



SEATTLE

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SERVICES

Litigation & Dispute Resolution

Emergency Injunction Team (Chair)

Employment & Labor

Intellectual Property

Intellectual Property Litigation

Patent Office Litigation

PRACTICE OVERVIEW

Sam focuses his practice on intellectual property litigation (trade secret, copyright, and trademark), unfair competition litigation, pension fund litigation, securities litigation, antitrust litigation, and class action defense. He is Chair of the firm's Emergency Injunction Team and regularly represents clients requesting emergency injunctive relief or defending against requests for such relief.

Sam has worked with several regional and national technology companies, not-for-profit entities, banks, mortgage companies, broker-dealers, hospitals, and government entities.

In 2012, Sam served as lead trial counsel for the plaintiffs in *Education Logistics, Inc. v. Laidlaw Transit, Inc.*, a top 100 jury verdict (\$28 million), as reported by *The National Law Journal*. He successfully argued for preservation of the entire jury verdict in front of the 9th Circuit Court of Appeals in June 2014.

REPRESENTATIVE WORK

– *Education Logistics, Inc. v. Laidlaw Transit, Inc.* (D. Mont.) – *2012 Top 100 Jury Verdict*

Lead trial counsel for Plaintiff Education Logistics (commonly known as Edulog), the producer of the world's preeminent school bus routing software, in a breach of contract case against Laidlaw Transit, Inc. (now First Student), the world's largest private school bus contractor. Following a two-week trial, the jury ruled in favor of Edulog on all its claims and awarded \$28.4 million in damages. Successfully argued for preservation of the entire jury verdict in front of the 9th Circuit Court of Appeals in June, 2014. In 2015, successfully opposed Laidlaw's Petition for Writ of Certiorari seeking review by the U.S. Supreme Court.

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- Medical Communications Resources, Inc. v. Global Initiative For Asthma, Inc. (W.D. Wash.)
Lead litigation counsel for Global Initiative for Asthma (“GINA”) and Global Initiative For Chronic Obstructive Lung Disease (“GOLD”), two not-for-profit organizations that publish the foremost treatment protocols for Asthma and Chronic Obstructive Pulmonary Disease (Emphysema). Obtained injunctive relief (as a defendant) restricting plaintiffs’ attempts to interfere with the operations of GINA and GOLD. Successfully protected GINA and GOLD’s trademarks and other intellectual property rights in their publications and other materials.
- Seattle Education Foundation v. The Foundation House At Northgate (King Co. Wash.)
Lead litigation counsel for not-for-profit retirement community for retired school teachers in a dispute with a former affiliated entity. After targeted discovery, the plaintiff in the dispute voluntarily dismissed all of its claims.
- Seattle Education Foundation v. The Foundation House At Northgate (King Co. Wash.)
Lead litigation counsel for not-for-profit retirement community for retired school teachers in a dispute with a former affiliated entity. After targeted discovery, the plaintiff in the dispute voluntarily dismissed all of its claims.
- Northwest Home Designing v. Pierce County (Pierce Co. Wash.)
Represented construction design firm following a public records request by a competitor seeking confidential home design plans. Successfully obtained injunctive relief barring the disclosure of our client’s design plans.
- National City Mortgage v. Republic Mortgage Home Loans (W.D. Wash.)
Helped protect National City Mortgage’s trade secrets following an attempt by a rival mortgage broker to poach key employees and convert several office locations. Successfully obtained injunctive relief requiring the return of trade secret protected material.
- Crane v. CTX (W.D. Wash. and arbitration)
Represented national mortgage company in trademark and trade secrets claim. Prevailed at arbitration, recovering damages and attorney fees.
- Seattle City Employees Retirement System v. Epsilon Global Active Value Fund II (King Co. Wash. and W.D. Wash.)
Represented City of Seattle against off-shore pension fund. Successfully obtained injunctive relief requiring the production of pension fund-related documents.
- Industrial Electric Systems, Inc. v. Power Breaker – Seattle, LLC (Snohomish Co. Wash.)
Represented industrial circuit breaker distributor in trade secrets dispute. Successfully obtained preliminary injunctive relief requiring the return of trade secret protected information.
- Bearse v. Port of Seattle (King Co. Wash.)
Assisted in representation of municipal airport operator in class action seeking damages and injunctive relief on alleged inverse condemnation, nuisance, and trespass caused by airport noise. Following several attempts by plaintiffs, class certification was denied.
- Probst v. Department of Retirement Systems (Thurston Co. Wash.)
Assisted in the representation of the State of Washington defending against a class action claim for interest alleged to be owed under the State’s various pension plans.
- Pro Bono Cases
Assisted victim of domestic violence and her daughters to obtain deferred action status and, subsequently, U.S. permanent legal resident status.
Assisted new father struggling to make ends meet to retain unemployment benefits issued after he was laid off.

RECOGNITION

- Obtained top 100 plaintiff’s verdict in U.S. in 2012 (\$28 million) by *The National Law Journal*
- Rising Star, Washington Super Lawyers list, 2010

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ACTIVITIES

- Leadership Tomorrow, Class of 2011
 - + 2011 Class Speaker
- Mercer Island Lions Club, Past President

QUOTED

- [“When working with government agencies, companies can have a tough time keeping details private,”](#) Puget Sound Business Journal, December 12, 2014

PUBLICATIONS

- “Preliminary Injunctive Relief: Procedure for Obtaining Preliminary Injunctive Relief,” Contributor, Practice Note, Practical Law Company, September 2012
- “Preliminary Injunctive Relief: Drafting the Required Documents,” Contributor, Practice Note, Practical Law Company, September 2012

PRESENTATIONS

- [“My Ex-Employee Did WHAT?’ – Preventing and Addressing Post-Employment Misconduct,”](#) Speaker, Foster Pepper Client Briefing, October 2015
- Leadership Tomorrow’s 28th Annual Community Leadership Celebration Honoring the LT Class of 2011, Speaker, June 2011
- “Local Federal Rules,” Speaker, WSBA Federal Practice Boot Camp, October 2010
- “When Time is Of the Essence: Temporary Restraining Orders,” Speaker, Non-Competes in a Down Economy: Protecting Your Company’s Trade Secrets From Disclosure by Former Employees, June 2009

EXPERIENCE

- Foster Pepper PLLC
 - + Member, 2011-Present
 - + Executive Committee, 2015-2016
 - + Emergency Injunction Team, Chair, 2013-Present
 - + Professional Development Committee, Co-chair, 2014-2016
 - + Associate, 2003-2010
- New York State Office of the Attorney General (New York, NY), Legal Aide, Labor Bureau, 2001-2003
- Cognoscenti (Cambridge, MA), Publishing Director, 1998-2000

BAR ADMISSIONS

- Washington, 2003
- U.S. District Court
 - + Eastern District of Washington, 2005
 - + Western District of Washington, 2005

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- U.S. Court of Appeals
 - + 9th Circuit, 2009
 - + 10th Circuit, 2014
- United States Supreme Court, 2014

EDUCATION

- J.D., Columbia University School of Law, 2003
 - + Harlan Fiske Stone Scholar
 - + Columbia Journal of Transnational Law
- A.B., Harvard University (cum laude), 1998
 - + Henry M. Fuller Memorial Scholar
 - + Faculty of Arts and Sciences Scholarship
 - + Harvard College Scholarship