Holland & Hart



PRACTICES

Business Litigation
Real Estate Litigation
Appellate
Zoning and Land Use

EDUCATION

University of Idaho College of Law, J.D., 2007
magna cum laude
Idaho Law Review, Managing Editor
Idaho Law Review, Outstanding Editor
James E. Rogers Law Scholarship recipient

University of New Mexico, B.A., 2002
summa cum laude

BAR ADMISSIONS

Idaho

COURT ADMISSIONS

U.S. District Court for the District of Idaho
U.S. Court of Appeals for the Ninth Circuit
U.S. Supreme Court

Sara Berry

Of Counsel

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Sara Berry assists clients negotiating out of problem situations through all phases of litigation.

Sara assists local and national clients of all sizes, focusing on complex civil litigation and appeals, including disputes arising from contracts, eminent domain, property use, insurance coverage and business interruption, and construction related matters. Sara applies her unique perspective to benefit clients before litigation starts, during litigation, and through the appellate process. She represents clients in state and federal courts, including the Ninth Circuit Court of Appeals and the Idaho Supreme Court. She has shaped her practice to provide the appellate perspective during trial in order to preserve issues and present a fully developed trial record on appeal.

She served as a law clerk to Judge Stephen S. Trott of the U.S. Court of Appeals for the Ninth Circuit and for Judge Sergio Gutierrez of the Idaho Court of Appeals before entering private practice.

Sara co-leads the firm's Women's Forum.

EXPERIENCE

Sara represents corporations, limited liability companies, and partnerships, including their officers and owners, in the individual and representative capacity. Additionally, she represents governmental entities addressing eminent domain challenges. Sara also performs pro bono work on behalf of immigrants, children under the protection of Health & Welfare, organizations supporting victims of interpersonal violence, and small businesses.

Business Litigation

- Complex discovery coordination, including electronically-stored information
- Advise clients on strategic decisions during litigation
- Motions practice, including dispositive motions
- Hiring and coordination with expert witnesses
- Prepare clients and witnesses for jury or bench trials
- Conduct all stages of trial
- Post-trial briefing and motions for attorney fees

Appellate Practice

- Briefing before the Ninth Circuit Court of Appeals
- Oral argument before the Ninth Circuit Court of Appeals
- Briefing before the Idaho Supreme Court
- Briefing on complex dispositive motions in state and federal courts

CLIENT RESULTS

Business Litigation

Key member of trial team representing a large agricultural processing company in a dispute with its insurance company regarding insurance coverage, including business interruption coverage.

Second-chaired a week-long court trial regarding the dissolution of a limited liability company, the distribution of the company's assets, and the contracts between the members. Obtained dismissal of all claims for personal liability against my clients.

Second-chaired a three-week jury trial resulting in a favorable jury verdict award of actual and punitive damages on breach of contract, fraud, and breach of fiduciary duty claims. Drafted summary judgment briefs that resulted in the dismissal of all claims against our client.

Participant on the legal team that defended and obtained full dismissal of plaintiffs' multiple claims for breach of contract and breaches of fiduciary duties arising out of an option agreement to acquire a food processing entity.

Participant on the legal team that drafted pleadings, motions, and jury instructions resulting in a full defense verdict against claims for breach of fiduciary duty, fraud, and breach of contract involving a multi-million dollar claim over forward price contracts.

Eminent Domain/ Real Estate

Key member of trial teams representing governmental entities condeming private property for roadway expansions resulting in favorable settlements of all cases on behalf of clients.

Successfully negotiated terms for acquiring commercial and residential property through the government's power of eminent domain.

Second-chaired a jury trial resulting in a jury verdict establishing easement rights for an agricultural business and recovery on an intentional interference claim.

Advised local governmental clients on eminent domain requirements and procedures for large-scale interagency project.

Successfully negotiated a settlement involving the disputed use of an easement after arguments on motion for summary judgment.

Product Liability

Participated in the trial teams representing and defending a large agriculture products liability case involving over 100 individual plaintiffs and over 100 motions for summary judgment.

Intellectual Property

Coordinated massive document collection and review for client facing patent-infringement charges.

Appeals

Successfully defended client's victory before a referee pursuant to the Small Lawsuit Resolution Act and obtained attorney fees on appeal.

Successfully argued appeal of client's victorious claims of improper police conduct and abuse of power. Sara was part of a team that briefed the merits of this case on appeal and opposed a petition for writ of certiorari to the United States Supreme Court.

SPEAKING ENGAGEMENTS

"Eminent Domain Case Law Update & Business Damages in Condemnation: Statutes, Cases, Tactics and Strategies," *2026 International Right of Way Association, Region 7: Spring Forum & Symposium*, April 16, 2026

"Civil Procedure: Idaho Substantive Law Requirements," *Idaho State Bar CLE*, January 2023

"Got a Degree –Your Education is Just Beginning," *Boise Legal Secretary Association*, January 2011

RECOGNITION

- *The Best Lawyers in America*®, Commercial Litigation, 2023-2027; Appellate Practice, 2025-2027
- *Chambers USA*, Litigation: General Commercial, Associate to Watch, 2020-2022
- Mountain States Super Lawyers®, Civil Litigation: Defense, 2021-2026
- Mountain States Super Lawyers®, Top 50 Women, 2026
- Mountain States Super Lawyers® Rising Stars, Civil Litigation: Defense, 2014-2019
- *Idaho Business Review*, Leaders in Law, 2019
- Idaho State Bar Denise O'Donnell Day Pro Bono Award, 2017
- *Idaho Business Review*, Accomplished Under 40, 2014
- Idaho State Bar Pro Bono Award for the Fourth District (Founding Member of Immigration Law Network), 2010

PROFESSIONAL AND CIVIC AFFILIATIONS

- Supreme Court of the State of Idaho, Civil Rules Committee,

Appointed Member, 2019-2024

- Idaho State Bar, Appellate Section, Member; Commercial Litigation Section, Member
- Idaho Women Lawyers, Member
- Defense Research Institute (DRI), Member
- Boise Metro Chamber of Commerce Leadership Boise Program, Class of 2022
- Faces of Hope, Board Member, 2021 to Present
- Idaho Botanical Garden, Former Board Member, 2014-2019; Board Chair, 2018