

BARRAN LIEBMAN^{LLP}

A T T O R N E Y S

Employment | Labor | Benefits | Higher Education
www.barran.com | 503.228.0500

ANDREW M. SCHPAK

503.276.2156 | aschpak@barran.com | www.barran.com



Andrew Schpak is the Co-Managing Partner at Barran Liebman LLP and has been exclusively representing management in employment litigation and providing advice in employment matters for over thirteen years. He works with government entities, businesses of all sizes, and non-profit organizations. Andrew drafts and updates workplace policies and employee handbooks, provides workplace training, and advises clients on employment issues when they arise. He also drafts, reviews, and negotiates employment, partnership, and independent contractor agreements, as well as confidentiality, non-solicitation, and non-competition agreements. Andrew spends the majority of his time representing clients before state and federal administrative agencies and in state and federal court proceedings.

Andrew is President of the Multnomah Bar Association (MBA). He previously led both the American Bar Association (ABA) Young Lawyers Division (YLD) and the MBA Young Lawyers Section. He also serves as an ABA YLD Delegate to the ABA House of Delegates, as a member of the ABA Standing Committee on Meetings and Travel, a member of the Executive Committee of the Judicial Division Lawyers Conference, and as the Vice-Chair of the ABA Law Practice Division Professional Development Committee. He is also a Life Fellow, Board Member, Chair of the Institutional Relations Committee, and Co-Chair of the Oregon Chapter of the Fellows of the American Bar Foundation. Andrew was first listed in the *Oregon Super Lawyers Magazine* as a Rising Star in 2009 and has been listed as a Super Lawyer since 2013. Andrew was recently honored by the *Portland Business Journal's* "Forty Under 40" as a leading executive and by the Multnomah Bar Association as the 2017 Mentor of the Year. He is certified as a Senior Professional in Human Resources (SPHR) by the Human Resources Certification Institute (HRCI) and as a Senior Certified Professional (SCP) by the Society for Human Resources Management.

Andrew graduated from Reed College and received his J.D. from Cornell Law School. He is admitted to practice in Oregon and Washington state and federal courts.

Areas of Practice

Employment Law Advice

Employment Litigation

On-Site Employment Law Training

Pay Equity

Trade Secrets, Non-Competition Agreements, and Departing Employee Disputes

Title IX Compliance Advice and Training

Workplace Investigations

Representative Matters

Secured a directed verdict at trial defending a large publishing company against a lawsuit alleging breach of contract, discrimination, and intentional infliction of emotional distress.

Representative Matters (continued)

Successfully defended a defense verdict on appeal by plaintiff in the Oregon Court of Appeals.

Conducts regular trainings to educate new and continuing employees and supervisors on diversity, discrimination, harassment, and retaliation in the workplace, helping their employers avoid countless issues and claims.

Developed, implemented, and oversaw the complete restructuring of all employee and independent contractor agreements and related confidentiality, non-solicitation, and non-competition contracts for a major advertising agency.

Honors

Oregon Super Lawyers Magazine: Rising Star (2009-2012); Super Lawyer (2013-present)

Portland Business Journal: “Forty under 40” Leading Executives (2015)

Oregon New Lawyer Division: Member Services Award (2015)

Chambers & Partners USA: (2014)

Multnomah Bar Association: Award of Merit (2013)

Oregon State Bar: President’s Membership Service Award (2012)

American Bar Association Young Lawyers Division: “Star of the Year” Award (2010- 2011, 2011-2012); “Star of the Quarter” Award (2009)

Daily Journal of Commerce: “Up and Coming Lawyer” Finalist (2011)

Multnomah Bar Association Young Lawyers Section: Award of Merit (2006)

Professional Experience & Affiliations

Multnomah Bar Association: President (2017-present); President-Elect (2016-2017); Treasurer (2016-2017); Finance & Operations Committee, Chair (2016-2017), Member (2015-present); Executive Committee, Member (2016-present); CLE Committee, Board Liaison (2016-2017); Board of Directors, Member (2008-2009; 2014-present); Judicial Screening Committee, Board Liaison (2014-2015); American Bar Association's House of Delegates, Delegate (2010-2014); Membership Committee, Member (2009-2010); Wintersmash Committee, Chair (2006-2007), Member (2005-2007)

