LANE POWELL
ATTORNEYS & COUNSELORS

Gail E. Mautner
Shareholder
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206.223.7099

Areas of Practice

Gail Mautner advises and litigates in the dual areas of labor and employment law and probate, trust and guardianship disputes.

As a member of the Firm's Trust and Estates Practice Group, working closely with her estate and succession planning colleagues, Gail utilizes her litigation background to advise institutional and individual fiduciaries and beneficiaries regarding all aspects of the probate and trust administration process. She regularly represents fiduciaries and beneficiaries in contested probate, trust and guardianship matters.

As chair of the Firm's Labor and Employment Practice Group, Gail advises clients regarding all aspects of compliance with federal, state and local employment law, representing clients in disputed employment matters in the courts, before administrative agencies and in mediations. She regularly conducts on-site training for clients' supervisors and line staff on preventing workplace harassment, ADA/FMLA requirements, religious and disability accommodation, wage and hour compliance, employee discipline and termination, and layoffs. She also works closely with her colleagues in the business transactions group, negotiating, drafting and litigating executive, noncompetition, and other employment related agreements.

Professional Experience

Law Clerk, U.S. District Court for the Western District of Washington (1982-1984)

Admitted to Practice

Washington
U.S. District Court, Eastern District of Washington
U.S. District Court, Western District of Washington
California

Academics

University of California, Hastings College of Law (J.D., 1982)
  Order of the Coif
Pitzer College (B.A., with honors, 1978)

Practice Group and Specialty Team Memberships

Chair, Labor and Employment Practice Group
Chair, Diversity Committee
Fiduciary Litigation
Financial Institutions
Long Term Care and Seniors Housing Client Service Team
Trusts and Estates

Publications

"New Law Helps Bankers Fight Exploitation of Vulnerable Adults," *Puget Sound Business Journal* (September 16, 2011)

"Guardians ad Litem: Statutory Authority and Roles," *Washington State Bar Association Real Property, Probate & Trust Section Newsletter*, Vol. 38 No. 1, Co-author (Winter 2010-2011)

"Trustee Fiduciary Duties, With a Perspective From an Independent Fiduciary," *Washington State Bar Association Real Property, Probate & Trust Section Newsletter,* Vol. 37 No. 4, Co-author (Fall 2010)

"Virtual Representation in Trust and Estate Dispute Resolution: Opportunities and Risks (With Sample Language)," *ALI-ABA Estate Planning Course Materials Journal*, Co-author (October 2010)

"New Laws Affecting Oregon Employers in 2010," *Coast River Business Journal*, Co-author (January 15, 2010)

"A Brave New World: Nonjudicial Dispute Resolution Procedures Under the Uniform Trust Code and Washington's and Idaho's Trust and Estate Dispute Resolution Acts," *American College of Trust and Estate Counsel Journal*, Co-author (Fall 2009)

"Ten Things You Need to Know About 409A," *Washington CEO*, Co-author (October 2008)

Recent Trust and Estates Litigation Speaking Engagements

"New Washington Trust Act Amendments," Eastside King County Estate Planning Council (November 16, 2011)

"New Washington Trust Act Amendments," Pierce County Bar Association's 10th Annual Guardianship Seminar (November 7, 2011)

"Conflicts of Interest, Loyalty and Privilege From the Perspectives of an Estate Planner and an Estate Litigator," Washington State Bar Association, Estate Planning Council of Seattle (October 31, 2011)

"New Washington Trust Act Amendments," Estate Planning Council of Seattle (September 21, 2011)

"New Washington Trust Act Amendments," Snohomish County Estate Planning Council (September 15, 2011)

"TEDRA Fundamentals: Litigation, Arbitration and Mediation, and Nonjudicial Binding Agreements Under RCW 11.96A," Whatcom County Bar Association (September 7, 2011)

"Proposed Amendments to the Washington Trust Act and What They Mean for You," Lane Powell Seminar (May 2011)

