

**William T. Patton**

Shareholder  
pattonw@lanepowell.com  
503.778.2015



**Areas of Practice**

Bill Patton focuses his practice in the areas of employee benefits and ERISA/life, health and disability litigation. He has successfully represented employers, employee benefit plans, ERISA fiduciaries, plan administrators, plan participants and insurers in a wide range of actions, including: benefit claims under retirement plans, severance pay plans, and life, health and disability plans (self-funded and insured); breach of fiduciary duty claims; claims for equitable relief under ERISA Section 502(a) (3); disputes between plans and service providers; withdrawal liability and delinquent contribution claims; benefit discrimination and other employment-related claims under ERISA Section 510; disputes with the Department of Labor and the IRS; claims involving ERISA-prohibited transactions with plan assets; and claims that the employer has failed to comply with ERISA-mandated administrative procedures, such as filing annual reports or providing employees with summary plan descriptions.

Bill is well-versed on ERISA litigation issues, including ERISA standard of review, ERISA preemption and removal of claims to federal court, COBRA disputes, recovery of attorneys' fees and costs, and the availability of punitive or other damages. Bill also has extensive experience litigating non-ERISA benefits cases, including claims under individual life, AD&D and disability plans, government plans and church plans.

In addition, Bill has an active employment law practice focusing on non-compete and non-solicitation agreements, and claims under the Trade Secrets Act. Bill also has substantial appellate law experience, having successfully represented clients before the U.S. Court of Appeals for the Ninth Circuit and the Oregon Court of Appeals in a variety of matters.

**Professional Experience**

Law Clerk, Oregon Department of Justice Trial Division (1996)  
Law Clerk, U.S. Attorney's Office, Washington D.C., Homicide Section (1995-1996)  
Judicial Extern, Hon. Robert E. Jones, U.S. District Judge (1995)  
Intern, Senator Mark O. Hatfield (1989)

**Admitted to Practice**

Oregon  
U.S. District Court, District of Oregon  
Ninth Circuit Court of Appeals

**Academics**

The George Washington University Law School (J.D., 1997)  
Honors, Legal Research & Writing  
Member, *George Washington Journal of International*  
Occidental College (A.B., Political Science, *cum laude*, 1993)  
Phi Beta Kappa

---

## Practice Group and Specialty Team Memberships

Member, Lane Powell Diversity Committee  
ERISA Litigation  
Labor and Employment  
Education

## Representative Matters and Clients

*Daul v. Iberdrola Renewables, Inc., formerly PPM Energy, Inc.*, 267 F.R.D. 641 (D. Or. 2010), *reconsid. denied*, 2010 WL 3945001 (D. Or. 2010), *affirmed*, ---Fed.Appx.--- (9th Cir. 2011) (successfully defended Iberdrola in a case brought by two former executives who claimed \$4.2 million in benefits under an ERISA-governed severance plan)

*Mort v. United of Omaha Life Ins. Co.*, 734 F.Supp.2d 1118 (D. Or. 2010), *affirmed*, ---Fed. Appx.--- (9th Cir. 2011) (obtained summary judgment in non-ERISA benefits case; Ninth Circuit affirmed)

*Toobey v. Wyndham Worldwide Corp., and Cigna Corp.*, 673 F. Supp. 2d 1223 (D. Or. 2009) (obtained dismissal of plaintiffs' state law contract and tort claims in a \$2.5 million ERISA benefits case)

*Barnes v. Unum Life Ins. Co. of America*, 621 F. Supp. 2d 1097 (D. Or. 2009) (obtained summary judgment for ERISA plan administrator)

*Slackman v. Life Ins. Co. No. America*, 2009 WL 197441 (D. Or. 2009) (obtained summary judgment for ERISA plan administrator)

*Hansen v. Unum Provident Corp.*, 2008 WL 696249 (D. Or. 2008) (obtained summary judgment for plan administrator)

*Huntsinger v. Shaw Group, Inc., Unum Provident Corp., et al.*, 410 F. Supp. 2d 968 (D. Or. 2006), *aff'd*, 268 Fed. Appx. 518 (9th Cir. 2008) (ERISA litigation; obtained summary judgment on plaintiff's claims for breach of fiduciary duty, denial of benefits, interference with attainment of benefits, and ERISA penalties)

*Brown v. Brown*, 206 Or.App. 239, 136 P.3d 745 (Or. App.), *review denied*, 341 Or. 449 (2006) (trust dispute; obtained favorable result on appeal for trustee/personal representative in dispute involving \$1 million in stock in a closely-held corporation)

*Teplick v. Boeing Long-Term Disability Plan*, 2004 WL 1058172 (D. Or. 2004), *aff'd*, 156 Fed. Appx. 917 (9th Cir. 2005) (obtained judgment in favor of plan in ERISA action where standard of review was de novo)

*Greenlee v. Prudential Insurance Co. of America* (obtained summary judgment in dispute involving a \$2 million individual life insurance policy)

*Wilson v. Prudential Insurance Co. of America*, 2002 WL 31499282 (D. Or. 2002) (ERISA litigation; obtained summary judgment in favor of plan administrator)

*Stark v. Rosco Laboratories, Inc. Long-Term Disability Plan* (ERISA litigation; defeated plaintiff's breach of fiduciary duty claim and request for preliminary injunction)

*Eberspecher v. Prudential Property and Casualty Insurance Co.* (summary judgment granted in breach of contract and bad faith action seeking \$1.4 million in structured settlement proceeds)

---

**Publications**

- “Simplifying a Complex ERISA Case,” *Litigation Journal*, Oregon State Bar (2011)
- “Subpoenas and Discovery from Third Parties,” *2 Federal Civil Litigation in Oregon*, Chapter 19 (2009)
- “Posttrial Matters,” *2 Oregon Civil Litigation Manual*, Chapter 31, Co-author (2004 and 2009 Supplement)
- “Third-Party Practice,” *1 Oregon Civil Pleading and Practice*, Chapter 14 (2001)
- “Joint Tortfeasors,” *1 Torts*, Chapter 15, Co-author (2000)
- “Preventing Terrorist Fundraising in the United States,” *30 George Washington Journal of Int’l Law & Economics* 501 (1997)

**Professional and Community Activities**

- Chair, Board of Directors, Equity Foundation
- Basic Rights Oregon (BRO), Legal Advisory Group
- American Civil Liberties Union of Oregon
- Member, Board of Directors
- Volunteer Attorney
- Vice-Chair, Board of Directors, Listen to Kids
- Presenter, Oregon State Bar 2011 Convocation on Equality
- Fellow, Litigation Counsel of America, Trial Lawyer Honorary Society (2009)
- Member, Oregon Gay and Lesbian Lawyers Association (OGALLA)
- Member, Multnomah Bar Association
- Member, Federal Bar Association, Oregon chapter