American Bar Association Young Lawyers Division: American Bar Association House of Delegates, Delegate (2015-present); Liaison to the Judicial Division Lawyers Conference (2016-present); Chair (2014-2015); Chair-Elect (2013-2014); Secretary-Treasurer (2012-2013); Conferences, Programs, and Products, Director (2011-2012); Senior Lawyers Division, Liaison (2010-2012), Committee Director (2010-2011); Leadership Advisory Board, Co-Chair (2012-2014), Member (2009-2011; 2012-2014); District Representative of Oregon and Washington (2008-2010); Labor and Employment Law Committee, Co-Chair (2009-2010), Vice Chair (2006-2009), Member (2005-present); Member (2004-present)

American Bar Association: Judicial Division Lawyers Conference Executive Committee, Member (2017-present); Court Funding Committee, Co-Chair (2016-2017); Perspectives of Young Lawyers on the Judiciary Committee, Co-Chair (2016-2017)

Northwest Association of Title IX Administrators: Member (2016-present)

American Employment Law Council: Member (2016-present)

American Bar Association: Standing Committee on Meetings and Travel, Member (2015-present); ABA Day Planning Committee, Member (2013-present)

American Bar Foundation: Oregon Chapter of the Fellows, Co-Chair (2017-present); Institutional Relations, Chair (2016-present); Board of Directors, Member (2015-present); Life Fellow (2013-present)

Professional Experience & Affiliations (continued)

American Bar Association Law Practice Division: Professional Development Committee, Vice-Chair (2017-present); Member Development Committee, Vice-Chair (2016-2017); Attorney Well-Being Committee, Member (2016-present); Member (2015-present); LP Fellow (2015-2016)

American Bar Association Section of Labor and Employment Law: Equal Employment Opportunity Committee, YLD Fellow (2008-2010); Member (2004-present)

American Bar Association Section Officers Conference: Chairs Class Representative and Executive Committee, Member (2014-2015)

Oregon State Bar Association: Oregon State Bar House of Delegates, Delegate for Region 5 (2009-2017); Young Lawyer Delegate to the ABA House of Delegates (2014-2015); Oregon State Bar New Lawyer Mentoring Committee, Chair (2011-2013); Member (2011-2014); Legal Job Opportunities Task Force (2012); Quality of Life Committee, Chair (2011), Secretary (2010), Member (2008-2011); Mentoring Task Force (2010-2011); Leadership College Fellow (2009); Senior Lawyers Task Force, Member (2008-2009)

Multnomah Bar Association Young Lawyers Section: Board of Directors, President (2008-2009), Member (2006-2010); Membership Committee, Chair (2005-2006), Member (2004-2006)

NWEO/Affirmative Action Association: Chair (2014-2015); Vice Chair (2012-2014); Treasurer (2009-2012); Board Member (2008-2015)

Oregon Health Care Association: Business Partner Member (2015-present)

City Club of Portland: Member (2014-present)

Connecting Communities Coalition: ADA Subcommittee, Member (2012-2014)

National Institute for Trial Advocacy: Trial Skills, Graduate

Senior Certified Professional (SHRM): Certified (2015-present)

Senior Professional Human Resources (HRCI): Certified (2011-present)

Portland Human Resources Management Association: Member (2004-present)

Honorable Lourdes Baird, U.S. District Court: Judicial Intern (2003)

California State Attorney's Office: Law Clerk (2002)

Portland City Mayor's Office: Criminal Justice Assistant (2000-2001)

Civic Activities

Cornell Law School Alumni Advisory Committee: Member (2015-present)

Hollywood Theatre Board of Directors: Chair (2013-2015); President (2007-2013); Member (2006-2015)

Reed College Leadership Academy: Mentor (2013-present)

Northwest Business for Culture and the Arts, Art of Leadership Program: Graduate (2006)

Campaign For Equal Justice: Champion (2004-present); Advisory Committee (2011-present); Associates Committee, Co-Chair (2009-2012), Member (2007-2012)

Representative Presentations

Oregon State Bar Opportunities for Law in Oregon: "Importance of Networking," Presenter (8/4/17)

Oregon Fuels Association 2017 Annual Conference: "Don't Get Caught Burning The Midnight Oil Solving Preventable Workplace Matters: Employment Law Essentials for Every Workplace," Presenter (7/24/17)

Washington School Personnel Association (WSPA) 2017 Annual Conference - Achieving Balance: "Marijuana and the Law," Presenter (2/26/17)

Representative Presentations (continued)

