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BACKGROUND:

I began my legal career in 1978 as a second-year law clerk. Initially, most of my work was for insurance companies who had the responsibility to provide defense and settlement benefits to commercial policyholders. Before my first summer was up, I was asked to read an insurance policy and brief a senior partner as to what it said (in plain English).

Before long, I was helping contractors whose insurance companies had deserted them when they had a casualty. Sometimes, I had to tell my client that there was no coverage. Most of the time, I found that the insurer had conducted a one-sided investigation, placing its own financial interests in denying claims payments over the interests of their own policyholders.

During my first twenty years, I litigated coverage disputes. Eventually I grew dis-satisfied with the litigation process. By the turn of the Century, I completely revamped my practice, and in doing so, became one of the very few national coverage lawyers to concentrate their practice on the negotiation of settlements involving coverage and bad faith disputes. It is now my full time job.

Much as general contractors need a "design" to build to, clients and litigators need an insurance recovery plan to execute. And because over 90% of all coverage and bad faith disputes are resolved by settlement rather than by a judicial coverage decision, I design settlement and mediation plans for clients and litigators on both national coasts, most often working hand in hand with local coverage litigators. While many attorneys count professional time by the number of cases they've tried, I measure my time by the number of settlements I have negotiated. The majority of my time is spent preparing coverage evaluations and recovery strategies, and preparing for and attending mediations and settlement negotiations around the country.

Over the years, I have learned much from the construction industry. One of the most basic things I have learned is that the construction industry is founded on two crafts: project scheduling and project management. My own individual passion is to bring these traditional methodologies to both the formal and negotiated resolution of policyholder disputes. I have found that no matter what the nature of the dispute is, my clients have more peace of mind once they know there is a plan, know what it is, know there is a schedule, and know that the execution of the plan is being managed.



PRACTICE AREAS:

- Insurance Coverage and Insurer Bad Faith
- Pre-loss Policy Review and Risk Assessment for Construction Projects
- Policyholder/Insurer Relations
- Client/Attorney Relations
- Resolution of Liability Claims in Situations Where Coverage is Denied
- Additional Insured Claims

EDUCATION AND HONORS:

University of Washington (J.D., 1979)
Order of the Coif

Washington State University
(B.A., Summa Cum Laude, 1976)
Phi Beta Kappa
Phi Kappa Phi

Super Lawyer, *Washington Law & Politics* and *Super Lawyers Magazine*,
2001 - 2020

Top 100 Super Lawyer in Washington
State, 2007-2013, 2015 - 2022

Seattle Metropolitan Top Lawyers, *Seattle Metropolitan Magazine*, 2010

Avvo Rating 10.0 (Superb)

COURT ADMISSIONS AND ASSOCIATIONS:

Washington, 1979

Washington State Bar Association
Association of Trial Lawyers
Defense Research Institute
Washington State Trial Lawyers
Associated General Contractors
Washington State Bar Association,
Construction Law Section

RESULTS:

The results have been recoveries of policy benefits. Those results have been achieved with passion, fight and teamwork.

The recoveries have involved some of the most notorious construction defect and damage disputes throughout the United States, including: a commercial airplane hangar at the Anchorage Airport; a public aquarium in Seward, Alaska; a five-star hotel in Santa Barbara, California; damage to a boiler facility in Port Angeles, Washington; multiple micro-tunneling shaft failures in Seattle, Washington; a 26 story Belltown condominium in Seattle which was eventually razed; large Water Reservoirs in Seattle and Tampa; alleged water-related casualties at numerous utility projects; dozens and dozens of commercial and residential properties damaged by landslides; over 100 condominiums in Seattle, Orange County, California and Miami, Florida; and many, many others.

Over the last 10 years, our general contractor clients have been denied tens of millions of dollars of policy benefits to which they were entitled as additional insureds under their subcontractors' policies. We have fought tooth and nail for our clients to recover these benefits so that the losses rightfully fall on the "additional insured insurers" who issued the policies, thus preserving our client's "own" insurance.

Throughout the last decade, our office has increasingly been asked to hold insurers accountable for refusal to pay settlement benefits to settle claims of every type encountered by commercial and construction businesses---from workplace injury to employment practice disputes, and from internet advertising practices to Directors and Officers disputes, professional malpractice disputes, and ERISA benefits denials.

Over a 40 year career, I have participated in the recovery of over an estimated \$1 billion of disputed defense, indemnity, and other insurance benefits for commercial and personal lines policyholders.

