

Samuel T. Smith, Partner

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Focus

Litigation Personal & Professional Litigation

Profile

Sam Smith is an experienced trial lawyer on Dunn Carney's Litigation Team. He specializes in complicated business matters, sticky employment situations, and catastrophic injury cases. To achieve results for his clients, Sam combines a big-picture perspective; a detailed knowledge of the facts; and a deep understanding of the applicable law. Sam is also very team oriented. He encourages his clients to be active participants in their cases and enjoys working with them during the collaborative, brainstorming process. He believes that some of the best arguments and trial themes are ones developed together.

Prior to becoming a lawyer, Sam spent two years as a public school teacher in St. Louis, Missouri. (Go Langston Middle School Nighthawks!) After teaching, Sam moved back to his hometown in Oregon where he spent a year working in a local lumber mill before attending law school.

In his free time, Sam enjoys playing sports, reading, and spending time with friends and family. He also coaches the firm's softball team.

Admissions

Oregon, 2008

U.S. District Court, 2008

Ninth Circuit Court of Appeals, 2012

Education

University of Oregon School of Law, J.D., 2008

Willamette University, B.A., English Literature, Minor in Ecological Biology, *magna cum laude*, 2002

Results & Expertise

Outcomes

Several of our recent successes are listed below. Disclaimer: Past performance is not a guarantee of future results.

Business matters

- Achieved \$527,000 jury verdict following one week trial in case where two New Jersey transportation companies refused to release an invalid lien they filed against our client's farm in Gearhart, Oregon. Court also awarded substantial attorney fees and court costs to our client.
- Successfully defended small business against litigation filed by a competitor accusing the client of tortious interference with business relations. Case proceeded to an evidentiary hearing at the preliminary injunction stage. The court denied the competitor's motion for a preliminary injunction and granted client's motion to dismiss.
- Successfully defended former owner of publishing business from lawsuit filed by the purchaser of said business. Purchaser alleged that the sale agreement it signed was unconscionable and thus unenforceable. Purchaser sought a temporary restraining order preventing client from enforcing the terms of the sale agreement, which the court denied. Case later moved to private arbitration, where client prevailed and retook ownership of the publishing business. Client was also awarded attorney fees.
- Successfully defended fishing company from allegations made by rival company of trademark misappropriation and tradename dilution. Case proceeded to an evidentiary hearing at the preliminary injunction stage. The court denied the rival company's motion, and the case was later dismissed.
- Successfully defended arbitration matter wherein client, the half-owner of small real estate business, was sued by the other half-owner, seeking to expel client as an owner from the business. Case settled amicably with each client splitting the business assets.
- Successfully collected debt from delinquent and recalcitrant accounts on behalf local veteran-owned small business.

Employment Matters

- Achieved confidential settlement for worker in pregnancy discrimination case. Worker was fired by her company when worker was almost nine months pregnant and despite fact that worker had an exemplary performance record.
- Achieved dismissal in favor of a small farming business following a three-day trial. Two workers quit their jobs and thereafter sued the farming business claiming discrimination and retaliation. Case dismissed by the judge on the third day of trial for lack of evidence.
- Achieved \$156,333 jury verdict in worker's favor following two-week trial. Worker alleged that his employer – a hospital – fired him without cause, thus breaching his employment contract. Court also awarded substantial attorney fees and court costs to worker.
- Achieved \$1.2 million jury verdict for worker in an age discrimination case against Daimler Trucks North America ("DTNA") following three-week jury trial. Worker was a former level 4 manager in DTNA's Engineering Department. Read more in the [Portland Business Journal](#). Court also awarded substantial attorney fees and court costs to worker.
- Achieved \$455,000 judgment for worker in a case against the Port of Astoria. Worker alleged that she was fired in retaliation for reporting mismanagement, gross waste of public funds, and abuse of authority. In a related case, the Port of Astoria paid a settlement of \$478,900 to another worker to

settle similar claims of retaliation. Read more about these cases in *The Daily Astorian* [here](#) and [here](#).

- Achieved \$620,000 judgment for worker in a whistleblower retaliation case against Riverview Community Bank. Worker was an auditor for the bank who was fired for reporting alleged fraud at the bank. Court also awarded substantial attorney fees and court costs to worker. Read more in *The Columbian* [here](#) and [here](#).
- Achieved \$1.25 million verdict for worker following three-week trial. Twelve person jury found athletic shoe company liable for retaliating against worker who complained that he was demoted because of his race and/or national origin.
- Represents both workers and companies on wide range of employment issues, including severance agreements, non-compete and non-solicitation agreements, as well as issues involving confidentiality agreements.

Injury Cases

- Achieved \$350,000 settlement in wrongful death case against an assisted living facility based in Milwaukie, Oregon. Employees of the assisted living facility broke elderly woman's arm and over medicated her with narcotic pain medication to hide the injury. By the time the elderly woman's family discovered the injury, she was near death.
- Achieved \$250,000 settlement in favor of a bus passenger who suffered a traumatic brain injury following a motor vehicle accident on I-5 in Portland, Oregon.
- Achieved \$1 million settlement in boating accident case. Client suffered catastrophic leg injury when boat's engine became energized, pulling client's leg into boat propeller.
- Achieved \$75,000 settlement in favor of woman who suffered severe burns from a malfunctioning heating pad she purchased at a drug store.

Publications

["Making Sense of the ESI Madness"](#) A publication of the American Bar Association, Summer 2018.

The Verdict, Summer 2016 - Protected Sick Leave Comes to Oregon

Dunn Carney Insurance Enews- [A Blue Pencil Approach to Indemnity Provisions in Construction Contracts](#)

Practice Areas

[Litigation](#)

[Personal & Professional Litigation](#)

Honors & Affiliations

Professional Organizations

Multnomah Bar Association

Oregon Association of Defense Counsel

American Bar Association, Young Lawyers Division

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Dunn Carney LLP | Members of Meritas Law Firms [Worldwide Meritas.org](http://WorldwideMeritas.org)

Community Organizations

Beaverton Education Foundation, Board Member, 2017-2019

Classroom Law Project, Board Member, 2020

Oregon State Bar - Mentor for the New Lawyer Mentoring Program

University of Oregon School of Law - LRW Oral Argument Judge

Honors & Recognition

Super Lawyers, Rising Star, 2015-present

