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Law Practice:

Jason Pistacchio is an experienced trial lawyer who helps individuals and businesses with a wide range of complex personal and business issues. He prepares and enforces various agreements, including those involving financial services companies, individuals and companies. He often represents lenders, small businesses, construction professionals, and real property owners. He assists construction professionals in preparing and enforcing contracts and construction liens. Additionally, he helps commercial property owners and tenants in lease negotiations, disputes and evictions.

He is a frequent speaker and author on a variety of subjects including business entity selection, social media regulation, construction contracts, licensing requirements and liens, and electronic discovery and document retention issues.

Prior to joining Cosgrave Vergeer Kester LLP, Jason clerked for a Lane County Circuit Court Judge and completed internships at the District Attorney's offices in Lane and Douglas Counties.

INDUSTRIES

Beverage

Construction

Financial Services

Hospitality

Real Estate

PRACTICE AREAS

Business & Commercial
Litigation

Business & Corporate Law

Construction Services &
Litigation

Financial Services Litigation &
Compliance

Real Estate Law

Expertise and Experience:

Taxation

Contract Disputes

- Breach of Contract
- Declaratory Judgement
- Injunctive Relief
- Specific Performance

Construction Disputes

- Bid Disputes
- Performance Disputes
- Lien Foreclosures
- Construction Contractor Board Disputes

Financial Services Disputes

- Loan Workouts
- Lease Workouts

Commercial Collections

- Actions on Accounts
- Obtaining/ Enforcing Judgments

Real Estate / Property Disputes

- Easements
- Property Line Disputes

Water Rights

Real Estate Sale Disputes

Title Company Disputes

Trespass / Nuisance

Timber Trespass / Theft of Shrubbery

Commercial Tenancy

Lease Disputes

Tenant Improvements

Evictions

Shareholder/ LLC Member / Partnership Disputes

Breach of Fiduciary Duty Claims

Business Divorces

Declaratory Actions Regarding Ownership Interests

Shareholder Rights

Corporate Governance

Director / Officer Liability

Business Torts

Unfair Competition

Trademark Infringement

Theft of Trade Secrets

Uniform Commercial Code (UCC) Disputes

Sale of Goods

Warranties

Negotiable Instruments

Emergency Remedies

Temporary Restraining Orders

Preliminary Injunctions

Representative Cases:

Jason regularly represents large national financial services companies regarding lender and borrower claims including those relating to foreclosure of lien interests, quiet title claims, loan workout agreements and lien priority claims against other lenders, borrowers and third-parties (such as owner associations and construction contractors).

Represented a partner in a partnership dissolution claim related to the partnership's sole asset, a large commercial property complex in Portland, Oregon. The partners went into business together to acquire, construct, and manage the property. After they worked together to construct and lease it, the defendant secretly transferred title to him and his wife, then later sold the property for a substantial profit, without the knowledge or consent of his partner. Upon learning of the sale, Cosgrave filed suit and conducted discovery. As we presented our client's case during a multi-day arbitration, the defendant asked to delay further proceedings and resume settlement discussions. We obtained a settlement for our client which paid him for his share of the partnership's profits.

Represented a property owner in her claim against a developer and contractor for timber trespass. The developer and contractor, in the process of constructing a new road, removed and damaged several large trees located on our client's property. Cosgrave brought legal action against the contractor and developer for damages. After extended discovery and investigation, our client received reimbursement of her damages, including compensation related to replacement of her trees and her attorney fees

Prosecuted a claim for breach of contract and foreclosure of a construction lien related to a large-scale multi-use building project that suffered severe financial distress midway through construction. Cosgrave successfully negotiated a settlement of our client's lien claim with the developer and its lender which allowed our client to be paid what he was owed on the project.

Successfully defended an individual member in a complicated LLC dispute involving fiduciary

duty claims, the distribution of the LLC's significant out-of-state real property assets, and enforcement of a promissory note.

