

# Snell & Wilmer

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## Clifford S. Davidson

Counsel | Portland | Seattle

Tel. 503.443.6099 POR

Tel. 425.748.5055 SEA

[csdavidson@swlaw.com](mailto:csdavidson@swlaw.com)

## Main Bio

Cliff Davidson is a commercial litigation and trial attorney. Throughout his career, he has focused on commercial contract disputes; litigation and counseling relating to the First Amendment, defamation and anti-SLAPP; litigation and counseling related to noncompetition and nondisclosure agreements; copyright and trademark litigation; class action defense; and state and federal RICO, including cannabis.

Immediately prior to joining the firm, Cliff was the Chair of the Litigation practice group at Sussman Shank LLP.

## Representative Experience

- Several representations on behalf of International Business Machines Corporation (IBM), including in multi-million dollar federal litigation, an employment matter in federal court, and as third-party witness in *Rosenblum (State of Oregon) v. Oracle America, Inc.*
- Represented 15 cannabis dispensaries in federal RICO lawsuit.
- Represented, in California federal jury trial, an insurance marketing company suing competitor for its business interference with client's team of former sales contractors. Litigated issues of adverse inference jury instructions, and monetary sanctions, based on opponent's spoliation of electronically stored information.
- Represented solar company and its principal in eight-figure business interference and Oregon RICO matter in California federal court. Matter involved anti-SLAPP motion practice and an award of attorney fees and costs.
- Represented landowner sued in 70-defendant Oregon federal civil RICO action in connection with cultivation of cannabis.
- Defended client in California federal class-action by a team of over 300 independent contractors seeking several million dollars.
- Represented loan servicer before the United States Supreme Court in opposing certiorari.
- Defended against seven-figure defamation and business interference claims brought by major Oregon automotive chain.
- Represented plaintiff, in district court and Ninth Circuit, in a First Amendment retaliation matter against an Oregon municipality and its police chief.
- Defended toy company against copyright claim brought by competitor.

- Represented several businesses before the Trademark Trial and Appeals Board (TTAB) in connection with trademark registration disputes.
- Represented, in Oregon federal trial, a national law firm accused of breaches of fiduciary duty in connection with a promissory note, and counterclaimed on behalf of that firm for unpaid fees.
- Represented Oregon trucking and warehouse company in Computer Fraud and Abuse Act matter.
- Represented Oregon defendant in architectural copyright litigation.
- Represented an oil company as plaintiff in a complicated, multinational fraudulent transfer matter.
- Represented transgender nursing student in lawsuit against California college that expelled her.

## **Education**

- University of Michigan Law School (J.D., 2006)
- Harvard University (A.B., Government, cum laude in field, 2002)

## **Professional Memberships & Activities**

- Oregon State Bar Fee Arbitration/Mediation Panel, Member (2015 to present)
- United States District Court, District of Oregon *pro bono* panel (2014 to present)
- Multnomah Bar Association (2012 to present)
- Oregon Newspaper Publishers Association (2015 to present)
- Los Angeles County Bar Association (2006 to present)
- American Bar Association (2006 to present)
  - Section of Litigation (2010 to present)

## **Representative Presentations & Publications**

- “Undetectable, Untransmittable, Unclear: Virally-Suppressed Employees and the Healthcare Workplace,” Presenter, Washington State Society of Healthcare Attorneys (2018)
- “Anti-SLAPP Motions: Challenging Claims Arising from Speech,” Presenter, Oregon State Bar CLE (2018)
- “Litigating RICO Claims in Oregon,” Co-Presenter, Multnomah Bar Association CLE (2018)
- “Defamation by Association: What ‘Sexy Cops’ Can Teach Us,” Author, Quarterly Newsletter, Oregon Chapter of the Federal Bar Association (2017)
- “Legalization of Marijuana and the Challenges it Poses to Real Estate Lenders,” Presenter (2017)
- “Defending Against Claims of Trade Libel,” Author, The Verdict (June 2014)
- “Addressing Negative Online Reviews,” Presenter, Hotel Investor’s Marketplace (December 2014)
- “Yelp® Help: Dealing with Online Reviews,” Presenter, Washington Lodging Association Annual Convention & Trade Show (November 2014)
- “When the Political Process Meets Due Process: Perspectives on Judicial Elections,” Moderator and Panel organization, American Bar Association, Section of Litigation Annual Conference plenary session (April 2014)
- “Strike Back Via Anti-SLAPP Statutes,” Author, Daily Journal of Commerce (February 2013)
- “Procedural Aspects of Anti-SLAPP Motions in Federal Court,” Author, Quarterly Newsletter, Oregon Chapter of the Federal Bar Association (January 2013)

## **Professional Recognition & Awards**

- Oregon Super Lawyers®, (2018-2020)
- Oregon Super Lawyers®, Rising Star (2014-2017)
- Southern California Super Lawyers®, Rising Star (2009)
- Named One of the Best LGBT Lawyers Under 40, National LGBT Bar Association (2014)
- Wiley W. Manuel Award for pro bono legal representation (2007-2012)
- Exceptional Performance Award, United States Government (2003)

## **Community Involvement**

- Oregon Repertory Singers (2013 to present)
  - Board of Directors (2019-2020)
- ACLU of Oregon (2014 to present)
  - Lawyers Committee member (2017 to present)

## **Other Professional Experience**

- Sussman Shank LLP Partner (2012 to 2020)
- Kendall Brill & Kelly LLP (2011-2012)
- Proskauer Rose LLP (2006-2011)
  - Deputy District Attorney through training program (2009)

## **Bar Admissions**

- Oregon

- Washington
- California

## **Court Admissions**

- Supreme Court of Oregon
- Supreme Court of Washington
- Supreme Court of California
- United States District Court, District of Oregon
- United States District Court, Western District of Washington
- All State and Federal Courts in California
- United States Court of Appeals, Ninth Circuit
- United States Supreme Court