compensation in condemnation proceedings by transportation authority against residential real property owner in Portland; obtained trial court judgment for full amount of attorney fees and costs

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incurred in proceeding; successfully defended that judgment on appeal before the Oregon Supreme Court ([TriMet v. Aizawa & Noble-Irons, 362 Or. 1 \(2017\)](#))

Business & Commercial Litigation

Defective and Non-Conforming Materials – Favorable result obtained at judicial settlement conference in Oregon state court for contractor in claim against materials supplier for delivery of defective and non-conforming materials; recovered portion of money damages and attorney fees and costs.

Breach of Contract: Complete Defense – Successful defended metal fabricator in Oregon state court against claims for account, account stated, and breach of contract on purported promissory note and judicial foreclosure on purported security agreement; obtained general judgment of dismissal with prejudice; client avoided payment of any funds to plaintiff.

Unlawful Trade Practices: Complete Defense – Motion to dismiss granted and general judgment of dismissal obtained for vehicle assembly company against complaint for unlawful trade practices and fraud in Oregon state court.

Corporate Litigation

Closely Held Shareholder Dispute: Healthcare – Successfully prosecuted 21-claim complaint in Oregon state court by two of three shareholders against the third and a number of entities that the third shareholder controlled in closely held professional corporation dispute (misappropriation and commingling of assets, self-dealing, unlawful distribution, fraud, conversion, and breaches of director, officer, loyalty, and good faith duties, etc.); negotiated agreement at mediation for wind up of corporation on terms favorable to clients and partial payment of damages and attorney fees.

Expulsion of Partner from Medical Practice – Obtained favorable result at mediation for medical practice sued in Oregon state court by former partner arising out of his expulsion from partnership.

Employment litigation

Workplace Discrimination: Employee Representation – Successfully prosecuted employment discrimination and wrongful termination claims for four Spanish-speaking kitchen workers against former employer (six-figure settlement at mediation).

Workplace Discrimination: Employer Representation – Achieved favorable result at mediation defending nutrition supplement manufacturer against age discrimination claim (*de minimis* settlement amount).

Insurance Coverage

Inter-Carrier Recovery – Successfully prosecuted numerous inter-carrier claims for recovery of excess defense costs or indemnity paid by client because of failure by other carriers to participate in common insured's defense in Oregon state court; obtained summary judgment in several instances (once affirmed on appeal before the Oregon Court of Appeals) and directly negotiated favorable settlements on numerous occasions for recovery of majority of amounts sought by client (arose out of commercial

general liability (CGL) policies issued to common insureds and construction defect litigation against those insureds).

Coverage Counsel: Insured Representation - Advised insureds on numerous occasions in Oregon personal injury lawsuits on potential exposure to judgment in excess of their coverage limits; advocated for clients with their insurance carriers; interfaced with plaintiff's counsel; in each instance, cases resolved prior to trial within client's policy limits.

Trust & Estate Litigation

Breach of Fiduciary Duties - Obtained removal from inventory of estate's claim against beneficiary arising out of disputed loan by decedent and surcharge of personal representative for attorney fees and costs based on breach of fiduciary duties in Oregon state court.

Estate Beneficiary Dispute - Successfully objected to final accounting and petition for distribution on behalf of estate beneficiary because of self-dealing, misappropriation, waste of estate assets, and other improprieties by personal representative in Oregon state court.

[Click here](#) to read more of Josh's representative matters.

Published Work

The Verdict, 2020, Issue 4, [Non-Resident Insurance Carriers in Coverage Disputes Beware, Anticipate, and if Possible, Avoid the Lengthy Reach of the Long-Arm Statute](#)

Multnomah Lawyer, Vol. 66, No. 9, (Oct. 2020), [Arbitration Provisions and Boilerplate Language in Contracts](#)

Oregon State Bar, BarBooks, *Oregon Civil Pleading and Litigation*, Chapter 6: [Parties - General Considerations and Procedure](#) (2020)

Oregon State Bar, BarBooks, *Oregon Civil Pleading and Litigation*, Chapter 34: [Trial Motions](#) (2020)

