

## Nadia H. Dahab – Associate



Nadia Dahab joined the firm in 2015 as an associate in the litigation group. Her practice focuses on both trial and appellate advocacy, and she has experience in matters relating to complex business disputes, securities fraud, employment, property law, and the environment. Perhaps because of her extensive clerkship experience, Nadia has a passion for appeals—she has authored state and federal appellate briefs on a number of issues, and has argued cases in the Oregon Supreme Court and the U.S. Court of Appeals for the Ninth Circuit. On a regular basis, Nadia authors briefs in the state appellate courts on behalf of the Oregon Trial Lawyers Association participating as *amicus curiae*.

Nadia received a Bachelor of Science in Civil Engineering from the University of Nebraska-Lincoln in 2004. Thereafter, she practiced civil and water resources engineering – specializing in hydrologic, hydraulic, and water quality systems design – at a consulting firm in Dallas, Texas. She is licensed as a Professional Engineer (currently on inactive status) by the Texas Board of Professional Engineers. Nadia later graduated Order of the Coif from the University of Oregon School of Law, where she was Editor in Chief of the Oregon Law Review and a law fellow with the Wayne Morse Center for Law

& Politics.

In August 2017, Nadia was named Oregon Trial Lawyers Association 2017 New Lawyer of the Year. The award recognizes her extensive contributions to OTLA and its membership.

Before joining Stoll Berne, Nadia clerked for the Honorable Rives Kistler on the Oregon Supreme Court, the Honorable Mary H. Murguia on the U.S. Court of Appeals for the Ninth Circuit, and the Honorable Susan P. Graber, also on the U.S. Court of Appeals for the Ninth Circuit. Nadia is currently the President of the Oregon Chapter of the Federal Bar Association and a coach for Franklin High School’s “We the People” constitution team.

Nadia was born and raised in Nebraska but considers Oregon home. Outside the office, Nadia is a marathoner, long-distance cyclist, and mediocre yogi. She recently completed her first Ironman-distance triathlon.

### Representative Cases:

#### Appellate:

- Successfully defended a judgment obtained for Stoll Berne's client in a title dispute over a significant investment property. The trial court awarded Stoll Berne's client a full interest in the property and denied the plaintiff any interest. The plaintiff appealed to the Oregon Court of Appeals. In January 2017, the Court of Appeals affirmed the trial court's decision in full. The plaintiff then asked the Oregon Supreme Court to review and on June 1, 2017, the Court issued an order

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denying the plaintiff's request for further review. With the Supreme Court's order, the trial court's ruling in favor of Stoll Berne's client is final.

- Lead as *amicus curiae* before the Oregon Supreme Court in an administrative appeal of a decision of the Board of Architect Examiners. The *amicus* brief explained the profession's definition of the "practice of architecture" and how the petitioners' conduct feel well within the scope of that definition. The Supreme Court agreed.
- Prevailed with trial attorney Megan Glor in the U.S. Court of Appeals for the Ninth Circuit in an ERISA case dealing with the question whether Providence Health Plan's Independent Review Organization (IRO) constituted an "arbitration" within the meaning of the Federal Arbitration Act (FAA). The Ninth Circuit, looking to federal law for guidance, concluded that the IRO process was not an arbitration and therefore the plaintiff's civil action could proceed.
- Prevailed in the Oregon Supreme Court in a habeas case representing an inmate who had been convicted of a crime under Oregon law but was incarcerated in a Florida prison pursuant to the Interstate Corrections Compact. The inmate had petitioned for habeas relief in Oregon, alleging that Florida prison policies violated his free exercise rights under Article I, sections 2 and 3, of the Oregon Constitution. The trial court dismissed his petition, concluding that the fact that the inmate was confined in an out-of-state institution precluded him from seeking habeas relief in Oregon. Dahab successfully argued in the Oregon Supreme Court that inmates transferred to out-of-state institutions pursuant to the Interstate Corrections Compact retain their Oregon state constitutional rights and that the inmate in this case could petition for habeas relief in Oregon state court.

## Securities Fraud / Misrepresentation:

- Lead counsel representing investors in a \$600 million class action arising out of the collapse of Aequitas Capital Management.

### Professional Experience:

- Hon. Susan P. Graber, U.S. Court of Appeals for the Ninth Circuit, judicial law clerk, 2014-2015
- Hon. Mary H. Murguia, U.S. Court of Appeals for the Ninth Circuit, judicial law clerk, 2013-2014
- Hon. Rives Kistler, Oregon Supreme Court, judicial law clerk, 2012-2013
- Beveridge & Diamond P.C., summer associate, 2011
- Kimley-Horn and Associates, Inc., project manager and civil engineer, 2004-2009

### Education:

- University of Oregon School of Law, J.D., Order of the Coif, 2012
- University of Nebraska-Lincoln, B.S. in Civil Engineering, 2004

### Admitted to Practice:

### Professional Activities:

- Federal Bar Association
  - President, Oregon Chapter, 2017-present
  - President-Elect, Oregon Chapter, 2016-2017
  - Treasurer, Oregon Chapter, 2015-2016
  - Cochair, Young Lawyers Division, Oregon Chapter, 2014-present
- Oregon Trial Lawyers Association
  - Amicus Committee
- Multnomah Bar Association
  - Young Lawyers Section
- Oregon Women Lawyers
  - 2017 Roberts-Deiz Dinner Committee

### Community Activities:

- Classroom Law Project "We the People" Competition, Coach, 2012-present
- Oregon Law Review, Alumni Advisory Board
- Chi Omega Fraternity, Alumnae Advisory Board

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- Oregon State Bar, 2012
- Texas Board of Professional Engineers, 2008