

Susan Marmaduke

Shareholder | Portland Office

Hard Work, Creativity, and Judgment

Successful businesses are built by hard work, creativity, and good judgment. When the product of that effort is threatened, whether by internal dissension or by external challenges, litigation often results. Susan's goal is to solve those problems through the legal system without letting the enterprise, and the people who make it successful, be harmed in the process.

For more than 30 years, Susan has advocated for her clients at the trial court level and on appeal. She has obtained favorable results in disputes over ownership and valuation of businesses, patents and other intellectual property, and a variety of other subject areas. She is admitted to practice in Oregon, Washington, California, and in numerous federal courts, including the Federal Circuit and the U.S. Supreme Court.

Education

Susan received her J.D. from the University of California – Berkeley Law School (Boalt Hall) in 1977. She received her undergraduate degree from Portland State University in 1974 with a BA in Arts and Letters, and a minor in Economics. After earning an Arabic Language Certificate at the Bourguiba Institute of Modern Languages in Tunis, Tunisia, she served as Associate Country Director for the Peace Corps in Yemen.

Professional Recognition

Susan Marmaduke has:

- Received an **AV® Preeminent™ rating** (“signifying the highest level of professional excellence”) by Martindale-Hubbell National Law Directory’s confidential peer reviews.
- Been named to **The Best Lawyers in America®** in the fields of commercial litigation and appellate practice every year since 2009.
- Been selected to **Oregon Super Lawyers®** in the area of business litigation and appellate law.
- Been named a **Lifetime Fellow** of the American Bar Foundation.

Professional Involvement & Community Service

Susan has written reference resources for lawyers, including the Oregon State Bar’s Barbooks chapters on “Jurisdiction, Removal and Remand,” “Statutes of Limitations and Statutes of Repose,” and “Special Writs: Writ of Review and Quo Warranto.” She has given instructive presentations to lawyers on shareholder derivative actions, business valuation disputes, and various other litigation and appellate topics.

Susan is a director of the Lawyers Campaign for Equal Justice, which raises money to support legal aid services to indigent Oregonians, and she is a member of the amicus committee of the Oregon Association of Defense Counsel. She has served on the boards of the national Lawyers Committee for Civil Rights Under Law and the Multnomah Bar Association. Susan served on the Local Rules Advisory Committee for the US District Court of Oregon for a decade and chaired the committee for three years. Susan is also a part of the Multnomah Bar Foundation’s Board of Directors.

The legal community has recognized Susan’s commitment to improving the legal profession and her service to the community with honors that include:

- The Award of Merit**, given by the Multnomah Bar Association in recognition of Susan’s pro bono work in the disaster recovery centers on the Mississippi Gulf Coast after Hurricane Katrina.



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[Appellate Law](#)

[Business and Commercial Litigation](#)

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Professional Recognition



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- **The Hon. James M. Burns Federal Practice Award**, given by the Oregon Chapter of the Federal Bar Association in recognition of her work to improve the practice of law in the United States District Court of Oregon.

Representative Cases

- *City of Eugene v. Comcast of Oregon II, Inc.*, 263 Or App 116 (2014). Represented City of Eugene in obtaining reversal of trial court judgment regarding right-of-way fees on broadband internet service.
- *James v. Clackamas County*, 353 Or 431 (2013). Represented Clackamas County in obtaining Oregon Supreme Court's reversal of trial court judgment regarding retirement benefits.
- *FLIR Systems, Inc. v. Gambaro*, 486 Fed Appx 878 (Fed Cir 2012). Represented publicly traded company in obtaining Federal Circuit's affirmance of trial court judgment dismissing patent infringement claim.
- Confidential arbitration (2010). Successfully represented closely held company in dispute over business valuation in forced buy-out of shareholder under ORS 60.095.
- *Ram Tech, Inc. v. Koresko*, 346 Or 215 (2009). Represented closely held business and its owners in obtaining Oregon Supreme Court's reversal of trial court judgment dismissing fraud claim.
- *Albrecht v. Justices of the Oregon Supreme Court*, 2007 WL 3283694 (D. Or.) Represented manager of regulatory services of the Oregon State Bar against claim by disbarred lawyer that his constitutional rights were violated in disbarment process.
- *Fields v. Coe Manufacturing Company*, USDC (Oregon), No. CV 02 1025 AA and *Fields v. Three Cities Research, Inc. et al.*, No CV 02 975 AA (2005). Successfully represented former CEO and sole shareholder in dispute over his sale of the company.

Publications

Susan has written numerous articles on law and public policy. A few examples include:

- "Shareholder Disputes: A Statutory Escape Route," *Oregon State Bar Bulletin* (© 2010).
- "Advance agreements reduce chance of succession battles," *Portland Business Journal* (© 2010).
- "Downstream: Negligence can cause liability to strangers," *Portland Business Journal* (© 2008).
- "Let's Keep Politics Out of the Courts," 67- OCTOBER Or. St. Bull. 70 (© 2006).
- "Safeguarding our local charities' funds " *Oregon Business Magazine* (© 2005)

Presentations

- "The Anatomy of a Derivative Action," a Multnomah Bar Association Continuing Legal Education program.
- "Valuation Disputes in Commercial Cases: Litigation Strategy and Expert Advice," a Multnomah Bar Association Legal Education program (June 8, 2011).
- "Critical Issues in Arbitration," an Oregon State Bar Continuing Legal Education program (October 7, 2010).
- 2007 OADC Fall Seminar- "Appellate Update," sponsored by the Oregon Association of Defense Counsel (November 2007).
- 2006 Oregon Health Law Update- "Clarke v. OHSU: The Broader Implications," sponsored by the Oregon Bar Association (December 1, 2006).
- Community Planning Day- "Disaster Planning: Lessons Learned from Katrina," sponsored by the City of Portland Planning and Angelo Planning Group (November 2, 2006).
- "Forum on Oregon Constitutional Amendment 40" Sponsored by the Oregon State Bar and American Constitution Society for Law and Policy (October 18, 2006).
- Sustainable Land Use & Measure 37 Symposium, "The State of the Litigation," Sponsored by the Journal of Litigation (October 7, 2005).
- Judgment Day for Litigators Continuing Legal Education Seminar- "Appealing Judgments after January 1, 2004" (December 12 2004)

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