Oregon State Bar, BarBooks, *Oregon Automobile Law Compilation*, Chapter 18: [Medical Expenses](#) (2019)

Oregon State Bar, BarBooks, *Damages*, Chapter 7: [Medical Expenses](#) (2016 Revision)

Hastings Law Journal, Vol. 61, No. 6 (July 2010): [Ortiz Got It Wrong: Why the Seventh Amendment Does Not Protect the Right to Jury Trial in Class Action Suits Under FRCP 23](#)

Presentations

[Contract Lifecycle Management: In-house Counsel Perspectives \(in Collaboration with Outside Counsel\)](#), Meritas Presentation, March 10, 2022

[Pretrial Motions and Jury Instructions](#), Multnomah Bar Association Young Lawyer Section Continuing Legal Education Seminar, Sept. 23, 2021

[Civil Trial Motions](#), Multnomah Bar Association Continuing Legal Education Seminar, March 17, 2021

Young Lawyer Well-being: Surviving and Thriving, Meritas Week 2020, October 21, 2020

[Lease Enforcements: Rights and Remedies in the New Economy](#), The Seminar Group, Commercial Leases in the 21st Century, May 11, 2018

Working for the Public Interest While Practicing in the Private Sector, Panelist, Lewis & Clark Law School, Public Interest Law Project Speaker Series, Spring 2016, April 6, 2016

Pro Bono for New Lawyers: Getting Your Feet Wet Without Drowning, Panelist, MBA YLS/OSB Pro Bono Fair & Celebration, October 29, 2015

Industries

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Practice Areas

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Honors & Affiliations

Professional Affiliations

Oregon State Bar, 2013-present (Business Litigation, Real Estate & Land Use, Nonprofit Organizations Law Sections)

Multnomah Bar Association, 2013-present; Young Lawyer Section: Pro Bono Committee, 2014-2016 and Service to the Public Committee, 2013-2014

Oregon Association of Defense Counsel, 2013-present

[Meritas](#), 2016-present (Strategic Planning Committee, 2021; U.S. Leadership Committee, 2020-present (U.S. Engagement Subcommittee, Chair, 2021-present); Young Lawyer Advisory Board, 2018-present;

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U.S./Canada Litigation and Labor & Employment Group, 2016-present; Young Lawyer Ambassador for Dunn Carney LLP, 2016-2019)

Community Organizations

Legal Aid Services of Oregon, 2013-present (Domestic Violence Project; Volunteer Lawyers Project)

Portland Homeless Family Solutions, Board of Directors, 2014-present (Vice Chair, 2018-present; Treasurer, 2016-2018; Secretary, 2015-2016)

Dunn Carney Pro Bono Committee, Member, 2015-present (Co-Chair 2019-2021; Chair, 2015-2019)

Legal Aid Services of Oregon/Oregon Law Center/Multnomah Bar Association Pro Bono Committee, 2016

Oregon Food Bank: Oregon Lawyers Against Hunger, Dunn Carney Team Captain, 2013-2014

Wounded Warriors Project, 2011-2012

Honors & Recognitions

Super Lawyers, Rising Star, Business Litigation, 2017-2020

Portland Homeless Family Solutions, Lifetime Achievement Award, 2017

Multnomah Bar Association, Michael E. Haglund Pro Bono Award, 2015

Media

["Joshua Stadtler and Legal Aid Services of Oregon - YLS Pro Bono Spotlight"](#) Multnomah Lawyer (October 2019, Page 12)

["Leave Things Better,"](#) *Super Lawyers* (2018, Page 7)

["Oregon Supreme Court Affirms Win Over TriMet,"](#) *Oregon Real Estate and Land Use Digest* (December 2017, Page 2)

["25 Years of Service Legal Aid Night Clinic,"](#) *Multnomah Lawyer* (January 2017, Page 11)

["Pro Bono Practice = Lawyering Skills for Paying Clients"](#) *Multnomah Lawyer* (October 2014)

["Joshua Stadtler, Michael Haglund Award Winner"](#) *Multnomah Lawyer* (May 2015)