- Bloomberg BNA Webinar: “Top Human Resources & Payroll Compliance Issues to Watch in 2017,” Panelist (2/23/17)
- Oregon Beer & Wine Distributors Association (OBWDA) Meeting: “Update on Employment Law Changes,” Presenter (1/30/16)
- Barran Liebman LLP Breakfast Seminar: “The Post-Election Picture for Employers,” Presenter (12/6/16)
- AMA PDX November Luncheon: “Look Into Our Crystal Ball: 2017 Marketing Predictions,” Panelist (11/8/16)
- 2016 Southwest Washington SHRM Conference: “Examining the Contours of Volunteer, Intern and Independent Contractor Classifications,” Presenter (10/25/16)
- American Bar Association Young Lawyers Division 2016 Fall Conference: “Ethics and Interplay Between Judicial System and Media,” Presenter (10/21/16)
- Barran Liebman LLP Annual Seminar: “How to Tell Employees It’s Time to Hit the Road: Discipline and Termination Best Practices,” Presenter (10/8/16)
- Portland Business Journal* Thought Leader Forum: “Workplace Culture,” Panelist (5/3/16)
- American Bar Association Section of Labor and Employment Law’s Ethics and Professional Responsibility Midwinter Meeting: “Surrendering Papers and Property to Former Clients,” Presenter (3/18/16)
- American Bar Association Section Officers Conference: “Preparing for Your Role as Chair: A Timeline of What Should Take Place,” Panelist (3/10/16)
- 2016 Oregon Health Care Association Spring Expo: “Legislative Update: What Do Oregon’s New Employment Laws Mean for You?,” Presenter (3/4/16)
- ABA Law Student Division 12th Circuit Spring Meeting: “Keynote Address,” Presenter (2/20/16)
- Wilsonville Chamber of Commerce South Metro Leadership Forum: “Navigating Marijuana & the Workplace,” Presenter (11/10/15)
- ABA 9th Annual Section of Labor & Employment Conference: “Displaying Professionalism When Clients Allege Wrongdoing and Malpractice,” Presenter (11/5/15)
- Oregon Employer Council Clackamas County: “Employment Law Essentials & 2015 Legal Update,” Presenter (11/3/15)
- ABA YLD Fall Conference: “ABA YLD Demystified: Understanding the YLD & What It Can Do For You,” Presenter (10/17/15)
- The Commerce Bank of Oregon: “Legal Updates Every Employer Needs to Know,” Presenter (9/30/15)
- Barran Liebman LLP Annual Seminar: “Coping With the Green Lantern: Recreational Marijuana in the Workplace,” Presenter (9/24/15)
- Senior Service Network of Salem: “Marijuana Laws for Health Care Facilities,” Presenter (9/23/15)
- Oregon Health Care Association Annual Convention: “In the Spotlight: Top Employment Law Issues Facing Today’s Health Care Providers,” Presenter (9/14/15)
- Oregon Society of CPAs: “What Matters for Not-For-Profits: Creating a Culture that Attracts, Retains and Motivates Great Employees,” Presenter (9/3/15)
- Excell Oregon: Budding Complications: Navigating Marijuana in the Workplace,” Presenter (8/12/15)
- American Bar Association Annual Meeting: “Better Leader, Better Lawyer, Better You: Your Guide to Going Beyond and Honing Your Craft,” Presenter (7/31/15)
- National Association of Women in Construction Salem Chapter: “Marijuana in the Workplace,” Presenter (5/20/15)

Representative Presentations (continued)

