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Overview

Bob Steringer leads Harrang Long's regionally recognized appellate practice, representing private and government clients in Oregon and Washington appellate courts, as well as the Ninth Circuit. He handles appeals on a wide range of issues, including complex business disputes, government regulation, constitutional and public policy matters, and professional licensing.

More generally, Bob represents public bodies, political organizations, regulated businesses, and private individuals in matters at the intersection of law, government, and public policy. Drawing on experience inside and outside government, Bob provides general counsel services and litigates disputes in judicial and administrative venues on matters that include:

- Constitutional law
- State agency rulemaking & regulation
- Public records & open meetings law
- Energy & Natural Resources
- Government ethics
- Election & campaign finance regulation
- Lobbying regulation
- Public contracting & prevailing wage
- Intergovernmental relations
- Intra-organizational disputes
- Public Employees Retirement System
- Professional licensing

Practice Emphasis

- Appeals
- Constitutional Law
- State Agency Rulemaking & Regulation
- Public Records & Open Meetings Law
- Government Ethics
- Election and Campaign Finance Regulation
- Lobbying Regulation
- Intergovernmental Relations
- Public Employees Retirement System
- Professional Licensing

How I Serve Clients

Winning a verdict or an appeal is a great accomplishment, but I derive the greatest professional satisfaction from achieving a result for my client that is better than we could have achieved in court. To do that, I make sure I understand my client's broader objectives beyond the dispute in front of us, and then work creatively and persistently to win the war, not just the battle.

Admissions

- Oregon State Bar
- Washington State Bar Association
- U.S. District Court for the District of Oregon
- Ninth Circuit Court of Appeals

Professional Recognition

- AV Preeminent Peer Review Rated with Martindale-Hubbell®
- Listed in *The Best Lawyers in America*® for appellate practice and commercial litigation every year since 2013
- Elected as a Fellow of the American Bar Foundation (2014 – present) (an honorary organization of lawyers, judges and legal scholars whose careers have demonstrated outstanding dedication to the welfare of their communities and to the highest principles of the legal profession, limited to one-third of one-percent of the lawyers licensed to practice in each jurisdiction of the United States)
- Selected to Super Lawyers® for appellate law every year since 2015

Professional Memberships

- Firm representative, SCG Legal
- Oregon and National Council of School Attorneys (COSA)
- Oregon Association of Defense Counsel
- American Bar Association
- Multnomah Bar Association (Board of Directors 2012-2017, President 2015-2016)
- Oregon State Bar Constitutional Law Section (Executive Committee 2009-2015, Chair 2014)
- MBA Professionalism Committee (Chair 2011-2012)
- Oregon State Bar's Public Service Advisory Committee
- MBA Pro Bono Task Force
- Multnomah Bar Association's Mentor Program
- Oregon State Bar's New Lawyer Mentoring Program,

Education

- J.D., University of Oregon School of Law (1998)
 - Executive Editor of the Oregon Law Review
- B.A., *cum laude*, University of Oregon (1994)

Publications

- Member of the Board of Editors: Oregon Constitutional Law (2022 & 2013 eds.), Oregon State Bar publication (2013 ed. was winner of the Association for Continuing Legal Education's "Best Award" of Outstanding Achievement in Publications).

Publications Cont.

- Author: "Contract Clause," Chapter 8 in Oregon Constitutional Law (2022 & 2013 eds.), Oregon State Bar publication.
- Co-Author with J. Aaron Landau and Katherine Thomas: "Separation of Powers," Chapter 12 in Oregon Constitutional Law (2022 ed.), Oregon State Bar publication.
- Co-Author with Hon. Ellen F. Rosenblum and Denise G. Fjordbeck: 2016 update to "Agency Authority and Functions," Chapter 1 in *Oregon Administrative Law*, Oregon State Bar publication.
- Co-Author: Oregon chapter in "Lobbying, PACs, and Campaign Finance – 50 State Handbook," published annually by the State Capital Group through Thomson Reuters/West (2009-present).
- Co-Author with Brett Applegate: "Dave Frohnmyer in the United States Supreme Court," The Oregon Constitutional Law Newsletter (Winter 2016).
- "Elephant in the Room," Multnomah Bar Association's Multnomah Lawyer (Summer 2015).
- Co-Author with Brett Applegate: "When Stranahan Doesn't Get You Where You Need to Go – Advocating for New Approaches to Interpreting the Oregon Constitution," Oregon State Bar's Oregon Constitutional Law Newsletter (Summer 2014).
- Author: "Is a Lobbyist's Gift to a Public Official an Empty Gesture?" in Oregon State Bar Constitutional Law Section's March 2011 Newsletter (analyzed Oregon Supreme Court case regarding constitutionality of statutes regulating gifts from lobbyists to elected officials).
- Author: "Litigating the 'Fair Value' of a Business Organization," published in Winter 2011 edition of The Verdict (OADC publication) (explored strategies for litigating "fair value" in business break-ups).
- Co-Author with James E. Mountain, Jr. and Jona J. Maukonen: "Postdecision Matters in the Court of Appeals," Chapter 11 in *Appeal and Review: the Basics* (2010 ed.), Oregon State Bar publication.
- Co-author with Susan D. Marmaduke: "Abandoning 'We Can't Tell,'" *Oregon State Bar Bulletin*, 2003 (analyzed the power vested in the judiciary to affirm judgments notwithstanding trial court errors, comparing the Oregon Supreme Court's decision in *Shoup v. Wal-Mart Stores* with Amended Article VII, section 3, of the Oregon Constitution).

