



Jeffrey Eberhard
 MANAGING PARTNER
 jeberhard@smithfreed.com

Oregon Office

111 SW COLUMBIA ST
 SUITE 800
 PORTLAND, OR 97201
 P. 503.227.2424
 F. 503.227.2535

Practice Areas

Commercial Liability
 Dram Shop

Education

George Washington University, M.P.S.,
 Law Firm Management, 2010

Willamette University College of Law,
 Certificate in Dispute Resolution, J.D.,
 1987

University of Oregon, B.S., Finance &
 Political Science, 1984

Bar Admissions

Oregon
 Washington

Certification & Accolades

Member, Oregon State Bar
 Association

Member, Washington State Bar
 Association

NITA Master Advocate

Oregon Association of Defense
 Counsel - Past Board Member

Member, Council on Litigation
 Management

Managing Director, Black Belt Trial
 Advocacy Training Program



Expertise Overview

With a career spanning over 30 years, successfully representing a wide range of clients in complex and high profile cases, Managing Partner Jeff Eberhard is a recognizable and reputable force within the industry.

Jeff’s practice focuses on civil litigation throughout Oregon and Washington with an emphasis on the defense of complex liability claims, most notably, in dram shop/liquor liability. By successfully defending hundreds of cases, Jeff’s expert knowledge of Oregon’s Dram Shop Act, and how to defend against it, is unparalleled.

Relevant Cases

In *Deckard v. Bunch* – the most significant liquor liability case decided in the last 20 years – the Oregon Supreme Court cited extensively to Jeff’s amicus curiae brief, which detailed more than 35 years of legislative history of Oregon’s Dram Shop Act. The court ultimately adopted Jeff’s position that the legislature intended the Dram Shop Act to shield commercial alcohol providers from liability, thus rejecting the position of the entire plaintiffs’ bar (and the court of appeals) that the Dram Shop Act had created a new, plaintiff-friendly “statutory liability” claim, and bringing much-needed clarity to this area of law.

In *Shields v. Enterprise Leasing Company*, Jeff established new law in that a self-insured rental car company does have to provide liability insurance to a renter. The court ultimately held in *Shields* that the Financial Responsibility Act did not require a self-insured rental car company to provide minimum third-party liability coverage. The trial court also properly dismissed the Bad Faith and Consumer Protection Act claims.

Publications & Thought Leadership

Jeff prepares and delivers a number of presentations on civil litigation and professional liability defense matters for various insurance companies and trade organizations including multiple presentations at the national CLM and PLRB Conferences.