- Oregon Law Institute: “Marijuana and the Workplace,” Presenter (5/8/15)
- American Bar Association National Institute for New Partners: “Transitioning from Mentee to Supervisor: Partner Responsibilities under the Rules of Professional Conduct,” Presenter (4/17/15)
- American Bar Association Young Lawyers Division Four Corners Summit: “So You Think You Can Lead?,” Presenter (4/10/15)
- Willamette Valley Inn of Court: “Marijuana in the Workplace,” Presenter (3/19/15)
- Top Workplaces Panel Discussion hosted by *The Oregonian*: “How to Keep Employees Happy and Fulfilled,” Panelist (2/25/15)
- ABA Law Student Division 12th Circuit Spring Meeting: Keynote Address, Presenter (2/20/15)
- Eugene Public Radio: “Marijuana and the Workplace,” Presenter (11/11/14)
- Oregon State Bar Professional Liability Fund CLE: “Learning the Ropes: Success Tips for New Associates,” (10/5/14)
- Client Training: “Diversity & Discrimination,” Presenter (10/3/14)
- Barran Liebman LLP Annual Seminar: “D.N.T.: Discipline ‘N Terminate Like a Rock Star,” Presenter (9/25/14)
- Oregon New Lawyers Division Practical Civil Litigation Training: “Motion Practice: When & Why to File,” Presenter (9/20/14)
- ABA Section Officers Committee Fall Leadership Meeting: “Doing Well, Doing Good: Planning and Implementing Successful Public Service Initiatives,” Presenter (9/11/14)
- Custom Client Training: “Diversity, Discrimination & Harassment,” Presenter (8/28/14)
- National Conference of Bar Presidents: “Making Your Bar More Strategic: Ensuring Effective, Well-Prepared Bar Leaders,” Presenter (8/8/14)
- Barran Liebman LLP Training: “Discovery,” (5/17/14)
- Barran Liebman LLP Seminar: “Keys to a Custom & Complete Employee Handbook,” (4/16/14)
- Multnomah Bar Association Young Lawyers Section: “Tips for Succeeding as a New Attorney,” Presenter (2/25/14)
- American Bar Association 12th Circuit Meeting Law Student Division: “Litigation, Transaction, & Other: What Should I Do With My J.D.?,” Attorney Panel Member (2/22/14)
- Clark College: “Employment Law Overview,” Presenter (2/21/14)
- National Business Institute: “Is Your Employee Handbook Up to Date? Essential Components and Sample Policies for Today's Workplace,” Presenter (11/20/13)
- Oregon Chapter CUPA-HR Fall Conference: “Examining the Contours of Volunteers, Intern and Independent Contractor Classifications,” Presenter (11/15/13)
- Barran Liebman LLP’s 1st Annual Latino Employment Law Seminar: “Employee Handbooks,” Presenter (10/24/13)
- American Bar Association Young Lawyers Division Fall Conference: “Mind Your Own Business: Just Do It,” (10/11/13)
- Barran Liebman LLP Annual Seminar: “Interns, Volunteers & Independent Contractors,” Presenter (11/26/13)
- Cornell Law School: “Opportunities with Smaller Law Firms,” Presenter (9/16/13)
- HR.com* Webinar: “Employee Handbooks,” Presenter (5/22/13)
- Douglas County Society for Human Resource Management: “Avoiding Wrongful Discharge Claims and Legislative Update,” Presenter (5/10/13)
- Multnomah Bar Association: “Professionalism Panel,” Presenter (4/30/13)

Representative Presentations (continued)

- Lewis & Clark Law School: “Keys to a Custom & Complete Employee Handbook,” Presenter (4/3/13)
- American Bar Association Webinar: “What I’d Wished I’d Known about My Job Search,” Presenter (3/29/13)
- Western States Bar Conference: “Unplugged: Young Lawyers Talk About Their Path and How We Should Lead and Guide Them (And the Profession) To Success,” Presenter (3/21/13)
- Northwest Public Power Association: “Employee Handbooks,” Presenter (3/5/13)
- 2013 MBA Young Litigators Forum: “Discovery,” Presenter (2/5/13)
- Reed College Working Weekend: “Law in a Time of Cholera,” Panelist (2/2/13)
- ABA Young Lawyers Division Teleconference: “How Affiliates Can Assist Membership with Employment Prospects,” Panelist (1/23/13)
- Northwest EEO November Seminar: “Transgender and Gender Identity Issues in the Workplace,” Panel Member (5/15/12)
- Barran Liebman LLP Annual Employment, Labor and Benefits Law Seminar: “House Rules: Employee Handbooks,” Presenter (9/27/12)
- ABA Young Lawyers Division 2012 Spring Conference: “Bridging the Gap between Junior and Senior Associates,” Panelist (5/4/12)
- ABA Young Lawyers Division: “How to Develop and Implement a Successful Mentoring Program,” Panelist, (4/4/12)
- Lewis & Clark Law School Clinical Internship Seminar: “Keys to a Custom and Complete Employee Handbook,” Guest Lecturer (3/7/12)
- Oregon State Bar Quality of Life Committee: “How to Work a Room,” Panel Member (10/5/11)
- Portland State University’s Employee and Labor Relations Class: “Substance Abuse, Drug Testing and Marijuana” and “Social Website Dangers,” Presenter (5/9/11)
- Oregon New Lawyers Division CLE: “The ADA: The Basics of Disability Law,” Presenter (4/5/11)
- NW EEO/Affirmative Action Association: “Conducting Effective and Bias-free Investigations,” Presenter (3/31/11)