Education & Bar Admissions:

Jason received his law degree from the University of Oregon Law School in 2000. Jason graduated, cum laude, with a bachelor's degree in political science from Washington State University in 1996. He was also a recipient of the President's Leadership Award and the Judges Thomas and Marshall Neill Memorial Scholarship.

Jason was admitted to the Oregon State Bar and United States District Court of Oregon in 2000. Jason was admitted to the Washington State Bar in 2012.

Professional:

Jason's professional memberships include the American Bar Association, the Multnomah Bar Association, and the Oregon Association of Defense Counsel.

Jason is also a current member of the Oregon State Bar's Practice and Procedures Committee and was recently selected as an Owen Panner Inn of Court member.

Jason is also a member in good standing of the National Utility Contractors Association of Oregon and SW Washington.

Personal:

Jason is an outdoorsman and is particularly fond of golf and Oregon's mountains and beaches. He enjoys spending time with his wife and children, all of whom join Jason as avid fans of the Washington State University Cougars.

Presentations:

"Tips for Avoiding Litigation (and How Insurance Can Help)"

Oregon Small Business Fair, September 2016

“Tips for Avoiding Litigation”

Woodburn Business Owners, May 2016

“Construction Contract Best Practices”

Lanphere Construction Development, March 2016

“New Construction Home Warranties”

Portland Area Realtors, March 2015

“Your Business - You’ve Built-it, Now Protect It”

Asian Pacific American Chamber of Commerce, April 2013

“Fraud Prosecution: Criminal or Civil?”

Clients of Bank of America, Cosgrave Vergeer Kester LLP, Durham and Bates, and Geffen Mesher, October 2012

“Ethical Dilemmas in Producing Metadata”

Oregon Paralegal Association, May 2012

“Commercial Lease Disputes”

Portland Business Circle, April 2012

“Social Media and Your Business Image”

Asian Pacific American Chamber of Commerce, March 2012

“CCB Licensing”

Construction Contractors, March 2012

“Construction Liens”

Construction Contractors, February 2012

“Who Needs a Lawyer Anyway?”

Networking Marketing Group, December 2011

“Business and Employment Law for Doctors”

Northwest College Naturopathic Medicine, November 2011

“Social Media and Your Business Image”

Umpqua Bank, August 2011

“Don’t Call it a Comeback - How to Prepare Your Business for the Economic Recovery”

Umpqua Bank, May 2011

“Best Practices for Document Management”

AIG Regional Caucus, February 2008

“E-Discovery: Everything You Wanted To Know But Were Afraid To Ask”

ALFA International Northwest Regional Seminar, 2007

“Compendium of Product Liability Law Issues”

Oregon ALFA International Client Seminar, March 2007

“Metadata: What Must Be Produced in Litigation?”

2007 Health Law Update, Oregon Health Lawyers Association, December 2007

“Construction Lien and Bond Law in Oregon”

Speaker, Lorman Education Services, 2006

Publications:

Contributor, Civil Litigation Manual, Chapter 5 Revisions, 2004

Radio:

Jason has been a featured guest on “Financial Strategies” hosted by Patrick Schmidt on KPAM 860AM. Below are topics and links to his recorded shows.

“Updates on Recreational Marijuana Laws in Oregon”

December 26, 2015

“2016 Employment Law Update”

December 12, 2015

“Succession Planning for Small Businesses”

December 5, 2015

“How To Find the Right Small Business Structure”

August 6, 2015

“Legal Implications for Employers with Retirement Plans”

June 26, 2015

“Legal Issue Surrounding the Legalization of Recreational Marijuana”

February 20, 2015

“Legal Issues Regarding Home Ownership”

March 19, 2014

“How to Choose the Right Contractor and Resolve Any Disputes That Arise Along the Way”

January 22, 2014

Awards:

Jason was recognized as a 2013 “Super Lawyers Rising Star” in the area of Business Litigation in the Oregon publication of *Super Lawyers*, an honor that is reserved for no more than 2.5 percent of Oregon Lawyers.