



TRISTAN SWANSON PARTNER

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BACKGROUND:

A lawyer should be a value added product. Our job is to improve our clients' situation and leave our clients better off economically than when they walked through the door. This is why before even agreeing to take a client's case, I put myself in the client's shoes to see if getting a lawyer involved even makes sense. And, if it does, my animating concern is reaching the right result, the right way for the individual client. No client or piece of litigation is the same. I pride myself on creating strategies for successful outcomes that are tailored precisely to my clients and the unique situations they find themselves in.

RESULTS:

I have achieved successful outcomes for my clients in state court, federal court, and in alternative dispute proceedings. Recently I represented a Washington manufacturer whose insurance company refused to defend it against a third-party's lawsuit. After filing a motion for summary judgment, the insurer not only agreed to defend but also pay (1) any and all indemnity amounts the manufacturer was ultimately held liable for, (2) the fees of the lawyer originally hired by the manufacturer to defend, and (3) my fees in bringing the coverage action in federal court.

I also recently represented a condominium association whose property insurer refused to pay out on a \$100,000-plus water damage claim. After filing suit and moving for treble damages under Washington's Insurance Fair Conduct Act, the association's property insurer agreed to pay out on virtually the entire claim.

Perhaps most importantly for Washington insureds, I worked with another lawyer in this office to draft a summary judgment motion arguing that "rip and tear" damage (damage that commonly occurs when one contractor's good work is destroyed in order to access and fix another contractor's defective work) is covered by typical Commercial General Liability policies. Judge Martinez of the United States District Court for the Western District of Washington agreed. As a result, there is now on point Washington precedent supporting coverage for this type of damage.

In addition to my insurance coverage work, I have also worked on a variety of successful commercial and construction litigation matters. Last year, this work included litigating and settling four interrelated construction cases arising out of a high school remediation project in Oregon, achieving partial summary judgment against a commercial tenant, and successfully defending a national retailer against a variety of Consumer Protection Act claims brought by unhappy customers.

PUBLICATIONS:

"Contractors Face New Risks With Early Design," *Seattle Daily Journal of Commerce*, 2015

"Washington Court of Appeals Limits the Liability of Owners and Developers for Safety Violations", ConstructionAdvisor.net



PRACTICE AREAS:

Insurance Recovery
Construction Litigation
Real Estate Litigation
Commercial Litigation

EDUCATION AND HONORS:

University of Washington School of Law, 2009

Evergreen State College, 2003

Rising Star, Super Lawyers Magazine, 2015 - 2017

President, Moot Court Honor Board (2008-2009)

1L Appellate Champion (2007)

COURT ADMISSIONS AND ASSOCIATIONS:

Future Leaders Forum (Associated General Contractors of Washington)

Moot Court Honor Board Advisory Board (University of Washington School of Law)

Board of Managers, Downtown YMCA (Seattle)

National Utility Contractors Association of Washington

Washington State Bar Association