Representative Publications

- “A Look at the Post-Election Picture for Employers,” *Daily Journal of Commerce*, November 25, 2016
- Featured in “Professionalism in the Modern Workplace,” *Oregon State Bar Bulletin*, November 2016
- “The 2016 Election Season: Political Speech at Work,” Barran Liebman Electronic Alert, November 4, 2016
- “Finding Your Work/Life Balance,” *Law Practice Today*, June 14, 2016
- Featured in “Thought Leader Forum: Workplace Culture,” *Portland Business Journal*, June 3, 2016
- “Two New Laws Affecting Your Workplace,” *CareNotes-* The Newsletter of the Oregon Health Care Association, January 25, 2016
- “Three Laws Affecting Employers in 2016,” *Daily Journal of Commerce*, December 24, 2015
- “Becoming Indispensable,” *TYL-* A Publication of the American Bar Association’s Young Lawyers Division, August 2015
- “De-Mystifying the Impact of Measure 91,” *ACC Oregon Chapter Newsletter*, December 2014
- “Thoughts on Becoming a Partner,” *Law Practice Today*, December 12, 2014
- Featured in “Marijuana and the Workplace: Q&A on Oregon’s Legalization of Recreational Pot,” *The Oregonian*, November 14, 2014
- Quoted in “The Key to Young Lawyer Success,” *Illinois Supreme Court Commission on Professionalism*, October 3, 2014

Representative Publications (continued)

- Featured in “Preview of the 2014–2015 Bar Year: A Q&A with Chair-Elect Andrew Schpak,” *The Affiliate* - The Newsletter of the ABA YLD, July/August 2014
- “More Great Things to Come in 2014-15,” *Fellows Fodder*- A Publication For and About the Members of the ABA YLD Fellows, Summer 2014
- “Responding to Employee Allegations & Official Complaints,” *Cascade Business News*, December 19, 2013
- Featured in “Eric Dahlin and Andrew Schpak Receive 2013 MBA Merit Awards,” *Multnomah Lawyer*, May 2013
- Featured in “Legal Residency Concept Picks Up Steam,” *The Florida Bar News*, November 2012
- Featured in “Rose City in the Running to Host ABA Division Conference,” *BrieflyLegalPDX*, August 23, 2012
- “Legal Ramifications of Joining Homeowners’ Association Boards,” *Daily Journal of Commerce*, April 2012
- Quoted in “ADA Means Changes for Some Design, Construction Projects,” *Daily Journal of Commerce*, April 16, 2012
- “The NLRB Seeks to Define When Facebook Posts are Protected,” Barran Liebman Electronic Alert, August 2011
- “Initiating and Conducting an Effective Internal Investigation,” *Daily Journal of Commerce*, March 2011
- “They’re Heeerrrrree! EEOC Issues Final ADAAA Regulations,” Barran Liebman Electronic Alert, March 28, 2011
- Quoted in “New Bar Year Promises Exciting Public and Member Service Projects,” *The Affiliate*, July/August 2010
- “The Power of Reasonable Expectations,” *Daily Journal of Commerce*, March 26, 2010
- “Conducting an Effective Internal Investigation,” *101 Article Series for the American Bar Association's Young Lawyers Division Labor and Employment Committee*, November 2007
- “The Essential Elements of an Employee Handbook,” *101 Article Series for the American Bar Association's Young Lawyers Division Labor and Employment Committee*, August 2007
- “Sexual Stereotyping,” *101 Article Series for the American Bar Association's Young Lawyers Division Labor and Employment Committee*, December 2006

Admitted to Practice

Oregon
 U.S. Court of Appeals, Ninth Circuit
 U.S. District Court, District of Oregon
 U.S. District Court, Eastern District of Washington
 U.S. District Court, Western District of Washington
 Washington

Academics

Northwest Association of Title IX Administrators (Civil Rights and Title IX Investigation Training Certificate, 2016)

Cornell Law School (J.D., 2004): Dean’s List; Research Assistant to Dean Stewart Schwab (2003-2004); Cornell Law Students Association, Executive Board; Cornell Graduate and Professional Student Assembly, Law School Representative

Reed College (B.A., 2001): Commendation for Excellence (2001); House Adviser; Student Body, Co-Treasurer