"Disputes Between Estates and Decedent's Surviving Business Partners," Washington State Bar Association, Eighth Annual Trust and Estates Litigation CLE Seminar, Co-chair and Presenter (March 2011)

"Significant Ethical Obligations in Implementing the Estate Plan," Washington State Bar Association (December 2010)

“Virtual Representation in Trust and Estate Dispute Resolution: Opportunities and Risks,” ALI-ABA, Co-presenter (May 2010)

“Mediating Damages Claims,” Washington State Bar Association, Seventh Annual Trust and Estates Litigation CLE Seminar, Co-chair and Panel Member (March 2010)

“Ethics for Elder Law Attorneys,” Washington State Bar Association, CLE Seminar (October 2009)

“Drafting and Litigating Prenuptial and Property Status Agreements,” Washington State Bar Association, Real Property, Probate and Trust Section Midyear CLE Seminar (June 2009)

“Real Estate Issues in Probate and Trusts,” Washington State Bar Association, Sixth Annual Trust and Estates Litigation CLE Seminar, Co-chair and Presenter (March 2009)

“Drafting and Litigating Charitable Gifts,” Washington State Bar Association, Real Property, Probate and Trust Section Midyear CLE and “Annual Best of CLE” Seminars (June 2008 and December 2008)

“Litigating Charitable Gifts,” Washington State Bar Association, Fifth Annual Trust and Estates Litigation CLE Seminar, Co-chair and Presenter (March 2008)

“Investments: Fiduciary Duties and Obligations,” Washington State Bar Association, Trust and Estates Litigation CLE (Spokane) and “Annual Best of CLE” Seminars (April 2007 and December 2007)

“Scope of TEDRA and Other Practice Dilemmas” and “Representing Clients With Diminished Capacity,” Washington State Bar Association, Fourth Annual Trust and Estates Litigation CLE Seminar, Co-chair and Presenter (March 2007)

Recent Employment Law Speaking Engagements

“Annual Legislative and Case Law Update,” Lane Powell Annual Seminar (October 2009)

“How ‘Best Workplaces’ Legally Manage Four Generations of Challenging Employees,” Lane Powell Annual Seminar (October 2008)

“Annual Legislative and Case Law Update,” Lane Powell Annual Seminar (October 2007)

“Health Insurance and Employee Fringe Benefits,” Lorman Seminar (September 2007)

“2007 Legislative and Case Law Update,” Washington Health Care Association (May 2007)

Awards and Honors

Peer Review Rated “AV” in Martindale-Hubbell

Named as one of *The Best Lawyers in America®*, Employment Management, Labor Management (2010-2012)

Named as a “Washington Super Lawyer,” *Super Lawyers* magazine, Labor & Employment (2003, (2005-2011); “Top 50 Women Washington Super Lawyers” (2007, 2011)

Selected “Local Litigation Star” by *Benchmark Litigation*, Labor and Employment Litigation (2012)

Professional and Community Activities

Member, Washington State Bar Association, Labor & Employment Section and Real Property, Probate and Trust (“RPPT”) Section

Member, RPPT Subcommittee on Trust and Estate Litigation and Editorial Board of *The Codicil* Newsletter

Member, Estate Planning Council of Seattle
Member, Washington Women Lawyers
Member, King County Bar Association, Labor & Employment Section and RPPT Section
Representative, United States Law Firm Group, Labor and Employment Law Committee
Representative, United States Law Firm Group, Women's Committee
Secretary, Board of Trustees, Jewish Family Service of Seattle
Member, Board of Trustees, Seattle Association for Jews With Disabilities Foundation
President, Temple De Hirsch Sinai
Founding Member, Vice President, Lawyerpalooza (nonprofit organization that sponsors annual law firm "Battle of the Bands" raising money for public school music programs)
Pro Bono Counsel, Youth Eastside Services
Pro Bono Amicus Curiae on behalf of Washington State Bar Association, In re Estate of Jones, 152 Wash.2d 1, 93 P.3d 147 (2004) (urging position unanimously adopted by Washington Supreme Court regarding fiduciary duties of personal representatives during probate)