Commercial Litigation

Our Commercial Litigation Team represents clients in the Northwest and nationally in dispute resolution and litigation matters ranging from arbitrations to complex commercial and class action matters. More than 100 of the firm’s attorneys have trial and dispute resolution experience, combining sophisticated industry knowledge with procedural prowess to get clients the best results possible.

Experience

We represent clients in all aspects of litigation, including trials and appeals in state and federal courts, administrative proceedings, arbitrations and mediations. Our litigation team is recognized for our high-quality work product, our track record for resolving disputes quickly, and our willingness and ability to take cases to trial when necessary. For each upcoming trial, we assemble an independent panel of two to three of the firm’s most experienced trial and appellate lawyers to assist the trial team in preparing for trial. We do this at no cost to the client.

Lane Powell has a strong litigation brand among judges and arbitrators in our core jurisdictions, and more than a dozen of our attorneys have accepted or been elected to Judicial duty in recent years.

Services & Industries

We have extensive experience representing clients in the financial institutions, construction, health care, senior living and long term care, transportation and retail industries in a range of litigation matters, including:

- Class Actions;
- Securities;
- Bankruptcy & Creditors’ Rights;
- Antitrust;
- Intellectual Property;
- Appellate;
- Insurance;
- Premises Liability;
- Products Liability & Mass Torts;
- Real Estate;
- Environmental; and
- Construction.

We are nationally-recognized leaders in securities, antitrust and government enforcement litigation.
With select clients and in particular areas, we serve as national litigation counsel. These client-driven engagements are based on our superior knowledge of the client’s business and industry, which provides efficiency for litigation outside of the Northwest.

**Procedural**

We are skilled in all aspects of litigation and dispute resolution, including:

- Arbitrations;
- Mediations;
- Early case assessments;
- E-discovery;
- TROs;
- Jury and bench trials; and
- Appellate litigation.

**Approach**

Our litigators have kept pace as the legal services market has evolved – we continually look to the developments and technologies that will help us more efficiently handle litigation for our clients. Wherever possible, we leverage outside vendors, subject matter experts and technology solutions to take a managed services approach to litigation. Where possible, we work with clients to develop alternative fee arrangements for stages of litigation in order to create greater cost predictability and a shared-risk model.

We look carefully at the different stages of litigation and build lean, strategic teams that include the individual attorneys and other professionals best-suited to handle the particular matter and task at hand.

We take pride in both the quality of our work and in our client service ethic. Our attorneys strive to be highly responsive and listen carefully to our clients’ priorities and business challenges as they develop case strategies and represent clients in litigation.

**Recognition**

Our litigation practice has been recognized and ranked highly in *Chambers*® USA: America’s Leading Lawyers for Business, where sources say “they are hard workers, with brilliant minds and great organization, as well as being results-oriented,” noting that “their concern for clients outweighs profits.” Clients also note, “their particular strengths are a keen understanding of the facts and the law, their thoughtfulness and their thoroughness.”

In addition, the team has been recommended in *Benchmark Litigation* consecutively each year, where sources quoted in the guide praised the firm’s “experience, realistic approach, clear explanation of each phase, and desire to achieve the best possible outcome.” Sources also noted that our attorneys are appreciated for their “razor sharp intellect and incisive analysis,” and for our ability to be “creative in determining the nuance of the facts as they relate to the law.”
Lane Powell has been named “Washington Firm of the Year” and “Oregon Firm of the Year” by Benchmark Litigation for the strength of our case matters, including precedents set or verdicts with notable high-dollar amounts at stake.

Experience

**Carr v. United Healthcare Services Inc.**
Case No. 2:15-cv-01105 | U.S. District Court, Western District of Washington | Seattle, Washington
Defended United HealthCare Services, Inc. (UHC) in a large complex class action lawsuit concerning all of UHC’s self-funded plans nationwide and claims related to the Federal Mental Health Parity and Addiction Equity Act.

**Joni Summers v. Extendicare Homes, Inc.**
Case No. 3:11-cv-128-BR | Portland, Oregon
Represented the defendant against a claim brought by a former employee who alleged whistleblowing violations and wrongful discharge.

**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 | Seattle, Washington
Represent T-Mobile and United Healthcare in a putative class action alleging that the Employee Benefit Plan provided and administrated 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.

Case No. 13-cv-00097RAJ | U.S. District Court, Western District of Washington | Seattle, Washington
Represented client Premera Blue Cross in a Washington Mental Health Parity Act and consumer protection matter.

