

## Keil M. Mueller – Shareholder



Keil Mueller is a trial lawyer who represents corporate and individual clients in state and federal court, as well as in arbitration proceedings. Keil's practice emphasizes all aspects of complex business litigation, including shareholder and partnership disputes, securities and financial fraud litigation, contract disputes, and trade secrets litigation.

Keil has successfully represented clients in jury trials and arbitration hearings, and has obtained favorable settlements on behalf of clients in numerous other disputes.

*Oregon Super Lawyers* recognized Keil as a "Rising Star" (2012-2016). In addition, *Benchmark Litigation* named Keil as a "Future Star" (2015-present). In 2018, Steven was selected to America's Top 100 High Stakes Litigators® in Oregon.

Prior to joining Stoll Berne in 2008, Keil spent several years as a litigation associate in the New York office of Covington & Burling LLP.

### Representative Cases:

#### Jury Trials & Arbitration Hearings:

- Won defense verdict after three-week jury trial on behalf of Eugene-based distributor of medical and safety equipment and supplies against individual who sought up to \$1 million based on alleged partnership between plaintiff and client company relating to operation of company's website.
- Won monetary award and injunctive relief after five-day arbitration hearing on behalf of retail gas station operator in breach of contract claim against gasoline wholesaler with potentially \$5 million or more at stake over remaining life of supply contract between the companies.
- Won favorable verdict and monetary award after two-week jury trial on behalf of former distributor for wrongful termination of distribution agreement.
- Retained less than two months before three-week arbitration hearing to defend franchisor against alleged violation of the Oregon Franchise Act, fraud, breach of contract and related claims. Successfully limited client's exposure and, post-award, negotiated complex settlement agreement which avoided financial ruin for client.

## Securities & Financial Fraud:

- Represents the State of Oregon as lead plaintiff in a securities fraud class action lawsuit against JPMorgan Chase arising out of the over \$2 billion loss suffered by the company in the "London Whale" trading scandal. A proposed settlement of \$150 million currently is pending approval by the court.
- Represented investors in *In re Bank of New York Mellon Corp. Forex Transactions Litigation*, which settled for \$180 million.
- Obtained \$20 million settlement on behalf of the Oregon College Savings Plan in litigation against Oppenheimer Funds for securities law violations arising out of losses incurred by college savings accounts invested through the Plan. Prior to settlement, obtained an order of remand to state court following Oppenheimer's removal of the case to federal court.
- Obtained \$8 million settlement on behalf of the Oregon Public Employees Retirement Fund (OPERF) in securities fraud litigation against AIG. Prior to settlement, obtained an order of remand to state court after AIG removed to federal court, and subsequently defeated AIG's motion to dismiss OPERF's claims on constitutional and other grounds.

## Commercial Disputes:

- Regularly represents clients in shareholder, member, and partnership disputes concerning all types of businesses, including private equity management, law firms, and real estate.
- Represented fitness company in attempted hostile take-over by private investment firm.
- Defended a sports memorabilia manufacturer in federal court against claims of breach of contract, trade libel, and intentional interference with economic relations.
- Represented a sportswear company in litigation against a former employee and a competitor concerning claims for theft of trade secrets and breach of the duty of loyalty.
- Represented a sportswear company in litigation against a supplier who provided defective components.
- Defended the United States Golf Association in action brought by an amateur golfer alleging breach of contract, breach of duty of good faith and fair dealing, and statutory violations arising out of the USGA's decision to rescind the golfer's amateur status. Successfully defeated plaintiff's motion for temporary restraining order and motion for a preliminary injunction, after which plaintiff eventually dismissed his claims with prejudice.
- Represented a technology consulting company in a dispute with the City of Portland arising out of a major software integration and implementation project.

## Broker/Dealer Claims:

- Represents, and has obtained favorable settlements on behalf of, individual and institutional investors in actions before the Financial Industry Regulatory Authority (FINRA) against investment advisors, brokers and broker/dealers.
- Represents select investment advisors, brokers and broker/dealers in FINRA actions.

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Exceptional lawyers | Extraordinary results

- Obtained favorable settlements on behalf of several registered representatives in disputes with employers and former employers.
- Obtained a settlement on behalf of a national broker/dealer in an action against former brokers and their new employer for violation of non-competition and non-solicitation agreements and theft of trade secrets.

## Class Actions:

- Represented class of former debtors against debt collection firm who allegedly attempted to collect, and in many cases actually collected, more money from class members than it was legally entitled to collect. A Federal District Judge in Portland approved a \$2.3 million settlement.
- Represents drivers for a major multinational delivery company in action seeking class-wide recovery for the company's misclassification of the drivers as independent contractors, rather than employees.
- Represents consumers in several antitrust class actions arising out of price fixing agreements between various automotive parts manufacturers.

## Appellate:

- Prepared and submitted to the Oregon Supreme Court an amicus curiae brief on behalf of the Oregon Trial Lawyers Association in *Malan v. Tipton*, 349 Or. 638, 247 P.3d 1223 (2011).

# Stoll Berne

Exceptional lawyers | Extraordinary results

## Professional Experience:

- Stoll Berne; shareholder, 2016-present
- Stoll Berne; associate, 2008-2015
- Covington & Burling LLP New York, New York; associate 2005-2008

## Education:

- New York University School of Law, J.D., *cum laude*, 2005
- Williams College, *magna cum laude*, 1999

## Community Activities:

- Campaign for Equal Justice
  - Associates Committee, 2010-present;
  - Co-Chair, 2014-present
- Community Cycling Center
  - Chair, 2017
  - Board of Directors, 2014-present
  - Finance & Sustainability Committee, 2012-present

## Professional Activities:

- Multnomah Bar Association
  - CLE Committee, 2012-2015 (Co-Chair 2014-2015)
  - Court Liaison Committee, 2010-2013 (Chair 2012-2013)
  - Young Lawyers Section, Membership Committee, 2012-2012
- Oregon State Bar
- Oregon Trial Lawyers Association
  - Business Litigation Section, Chair, 2015-present
- American Bar Association
- American Constitution Society
  - Oregon Lawyer Chapter, Board of Directors, 2016-present

## Admitted to Practice:

- Oregon State Bar, 2008
- United States District Court, Oregon, 2009
- New York State Bar, 2006
- United States District Court, Southern District of New York, 2007
- United States District Court, Eastern District of New York, 2007