Publications Cont.

- Co-author of Introduction with Kurt Wanless: "Oregon Land Use Symposium – The Twenty-Fifth Anniversary of S.B. 100," *Oregon Law Review*, 1998.
- Author: "The Clergy-Penitent Privilege in Oregon," *Oregon Law Review*, 1997 (analyzed the history and application of Oregon's clergy-penitent privilege in the context of a news-making dispute over the recording of a conversation between a jail inmate and a Catholic priest).

Presentations

- "Best Practices for Public Records Compliance," Oregon School Law Conference (December 2022).
- "Top Five Executive Session Traps," Special Districts Association of Oregon Annual Conference (February 2018).
- "Administrative Rule Challenges," Administrative Law CLE (November 2015).
- "Any Port in a Storm: Stays of Agency Orders Pending Judicial Review," Northwest Administrative Law Institute, with James W. Nass and Averil Budge Rothrock (September 2014).

Representative Matters - Appellate & Trial

- Successfully defended trial court judgment rejecting HOA's attempt to prevent development on neighboring golf course property. *Creekside Homeowners Ass'n v. Creekside Golf Course, LLC*, 316 Or App 646 (2021).
- Successfully appealed trial court and Court of Appeals decisions to Oregon Supreme Court, establishing law on corporate succession, contribution rights among insurers under the Oregon Environmental Cleanup Assistance Act and common law, and interpretation of liability insurance pollution exclusions. *Allianz Global Risks v. ACE Property & Casualty Ins. Co.*, 367 Or 711 (2021).
- Successfully defended trial court judgment denying anti-SLAPP motion to dismiss client's breach of fiduciary duty claims against homeowners' association and its board of directors. *Tokarski v. Wildfang*, 313 Or App 19 (2021).
- At trial, successfully defended public university's application of faculty research exemption to public record disclosure requirements for vast majority of records requested by advocacy group (2020).
- Successfully appealed agency and Court of Appeals decisions to Oregon Supreme Court, establishing law on the status of persons working for local government through a temp agency for purposes of public employee retirement benefits. *Eugene Water and Electric Board v. Public Employees Retirement Board*, 365 Or 59, 442 P3d 596 (2019).

Representative Matters - Appellate & Trial Cont.

