



Samuel Hernandez

Associate

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OVERVIEW

Sam Hernandez focuses his practice on employment law and complex commercial litigation. He handles all aspects of litigation including mediations, mandatory arbitrations, motions, hearings, and trials in both state and federal courts. Sam defends employers faced with wage and hour, harassment, retaliation, discrimination, whistleblower, and misappropriation of trade secret claims. He also helps companies resolve their business disputes with competitors, clients, vendors, and property owners in breach of contract, trespass to real property, and breach of restrictive covenant claims. Sam has been recognized as a “Rising Star” by *Super Lawyers* and as a “Rising Litigator” by the Oregon State Bar Litigation Section.

PROFESSIONAL BACKGROUND

Prior to joining K&L Gates, Sam was an associate at another Portland, OR law firm. He represented employers and management in the defense of lawsuits or administrative complaints filed by current or former employees for allegations including harassment, discrimination, wrongful discharge, retaliation, and wage and hour violations. He also provided employment advice and training related to practice, policies, and legal issues, in both Spanish and English, to companies of all sizes.

ACHIEVEMENTS

- *Best Lawyers in America* “Ones to Watch” in Commercial Litigation, Labor & Employment Law – Management (2021)
- *Super Lawyers* “Rising Star” in Employment & Labor (2017 - 2019)
- Oregon State Bar Litigation Section: Rising Litigator Award (2014)
- Hispanic Metropolitan Chamber of Commerce: Leadership Award (2014)
- Oregon Army National Guard: Bronze Star Medal (2007)
- Oregon Army National Guard: Combat Infantry Badge (2007)
- Oregon Army National Guard: Afghanistan Campaign Medal (2007, 2015)

PROFESSIONAL / CIVIC ACTIVITIES

- Hispanic National Bar Association
 - Region XVI President (AK, ID, MT, OR, WA), September 2018 - present
- Judge, Portland Techstars Startup Weekend Latino 2017
- Oregon Hispanic Bar Association
 - Immediate Past President, February 2018 - February 2019
 - President, March 2017 - February 2018
 - Co-president, October 2015 - February 2017
 - Board Member, September 2010 - November 2015
- Hispanic Metropolitan Chamber of Commerce
 - Board Member, January 2012 - July 2018
- Classroom Law Project
 - Board Member, December 2015 - January 2017
- Beaverton Education Foundation
 - Board Member, March 2012 - February 2014

SPEAKING ENGAGEMENTS

- Presenter, "Top 10 Laws for Oregon Employers," LatinoBuilt, an Association for Latino Contractors in Oregon (August 2019)
- Speaker, "Privacy in the Workplace," private client seminar (June 2018)
- Speaker, "Trending Employment Issues," Oregon Employer Council - Washington County Chapter (March 2018)
- Panelist, "Discussion on the Legal Needs of Veterans in Oregon," Oregon Women Lawyers Monthly Luncheon Speaker Series (November 2017)
- Speaker on I-9 Compliance, "Employer Know Your Rights," Lewis & Clark Small Business Legal Clinic (2017)
- Presenter, Barran Liebman's Annual Employment Law Seminar (2016)
- Founder/Organizer/Presenter, Annual Latino Employment Law Seminar (2013, 2015, 2016)

EDUCATION

- J.D., Lewis & Clark Law School, 2010
- B.S., Portland State University, 2005 (*magna cum laude*)

ADMISSIONS

- Bar of Oregon
- United States Court of Appeals for the Ninth Circuit
- United States District Court for the District of Oregon

LANGUAGES

- Spanish

THOUGHT LEADERSHIP POWERED BY HUB

- 2 March 2021, Oregon Employment Legislation to Keep an Eye on This Year (*Alerts/Updates*)
- 17 July 2019, Oregon Legislature Adds New Requirements for Employers
- 17 July 2019, Oregon's New Paid Family and Medical Leave Act (*Alerts/Updates*)
- 17 July 2019, Oregon's Workplace Fairness Act Brings Drastic Changes to Discrimination and Harassment Claims (*Alerts/Updates*)
- 29 May 2018, The Oregon Legislature Strengthens Data Breach Laws, Adding Tougher Notification and Safeguarding Requirements (*Alerts/Updates*)
- 13 July 2017, Oregon Is Set to Become the First State in the Nation Requiring Employers to Give Hourly Employees Advance Notice of Their Work Schedules (*Alerts/Updates*)
- 10 July 2017, New Laws for Oregon Employers to Observe from the 2017 Legislative Session (*Alerts/Updates*)

AREAS OF FOCUS

- Labor, Employment, and Workplace Safety
- Class Action Litigation Defense
- Complex Commercial Litigation and Disputes

REPRESENTATIVE EXPERIENCE

- Co-counsel for a security company in defense of a wage and hour complaint. Received favorable verdict at trial.
- Represented a national grocery store chain in resolving wage and hour disputes.
- Represented an investment company in a merger & acquisition valued at over \$7.5 million, conducting employment diligence.
- Co-counsel for a timber and forest products company in defense of a personal injury complaint. Received full defense verdict at trial.
- Represented a national telecommunications and wireless services company in a construction defect claim resulting from a telecommunication's platform.
- Represented a mechanical and engineering company in a merger & acquisition valued at \$70 million, conducting employment diligence.
- Represented a multinational freight carrier in resolving a complaint in federal court on claims for disability, failure to accommodate, and wrongful termination. Successfully argued to dismiss supervisors named as aiders or abettors.
- Represented a multinational grocery store chain in a wage and hour class action litigation involving over ten thousand employees and over \$100 million in possible damages.
- Represented a national telecommunications and wireless services company in a breach of a telecommunications tower lease agreement. Successfully dismissed the complaint for lack of jurisdiction.
- Represented a national betting system provider in resolving a complaint before state and federal agencies on claims for disability discrimination, failure to accommodate, and wrongful termination.