

# Stoll Berne

Exceptional lawyers | Extraordinary results

## Gary M. Berne



Gary Berne represents clients in a variety of matters ranging from investment fraud, ERISA, and insurance coverage claims to will contests, trust disputes, and class actions. Gary represents clients in both state and federal courts, and many of his cases involve securities, shareholder, partnership, antitrust, lawyer and accountant malpractice, or elder abuse claims. Along with this trial practice, Gary also represents members of the securities industry and other professionals in regulatory and compliance matters before the Securities and Exchange Commission (S.E.C.), Financial Industry Regulatory Authority (FINRA) and other regulatory agencies. Gary has assisted the Oregon Law Center in class actions for forestry and farm workers and represented the Columbia River Tribes in preserving their treaty rights to live along the Columbia River.

Gary has been consistently recognized as one of the leading business trial lawyers in Oregon by *Chambers USA: America's Leading Lawyers for Business*, *Best Lawyers in America*, *Oregon Super Lawyers* and other publications.

Gary has written and spoken extensively about securities litigation; corporate governance; professional standards for lawyers, accountants and the financial industry; trial practice and federal practice. Gary serves as an arbitrator for the American Arbitration Association, the Financial Industry Regulatory Authority, and the Arbitration Service of Portland, and regularly acts as a mediator in all types of commercial disputes.

### Typical Practice Areas:

#### Financial Fraud and Securities Class Actions:

- Representation of victims of financial fraud in individual cases and class actions, ranging from claims against brokerage firms to matters involving derivative securities, real estate, TICs, annuities, and offshore scams.

#### Shareholder and Partnership:

- Representation of shareholders and partners in disputes of all sizes involving many types of businesses, such as finance, healthcare, real estate and distribution businesses.

#### Civil Rights:

- Preserved the treaty rights of the Columbia River Tribes to continue to live along the Columbia River.

#### Debtor/Creditor Claims:

- Often represents guarantors and other individuals in defense of claims by lenders.

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## Professional Liability:

- Prosecution of malpractice claims against law and accounting firms.

## Employment and Non-Competition Agreements:

- Representation of clients in non-competition agreements and employment termination matters.

## Insurance:

- Representation of clients in coverage and bad-faith disputes.

## Insider Trading and Securities Regulation Matters:

- Representation of respondents and witnesses in S.E.C., FINRA and state regulatory matters, including defense of clients facing multi-state enforcement claims.

## Professional Regulation Matters:

- Representation of lawyers and law firms in professional regulatory matters.

### Education:

- University of Pennsylvania, J.D., 1977
- University of Pennsylvania, B.A., *cum laude*, 1972

### Admitted to Practice:

- Oregon State Bar, 1977
- United States District Court, Oregon
- United States Court of Appeals, Ninth Circuit
- United States Supreme Court

### Professional Activities:

- Oregon State Bar
  - Procedure and Practice Committee, 1991-1993
  - Securities Section, Executive Committee, 1987-1989
- Oregon Trial Lawyers Association
  - Business Litigation Section, Chair, 1989

### Community Activities:

- Court Appointed Special Advocate (CASA) program
- Campaign for Equal Justice, Executive Board, 1996-2000
- "Why Not" college scholarship fund
- Marathon Partners college scholarship fund