



Damon Elder

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Introduction

Damon represents businesses, government agencies, and individuals in complex civil litigation in state and federal court. He has handled a wide range of disputes, including claims involving the False Claims Act, the Racketeer Influenced and Corrupt Organizations Act (RICO), the Fair Credit Reporting Act (FCRA), consumer protection statutes, product liability, contract disputes, insurance coverage, and employment practices. Damon has litigated class certification in numerous putative class actions across the country. Damon also works with clients on a range of matters outside the courtroom, including advising clients regarding potential litigation risk, non-compete agreements, employment practices, and government investigations.

Damon has been recognized by Super Lawyers Thomson Reuters as a “Rising Star” in Washington State in 2016 and 2017. Some examples of his recent matters include:

- Defended one of the largest employers in Seattle against multiple lawsuits alleging employment discrimination, retaliation, and hostile work environment, including in three-week and four-week trials. In each case, the juries returned complete defense verdicts in favor of the employer.
- Represented a consumer reporting agency in defending against a putative class action alleging violations of the Fair Credit Reporting Act. After obtaining partial dismissal of the plaintiff’s claims, resolved the plaintiff’s remaining allegations through settlement on terms favorable to the client.
- Defended a Washington construction company against False Claims Act allegations asserted by the U.S. Department of Justice, in connection with a highway construction project valued at over \$30 million. Resolved all of the government’s claims on terms extremely favorable to the client, without the filing of a lawsuit.
- Represented a Fortune 100 natural resources company in a lawsuit seeking to recover for damage to its real property. After prevailing on partial summary judgment, settled the case for 100% of the client’s losses and the majority of its attorney’s fees.
- Represented several foreign executives of an international pharmaceutical company in connection with an antitrust class action in Multidistrict Litigation. The Court affirmed the executives’ right to invoke the privilege against self-incrimination pursuant to the Fifth Amendment and the Hague Convention, blocking the plaintiff’s attempt to force them to testify.

Prior to joining CE&O, Damon practiced in the litigation group of Arnold & Porter LLP, where he represented manufacturers and financial institutions in connection with consumer class actions, commercial disputes, and insurance coverage litigation. For example, Damon defended a major manufacturer of consumer products against dozens of consumer fraud and product liability class actions in state and federal courts around the country.

Before attending law school, Damon served as the Chief of Staff to a member of the Oregon State Legislature.