- Obtained summary judgment in favor of political party on challenge to validity of its bylaws and leadership (2013), and successfully defended the judgment on appeal in *Reeves v. Wagner*, 295 Or App 295 (2019).
- Prevailed at trial and on appeal on behalf of an intervening water district in election challenge lawsuit, successfully defending its position on the legal status of district residents within annexed territory. *Clackamas County Oregon v. Clackamas River Water*, 280 Or App 366 (2016).
- Represented public university in judicial review of its decision to expel a graduate student for possessing a deadly weapon on campus. *Liu v. Portland State University*, 281 Or App 294 (2016).
- Filed amicus brief in Oregon Supreme Court on behalf of water district and association of special districts in *Rogue Valley Sewer Services v. City of Phoenix*, 357 Or 437 (2015), relating to cities' home-rule authority to impose franchise fees on other local governments.
- Represented grass seed purchaser in appeal relating to computation of damages under UCC and availability of attorney fees under contract. *Peace River Seed Co-Operative, Ltd. v. Proseeds Marketing, Inc.*, 355 Or 44 (2014).
- Obtained reversal of trial court judgment dismissing client's claim for declaratory judgment that client was a shareholder of a corporation, *Yeoman v. Public Safety Ctr., Inc.*, 241 Or App 255 (2011), and then obtained jury verdict for \$223,832.05 on promissory estoppel claim relating to ownership of the corporation (2013).
- Obtained judgment of foreclosure on hotel property and money award of \$2,744,647.33 plus interest, costs and attorney fees, in Clatsop County Circuit Court (2012).
- Filed amicus brief in Oregon Supreme Court on behalf of Oregon Association of Hospitals & Health Systems, Oregon Medical Association and American Medical Association in *Paul v. Providence Health System-Oregon*, relating to liability of a health care provider for theft of patient information by a third party (2012).
- Successfully defended trial court judgment affirming city's creation of a local improvement district, *Bullock v. City of Ashland*, 241 Or App 378 (2011).
- Filed amicus brief on behalf of Oregon Association of Defense Counsel in *Cohens v. McGee*, 219 Or App 78 (2008), and *White v. Jubitz Corp.*, 347 Or 212 (2009) (both relating to the question of whether written-off medical bills are recoverable as economic damages in negligence cases).
- Successfully defended trial court judgment on appeal to the Ninth Circuit Court of Appeals, affirming summary judgment in favor of municipality and police officer in claim for negligence and violation of Fourth Amendment rights (unpublished opinion) (2009).

Representative Matters - Appellate & Trial Cont.

- Successfully defended trial court judgment on appeal to the Ninth Circuit Court of Appeals, affirming summary judgment in favor of client in Section 1983 claims asserting violations of various constitutional rights (unpublished opinion) (2009).
- Filed amicus brief in Oregon Supreme Court on behalf of Oregon Association of Hospitals & Health Systems in *Christiansen v. Providence Health System*, 344 Or 445 (2008) (relating to application of the Oregon Constitution's "remedy clause" to a claim for prenatal injuries).
- Obtained decision of the Oregon Court of Appeals remanding order of Oregon Public Utility Commission for reconsideration due to PUC's incorrect interpretation of state law, *Crooked River Ranch Water Co. v. PUC*, 224 Or App 485 (2008).
- Obtained decision of the Oregon Court of Appeals affirming, without opinion, a judgment in favor of client against claim for professional negligence, 203 Or App 639 (2006).
- Obtained reversal of trial court's decision to dismiss client's negligence claim based on standards for sufficiency of expert testimony, *Baughman v. Pina*, 200 Or App 15 (2005).

Representative Matters - Public Body General & Special Counsel

General Counsel Services

- Provide on-call and in-meeting advice to administrators and elected officials on all legal issues facing public bodies.
- Orient new governing board members on their powers and responsibilities.
- Instruct governing boards on compliance with Oregon's Open Meetings Law, including the proper use of executive sessions.
- Advise government officials on the processing of public records requests, including meeting deadlines and proper application of exemptions.

Representative Matters - Public Body General & Special Counsel Cont.

General Counsel Services Cont.

- Defend local governments in appeals from decisions on public records, both before the district attorney and in the circuit court.
- Advise on government ethics regulations relating to conflicts of interest, use of office for private gain, and gift limits, including representation before Oregon Government Ethics Commission.
- Draft, negotiate, interpret, and advise on formation of intergovernmental agreements.
- Advise on public contracting and procurement.
- Advise on and negotiate real property transactions.

Special Counsel Engagements

- Defended district's interests in cases brought by former board members relating to board vacancies and allegations of misconduct by district in connection with the election of commissioners.
- Advised coalition of local governments on formation of intergovernmental organization to respond to oil spill and fire following train derailment, and negotiated multimillion-dollar settlement relating to same.
- Represented local government in proceedings under ORS 33.710 to validate government actions in connection with bond financing for capital construction projects.
- Represented local governments in disputes with the Public Employees Retirement System (PERS) relating to membership eligibility and employer contributions.
- Represented local government in OR-OSHA matters.
- Advised a city council on negotiation of contract for the transfer of rights to operate major recreation area, including provisions to secure environmental protections and protect the public's rights to assets.
- Advised on negotiation of multimillion-dollar contract for municipal utility customer service software system, providing timely advice on establishing clear performance requirements on the part of the contractor and protecting client's interests in the event of breach.
- Defended public university official in professional licensing matters relating to counseling center work.



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