



## 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, and frequently represents clients that are the subjects of investigations or lawsuits filed by the Washington Attorney General's Office or the U.S. Department of Justice. Damon also routinely represents and advises employers regarding their employment policies and practices.

Damon has been recognized by Super Lawyers Thomson Reuters as a "Rising Star" in Washington State in 2016, 2017, 2018, 2019, and 2020. 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 jury trials. In each case, the juries returned complete defense verdicts in favor of the employer.
- Represented a major pharmaceutical company in connection with consumer fraud allegations filed by the Washington Attorney General's Office arising out of the sale and marketing of the company's implant products. After substantially narrowing the Plaintiff's claims through pre-trial motions, the case settled on terms favorable to the client.
- Represented Accenture LLP in False Claims Act case relating to the provision of software and related services to the Department of Defense and various military commands. Obtained favorable ruling for the client at summary judgment.
- Represented a nonprofit in arbitration against various claims for breach of contract brought by multiple plaintiffs. Obtained a favorable arbitration award resulting in the complete dismissal of the plaintiffs' claims and a significant financial award for 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, recovered 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, government investigations, 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.

Damon serves on the board of directors for Camp Korey, a Seattle-area nonprofit that serves children (and their families) living with life-altering medical conditions and chronic illness.