

Matthew J. Yium

Counsel

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Matt believes that problem solving is best achieved through a clear understanding of all sides of a dispute. Whether a case is headed to trial or early resolution, Matt uses this understanding to design pragmatic strategies that keep his clients' interests at the forefront.

Matt focuses his practice on business litigation, as well as professional liability defense, real estate, and securities. He has represented professionals, hospitals, emerging companies, and national retailers in the defense of multi-million dollar claims.

His experience reaches all stages of litigation, including jury trials, arbitration, motion practice, alternative dispute resolution, and appeals in state and federal court. Matt is also a speaker and author of publications covering a variety of litigation-related topics.

Education

J.D., Northwestern School of Law of Lewis & Clark College, 2005

- Outstanding Appellate Brief
- Dean's Fellowship for Excellence Scholarship
- *Pro Bono* Honors Award
- Outstanding Client Advocacy Award

Services

Litigation
Alternative Dispute Resolution
Cannabis
Communications, Telecom & Media
Eminent Domain & Inverse Condemnation
Family-Owned & Closely Held Businesses
Securities Litigation & Enforcement
Sports, Arts & Entertainment

Admissions

Oregon
Washington
U.S. District Court, District of Oregon
U.S. Court of Appeals for the 9th Circuit

M.P.W., University of Southern California, 2000

B.A., University of Colorado (with distinction), 1996

- *Phi Beta Kappa*

Honors & Recognition

Best Lawyers in America® Commercial Litigation, Professional Malpractice Law - Defendants, 2021-present

Dallaire Public Service Award, Recipient, 2019

Portland Business Journal's Forty Under 40, Runners Up List, 2014

Professional Activities

American Bar Association, Member

Oregon Association of Defense Counsel, Member

- Former Publications Liaison for Professional Liability Practice Group

Multnomah Bar Association, Member

Washington County Bar Association, Member

Community Activities

Northwest Immigrant Rights Project, Pro Bono Attorney, 2017-present

Disability Rights Oregon, Pro Bono Attorney, 2013-2016

Forest Park Elementary Site Council, Representative, 2014-2015

Portland Youth Soccer Association, Coach, 2013-2015

Experience

Brownlow, et al v. [Oregon startup company], (2013).

Defended local startup company in securities fraud action. Damages of over \$1.2 million alleged. Successfully defeated plaintiffs' motion for summary judgment with subsequent settlement for client.

Vassigh v. Boussina, (2012).

Obtained dismissal on summary judgment in favor of client in strict foreclosure and breach of contract action. Recovered attorney fees and costs, and an award of enhanced prevailing party fees.

Harrell v. [national retailer], (2011).

Defense of civil rights claims brought against national retailer in federal court. Obtained summary judgment in favor of client, affirmed by Ninth Circuit.

Piazza v. [local hospital], 226 Or App 604, 205 P3d 101 (2009).

Successfully argued to Oregon Court of Appeals, upholding defense verdict in medical malpractice action brought against local hospital.

Roe v. [local hospital], (2009).

Defended local hospital on federal ADA and discrimination claims. Tried to a jury, resulting in complete defense verdict. Appeal to Ninth Circuit dismissed.

Galanza v. Supnet, (2008).

Represented plaintiff in breach of contract action and small business dissolution dispute. Tried to a jury. Verdict in favor of client, plus an award of enhanced prevailing party fees.

Pop v. [Oregon attorney], (2008).

Obtained dismissal of legal malpractice action for client on summary judgment. Affirmed by Oregon Court of Appeals.

Phillips v. Safeco, 344 Or 196, 179 P3d 633 (2008).

Successfully argued to Oregon Supreme Court, upholding dismissal of underinsured motorist claim.

News

57 Foster Garvey Attorneys Recognized Among the 2024 Best Lawyers in America; Two Portland Attorneys Named 'Lawyer of the Year'

Foster Garvey Newsroom, 8.17.23

45 Foster Garvey Attorneys Recognized Among *The Best Lawyers In America*®

Foster Garvey Newsroom, 8.18.22

38 Attorneys Named 2022 Best Lawyers in America; 11 Named Best Lawyers: Ones to Watch

Foster Garvey Newsroom, 8.19.21

43 Attorneys Named 2021 *Best Lawyers in America*; 10 Named Best Lawyers: Ones to Watch

Foster Garvey Newsroom, 8.20.20

Fleeing a Life of Political Upheaval and Violence in Haiti

Foster Garvey Newsroom, 3.19

Speaking Engagements

"May the Force Majeure Be With You: Examining Commercial Lease Disputes Related to COVID-19," Multnomah Bar Association COVID-19 CLE Series
Webinar
Virtual Event, 4.21.20

"Complaints, Answers, and Motions to Dismiss: A Practical Guide to Effective Pleading Practice," Multnomah Bar Association CLE Seminar, Co-Presenter
Event
Portland, OR, 9.15.16

Legal Alerts

Oregon Presses Pause on Statutes of Limitation During the Pandemic
7.17.20

Enforcement and Avoidance of Contracts in Oregon After COVID-19 Events
3.20.20

Publications

May the Force Majeure Be With You: Examining Emerging Trends in Contract Disputes Related to COVID-19
Oregon Business Lawyer, September 2020

Judicial Biography: The Honorable Melvin Oden-Orr
The Verdict, Winter 2019

An Uncertain Privilege: Former Employees and the Attorney-Client Privilege
The Verdict, Summer 2018

Case Note - Attorney Malpractice: *Sherertz et al. v. Brownstein, Rask, Sweeney, Kerr, Grim, Desylvia & Hay LLP*, 288 Or App 719 (2017)
The Verdict, Spring 2018

Avoiding the Wah, Wah, Wah Effect: Requiring Proof of the Underlying Claim Before Pleading Punitive Damages
The Verdict, Fall 2010

A Closer Look at Oregon's Saving Statute
The Verdict, Summer 2006

Profits, Politics, and the Promise of Free Speech: Defining Commercial Speech After *Nike v. Kasky*

9 Lewis & Clark Law Review 720, 2005