

Kara E. Stoddart

Associate

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Kara brings extensive experience as a fiduciary litigator and represents individuals, trusts companies and non-profit organizations in a wide range of complex trusts and estates disputes.

Her experience includes will contests, disputed estate and trust accounting proceedings, *cy pres* proceedings, trust modifications, fiduciary removal, undue influence, capacity cases, breach of fiduciary duty, financial elder abuse, contested guardianship and conservatorship matters, disputes regarding decedents' retirement accounts, and proceedings to approve settlements of wrongful death claims.

Kara also has experience as a business and commercial litigator, including representing clients in disputes such as breach of contract; challenges to state, municipal and agency decisions; eminent domain proceedings; corporate dissolutions and disputes; receivership matters; breach of fiduciary duty claims; and actions involving restrictive covenants.

Representative Matters:

- Two-week trial representing multi-national investment bank in trust accounting matter involving allegations of negligent retention of securities. Judgment unanimously reversed on appeal in favor of bank.
- Counsel for co-executor of estate in dispute resulting in full dismissal of objections to an accounting. Successfully

Services

Trusts, Estates & Charitable Organizations
Trusts & Estates Litigation

Admissions

Oregon
Colorado
New York
U.S. District Court, Western District of New York

defended appeal resulting in dismissal.

- Counsel to school district in the successful transfer of over 40 scholarship funds to a not-for-profit foundation established to more efficiently administer the funds and maximize the rate of return.
- Counsel to various charitable institutions in contested *cy pres* proceedings.
- Obtained favorable resolution of a will contest and dispute over decedent's retirement accounts.
- Counsel for religious organizations in a challenge to the validity of a pour-over will and trust.
- Counsel for recycling company in litigation alleging breach of contract, nuisance and violations of various federal and state environmental statutes and regulations.
- Counsel for numerous real estate companies in dispute over corporate ownership and related receivership matters.
- Obtained damages award as lead trial attorney for health care provider in an action alleging breach of restrictive covenants.
- Counsel for health care company in dispute filed in New York State Supreme Court and before the American Arbitration Association alleging breach by private equity investor of financing and recapitalization obligations.
- Obtained favorable resolution of case involving claims of misappropriation of trade secrets and proprietary information for manufacturer of primary packaging component parts.

Education

J.D., State University of New York at Buffalo Law School, 2010

- *Buffalo Law Review*, Articles Editor
- *Buffalo Journal of Gender, Law & Social Policy*, Editor

B.A., State University of New York at Fredonia (*magna cum laude*), History and Psychology, 2004

Honors & Recognition

Rising Star, Oregon Super Lawyers list, 2020

Professional Activities

Estate Planning Council of Portland, Seminar Planning Committee, 2020-present

News

Seven Attorneys Named to Oregon Super Lawyers List
Foster Garvey Newsroom, 7.6.20

Foster Garvey Welcomes New Associate Kara Stoddart in the Firm's Portland Office
Foster Garvey Newsroom, 1.2.20