



Ryan

Ryan P. McBride
Shareholder

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Ryan McBride brings passion and commitment to solving challenging legal issues, persuasive appellate advocacy and exemplary legal writing. He focuses his practice on civil appeals, and has handled dozens of cases in the Washington Court of Appeals, the Washington Supreme Court and the U.S. Court of Appeals for the Ninth Circuit. He has authored several articles on appellate advocacy and persuasive legal writing.

While Ryan's practice is largely focused on appeals, he also has significant experience litigating difficult commercial disputes, class actions, antitrust, securities, tax refund and regulatory cases in both federal and state court. Ryan's appellate experience, professional judgment and strong analytical skills make him a go-to resource for colleagues and clients looking for pragmatic advice in complex cases and administrative matters.

Practices & Industries

Antitrust, Competition, & Trade
Appellate
Class Action Readiness Panel
Class Actions
Commercial Litigation
ERISA, Life, Health & Disability

Education

The Ohio State University Moritz College of Law, J.D., with honors, 1997
•Order of the Coif
University of California at Los Angeles, B.A., *magna cum laude*, 1993

Admissions

Washington

Honors

"Local Litigation Star," *Benchmark Litigation* (2016-2019)

Experience

Recent Appeals

Lendingtree, LLC v. Washington Department of Revenue

460 P.3d 640 (Wash. Ct. App. 2020)

Represented taxpayer on appeal to obtain refund of business & occupation tax improperly assessed on taxpayer's online loan marketplace by Department of Revenue.

City of Seattle v. KMS Financial Services, Inc.

459 P.3d 359 (Wash. Ct. App. 2020)

Represented taxpayer on appeal to obtain refund of business & occupation tax unconstitutionally apportioned by the City of Seattle on taxpayer's out-of-state and out-of-city activities.

Kunath v. City of Seattle

444 P.3d 1235 (Wash. Ct. App. 2019)

Represented taxpayer citizens on appeal in successful action to enjoin

enforcement of city ordinance that imposed a graduated income tax on high-income residents of the City of Seattle.

Um v. Spokane Rock I, LLC

904 F.3d 815 (9th Cir. 2018)

Represented creditor on appeal of bankruptcy court ruling that individuals ineligible for a discharge in Chapter 7 cannot obtain a discharge in Chapter 11 by being employed in an unrelated business after plan confirmation.

Bassett v. ABM Parking Services, Inc.

883 F.3d 776 (9th Cir. 2018)

Represented ABM on appeal of district court's conclusion that plaintiff lacked standing under *Spokeo* to bring claim for alleged violation of Fair and Accurate Credit Transactions Act (FACTA).

Lyft, Inc. v. City of Seattle

418 P.2d 102 (Wash. 2018)

Represented transportation network company Uber on appeal to Washington Supreme Court of decision upholding order enjoining City of Seattle from disclosing trade secrets in response to public records request.

Pacific Boring, Inc. v. Staheli Trenchless Consultants, Inc.

708 Fed. App'x 324 (9th Cir. 2017)

Represented engineering firm on appeal of district court dismissal of professional negligence claims because Washington's independent duty doctrine barred recovery for contractor's economic losses.

Washington Federal v. Azure Chelan LLC

382 P.3d 20 (Wash. Ct. App. 2016)

Represented Washington Federal on appeal of trial court ruling quieting title in favor of junior lienholder based on senior lienholder's failure to foreclose interest in property within statute of limitations period.

New Cingular Wireless PCS, LLC v. City of Clyde Hill

374 P.3d 151 (Wash. 2015)

Represented taxpayer on appeal affirmed by the Washington Supreme Court establishing taxpayer's right to bring declaratory judgment action to challenge a city assessment by filing a de novo action in superior court.

Washington Federal v. Harvey

340 P.3d 846 (Wash. 2015)

Represented Washington Federal on appeal to Washington Supreme Court of trial court's erroneous conclusion that Washington's Deeds of Trust Act prohibited deficiency action against guarantors following nonjudicial foreclosure sale.

City of Puyallup v. Hogan, et al.

277 P.3d 49 (Wash. Ct. App. 2012)

Represented Borders on appeal of trial court's finding that Borders was entitled apportionment of landlord's just compensation award in condemnation action based on diminished access to shopping center.

Carole Coppinger-Martin v. Hilda Solis, et al.

627 F.3d 745 (9th Cir. 2010)

Represented Nordstrom on appeal of final order of the Department of Labor's Administrative Review Board dismissing Sarbanes-Oxley Act whistleblower claim on statute of limitations grounds.

