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Law Practice:

Wendy Margolis chairs the firm's appellate and litigation support practice group. Her practice focuses on civil appeals in state and federal courts and on providing litigation support to trial lawyers on legal and strategic issues that arise before, during, and after trial.

Wendy strives to achieve outstanding results for her clients through a combination of zealous advocacy and creative problem-solving and counseling. She has extensive experience in all elements of litigation support and is a skilled written and oral advocate, having argued multiple cases before the Ninth Circuit Court of Appeals, Oregon Supreme Court, Oregon Court of Appeals, and state and federal trial courts in both Oregon and Washington.

Prior to joining Cosgrave in 1995, Wendy was a judicial clerk for the Honorable Mary Deits of the Oregon Court of Appeals (1993-95). Before attending law school, she worked as a clinical audiologist in a private neuro-otology clinic.

Recent significant cases:

The Oregon Supreme Court held that the Due Process Clause of the Fourteenth Amendment to the U.S Constitution, as construed in *Daimler AG v. Bauman*, prohibits Oregon courts from exercising

INDUSTRIES

Beverage

Construction

Healthcare

Hospitality

Insurance

Manufacturing

Professional Services

Railroad

Real Estate

Trucking and Motor Carrier

PRACTICE AREAS

Appellate & Litigation Support

general personal jurisdiction over Union Pacific for claims unrelated to Union Pacific's business activities in Oregon. This is an important decision for out-of-state corporations that, like Union Pacific, have substantial business operations in Oregon but are incorporated and have their principal places of business elsewhere. (*Barrett v. Union Pacific Railroad Company*)

The trial court granted defense motion for directed verdict in favor of our hospitality client in \$800,000 liquor liability case. (*Blevins v. Whitefeather, Inc.*)

The Oregon Court of Appeals upheld \$439,000 jury verdict for our bicyclist client who was a licensee, not a trespasser, on defendant's property. (*Currier v. Washman, LLC*)

The Oregon Court of Appeals affirmed (without written opinion) summary judgment for our client on plaintiff's claims for wrongful initiation of civil proceedings and intentional interference with business relations. (*Platt v. Snellgrove*)

Appellate services include:

- Reviewing the trial court record
- Identifying appeal-worthy issues
- Evaluating the merits of a potential appeal
- Participating in appellate mediation
- Developing a strategy for an appeal
- Writing appellate briefs, including amicus briefs
- Presenting oral argument

Litigation support services include:

- Identifying and analyzing complex legal issues
- Consulting on litigation strategy
- Drafting and arguing dispositive motions
- Drafting and arguing trial submissions, including trial memoranda, jury instructions, motions in limine, verdict forms, and motions for directed verdict
- Drafting and arguing post-trial motions, including motions for new trial

Business & Commercial
Litigation

Employment Litigation

Personal Injury & Property
Damage Liability

Product Liability

Professional Liability

- Attending trial to ensure that a proper trial court record is made and that specific issues are properly preserved for appeal

Education & Bar Admissions:

Wendy earned her bachelor's degree in speech and hearing sciences from the University of California at Santa Barbara, and her master's degree in audiology from the University of Washington. She received her law degree from the University of Oregon, graduating Order of the Coif. While attending law school, Wendy was an Associate Editor and a Managing Editor of the Oregon Law Review.

Wendy became a member of the Oregon State Bar in 1994 and the Washington State Bar in 1995. She also is admitted to practice in the Ninth Circuit Court of Appeals, the United States District Court for the District of Oregon, and the United States District Court for the Western District of Washington.

Professional:

Wendy's professional memberships include the Multnomah Bar Association, the Oregon Association of Defense Counsel and Oregon Women Lawyers. She has served on the Oregon Oregon Rules of Appellate Procedure Committee and on the Executive Committee of the Oregon State Bar Appellate Section, where she served two terms as treasurer.

Presentations:

“Personal Jurisdiction Before and After Daimler. How Many Places Can a Corporation Be At Home?”

Speaker, Union Pacific Railroad Company Law Department Conference, April 2017

“Appellate Tips for Litigators”

Speaker, Oregon Law Institute, October 2012

“Apportionment of Damages Under the Federal Employer's Liability Act”

Speaker, The National Association of Railroad Trial Counsel, Winter Meeting, 2012

“Tips and Traps for the Civil Litigator”

Speaker, Oregon Law Institute CLE, October 2009

“Oregon Supreme Court Update”

Speaker, Multnomah Bar Association Continuing Legal Education seminar, 2006

“Ethics for Defense Lawyers”

Speaker, Oregon Association for Defense Counsel Seminar, 2002

Publications:

Co-Editor of Case Notes for the quarterly OADC newsletter, 2006 – 2009

“Briefing the Merits – Oregon Court of Appeals”

Oregon State Bar Continuing Legal Education, Appeal & Review. 1998, 2002

“Comparative Fault”

Oregon State Bar Continuing Legal Education, Damages, 1998