



RICHARD H. SKALBANIA PARTNER

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BACKGROUND:

I was born and raised in Seattle. I have been married for over 30 years and have four children. I have practiced at Ashbaugh Beal my entire career and have been a lawyer at the firm since its formation in 1987.

I focus my practice on the prevention and resolution of business disputes including construction and construction defect claims. My clients include General Contractors, Subcontractors, Developers, HOAs, Business Owners, Policyholders and Landlords. I work with clients in all aspects of their businesses including drafting and reviewing contracts, assisting them in getting the full benefit of their insurance policies, employee issues and all aspects of dispute resolution.

During my career I have successfully represented clients in some of the most high profile construction disputes in the Pacific Northwest including Seahawks stadium, Safeco field, Key Arena, the Seattle downtown library, the Sound Transit Rainier Valley light rail project, and the I-405 Tolling project.

I have used my knowledge of insurance law to obtain many multi-million dollar recoveries for my clients.

I also have a thriving mediation practice and have successfully mediated scores of disputes for other law firms. I have been on the American Arbitration Construction Industry panel of arbitrators for over 15 years. I have also been retained by other law firms to assist on insurance coverage and construction law issues.

I am active in my community. I have had the pleasure of coaching youth basketball, soccer and baseball for over 20 years. I am a member of the Associated General Contractors and the National Electrical Contractors Association.

After practicing law for over 30 years, there's still nothing as professionally satisfying as working together with a client to avoid or resolve a major problem whether through negotiation, arbitration or trial.

REPRESENTATIVE MATTERS:

- Obtained resolution of a \$28 million construction defect claim against my general contractor client, including full reimbursement of all attorneys' fees incurred by my client.
- Obtained the complete release of developer's \$25 million claim for breach of contract against my contractor client.
- Successfully settled \$10 million plus personal injury claim against my developer/general contractor client that resulted in his full release and payment of virtually all attorneys' fees incurred by him.
- Successfully resolved \$6 million plus claim against my client for construction defect arising out of remodel of South Center Mall.



PRACTICE AREAS:

Construction Law
Construction Defect Litigation
Commercial Litigation
American Arbitration Construction
Panel Arbitrator since 1999
Mediation Services
Expert Witness

EDUCATION AND HONORS:

University of Washington (J.D., 1987, with honors)

University of Washington (B.A., Philosophy, 1983)

Super Lawyer, *Super Lawyers Magazine*, 2005-2009, 2012, 2013 - 2019

AV Rated by Martindale Hubbell (highest possible rating)

Avvo rating of 10 (highest possible rating)

COURT ADMISSIONS AND ASSOCIATIONS:

Washington State Courts, 1987

Washington State Bar Association
Associated General Contractors
Construction Financial Management Association
National Electrical Contractors Association

- Obtained \$4 million plus settlement on behalf of homeowner's association under condo act.
- Obtained \$4 million plus arbitration award including attorneys' fees on behalf of my sub-contractor client on a Sound Transit project.
- Recovery through 5 day arbitration on behalf of my contractor client of all construction costs, plus anticipated margin, plus all expenses of litigation, plus complete dismissal of developer's counterclaim, in seven-figure dispute with out of state developer.
- Successfully defended and settled multi-million dollar claim by homeowner's association against my developer client.
- Successfully settled my client's multi-million dollar claim arising out of the construction of a major grocery distribution warehouse.
- Successfully settled a multi-million dollar claim by my client against a major California power company arising out of the construction of a power plant in central California.
- Successfully settled a multi-million dollar claim by my general contractor client against local school district.
- Successfully settled my client's multi-million dollar property damage claim arising out of Olympic Pipeline explosion.
- Successfully defended and settled a multi-million dollar breach of lease claim against my client by a prominent local grocery store chain.
- Obtained a multi-million dollar judgment of lien foreclosure on behalf of my general contractor client on an eastside high rise apartment project.
- Successfully settled subcontractor client's multi-million dollar lien foreclosure claim against the bank and title company arising out of retirement community project.
- Successfully settled a seven-figure claim by my client arising out of the construction of the downtown Seattle Library.

PUBLICATIONS:

- Safeco Field case means public contractors can't use statute of limitations to defend construction defects, *Seattle Daily Journal of Commerce*, 2013
- Division I of the Court of Appeals holds that the property owner need not be joined as a party to a lien foreclosure action, *ConstructionAdvisor.net*, 2011
- Washington Supreme Court rules arbitration claims cannot be barred by statute of limitations, *ConstructionAdvisor.net*, 2010
- Another licensing law to worry about, *Seattle Daily Journal of Commerce*, 2007
- Generals must act quickly to avoid subs liability, *Seattle Daily Journal of Commerce*, 2006
- Second-tier subs should give pre-claim notice, *Seattle Daily Journal of Commerce*, 2005
- Ruling clarifies subs don't need preclaim notices, *Seattle Daily Journal of Commerce*, 2004