Complex Litigation

Tanadgusix Corp. v. ARM, Ltd.

429 F. Supp. 3d 677 | U.S. District Court, District of Alaska

Represents Defendant UniAmerica Insurance Company in action brought by employer and trustees of health and welfare trust over stop-loss insurance coverage.

In re Cedar Shake and Shingle Antitrust Litigation

Case No. C19-288-MJP | U.S. District Court, Western District of Washington

Obtained dismissal on behalf of Cedar Shake and Shingle Bureau (CSSB) in consolidated putative class action alleging antitrust price fixing conspiracy among CSSB and its manufacturer-members.

Koss v. Norwood

305 F. Supp. 3d 897 | U.S. District Court, Northern District of Illinois

Lead class counsel for a class of impoverished individuals in the State of Illinois meeting long delays in the processing of their applications for long term care Medicaid benefits.

Carr v. United Healthcare Services Inc.

2:15-cv-01105 | U.S. District Court, Western District of Washington

Defended United HealthCare Services, Inc. (UHC) in a large complex class action lawsuit concerning all of UHC's self-funded plans nationwide.

A.D. v. T-Mobile USA, Inc. and United Healthcare Services, Inc.

Case No. 2:15-cv-00180 | U.S. District Court, Western District of Washington

Represent T-Mobile and United Healthcare in a putative class action alleging that the Employee Benefit Plan provided and administered by our clients unlawfully excluded an intensive behavioral intervention treatment called Applied Behavior Analysis (ABA) from among the many treatment options covered by the Plan for autism spectrum disorder.

In re L&L Energy, Inc. Securities Litigation

Case No. 13-cv-6704-RA | U.S. District Court, Southern District of New York

Obtained order dismissing shareholder class action securities fraud complaint brought against mining corporation, alleging defendants overstated the corporation's revenues and falsely claimed ownership of certain Chinese mining interests.

Washington Health Care Association, et al. v. Dreyfus, et al.

Case No. CV09-5395-RBL | U.S. District Court, Western District of Washington

Obtained temporary restraining order on behalf of Washington Health Care Association (WHCA) and skilled nursing homes enjoining State of Washington from implementing portion of budget reducing nursing home Medicaid reimbursement rates.

Washington Health Care Association v. Arnold-Williams, et al.

601 F. Supp. 2d 1224 | U.S. District Court, Western District of Washington

Obtained judgment on behalf of WHCA against State of Washington invalidating state boarding home statute on federal constitutional Contracts Clause grounds.

Professional Experience

Heller Ehrman L.L.P. (Menlo Park, CA & Seattle, WA)

Benesch Friedlander Coplan & Aronoff L.L.P. (Cleveland, OH)

Thought Leadership

April 3, 2020 | News

Washington Supreme Court Denies Review of Seattle Income Tax Firm Announcement

October 12, 2018 | News

Lane Powell Highly Recommended in *Benchmark Litigation* 2019 Awards & Honors

October 28, 2017 | News

McBride featured in *Puget Sound Business Journal* Column 'Ask the Legal Professionals'
In the News

October 26, 2017 | News

Lane Powell Highly Recommended in *Benchmark Litigation* 2018 Awards & Honors

October 20, 2016 | News

Lane Powell Highly Recommended in *Benchmark Litigation* 2017 Awards & Honors

October 27, 2015 | News

Lane Powell Highly Recommended in 2016 *Benchmark Litigation*

January 8, 2015 | Publication

Washington Supreme Court Affirms *Washington Federal v. Gentry* and Confirms Lenders' Right to Obtain Deficiency Judgments Against Guarantors Following Nonjudicial Foreclosure
The Supreme Court of the State of Washington

June 11, 2014 | Publication

Washington Court of Appeals Confirms Lenders' Right to Obtain Deficiency Judgments Against Guarantors Following Nonjudicial Foreclosure of Commonly Used Form of Deed of Trust
Community Banker

June, 2009 | Publication

The Right to Appeal – Use it or Lose it: Immediately Appealing the Denial of a Motion to Compel Arbitration in Washington State Courts
Bar News

November, 2008 | Publication

How To Write, Edit, and Review Persuasive Briefs: Seven Guidelines From One Judge and Two Lawyers
Bar News

Spring 2008 | Publication

How To Write, Edit, and Review Persuasive Briefs: Seven Guidelines From One Judge and Two Lawyers
Seattle University Law Review

December, 2007 | Publication

A Guide to Appellate Motions on the Merits
Bar Bulletin