Case No. 11-2-30233-4 SEA | King County Superior Court | Seattle, Washington
Represented client Premera Blue Cross in a Washington Mental Health Parity Act and consumer protection matter.

**Washington Health Care Association v. Arnold-Williams, et al.**
Case No. 601 F. Supp. 2d 1224 | U.S. District Court, Western District of Washington
Order invalidating legislation requiring assisted living providers to retain Medicaid residents after termination of their Medicaid contracts in violation of the Contracts Clause of the United States Constitution.

**WHCA v. Dreyfus**
Case No. WL 2432005 | U.S. District Court, Western District of Washington | Seattle, Washington
Order granting motion for temporary restraining order enjoining Medicaid rate cuts by the state of Washington.

**Naylor et al. v. Sunwest Management Inc. et al.**
Case No. 0703-03248 | Multnomah County Circuit Court
Obtained dismissal of a class action complaint against a number of long-term care facilities and their management company brought by residents for violation of the Oregon Unlawful Trade Practices Act.
Douglas v. ReconTrust Company, N.A.
U.S. District Court, Western District of Washington

Adkins v. KinderCare Education, LLC et al.
Case No. 2:16-cv-11192 | U.S. District Court, Eastern District of Michigan
Defended client against claims of discrimination and FMLA violation.

Cytec Industries, Inc. v. Airtech International Mfg. Inc.
Defended noncompete claim involving national aeronautic manufacturing industry client.

Seelhoff v. Welch
Represented plaintiff in antitrust action through trial to judgment.

A. H. Lundberg Associates, Inc. v. TSI, Inc.
Case No. 2:14-CV-01160 | U.S. District Court, Western District of Washington | Seattle, Washington
Represented client Lundberg LLC in trade secret litigation through trial, secured injunction and attorneys’ fees, and argued expert-related claim at the Court of Appeals for the Ninth Circuit.

Beacon Plumbing v. Billy Schumacher Racing LLC
Represented premiere hydroplane racing team to negotiate hydroplane sponsorship contract for Seafair and other national and international competitions.

Lieberg v. Red Robin Gourmet Burgers, Inc.
Case No. 2:15-cv-01242 | U.S. District Court, Western District of Washington
Defended Red Robin International in a nationwide disability accommodation class action lawsuit, related to Title III of the Americans with Disabilities Act as amended.

Steele v. Extendicare Health Services, Inc. et al
Represented Extendicare and several affiliated companies in a series of class action lawsuits in Washington, Minnesota and Wisconsin regarding, among other allegations, misrepresentation of the standard of care provided to residents.

Simmonds v. Credit Suisse Securities (USA) LLC
Case No. C07-1549JLR | U.S. District Court, Western District of Washington
Represented a dozen underwriter defendants as local counsel in 54 coordinated cases, filed by the same plaintiff, asserting that directors and officers of 54 companies had acted as a group with the defendants to engage in transactions leading to hundreds of millions of dollars to be disgorged as short swing profits from issuers and underwriters in IPOs from 1998-2001.

Short swing profits to be disgorged under Securities Exchange Act Section 16(b). Obtained dismissal later affirmed by U.S. Supreme Court.
In re Summary Judgement for Specialty Engineering Firm
U.S. District Court, Western District of Washington | Seattle, Washington
Successfully obtained complete dismissal on summary judgment of a multimillion dollar negligence and negligent misrepresentation claims against a design consultant by a subcontractor on a public works utility project.

Zimmerman et al. v. Tesoro et al.
Case No. 11-2-00248-8 | Skagit County Superior Court
Defended Shell against a lawsuit arising from the explosion of a refinery in Anacortes, Washington, 12 years after Shell had sold the subsidiary that owned the refinery to Tesoro.

Contos v. Wells Fargo Escrow Company LLC
Case No. C08-838Z | U.S. District Court, Western District of Washington | Seattle, Washington
Represented Wells Fargo Escrow in a putative class action lawsuit claiming violation of RESPA section 8(a) (12 U.S.C. § 2607(a)), the Washington Consumer Protection Act, and breach of fiduciary duty.

Bradford v. McDonnell Douglas
Defended McDonnell Douglas and obtained a Products Liability Defense Verdict against 34 plaintiffs after three month trial.

In re River Park Square Project Board Litigation
Obtained dismissal of target defendant Prudential by motion to dismiss on eve of trial in bondholders’ securities litigation.

In re Cray Inc. Derivative Litigation
Successful defense of client Cray, Inc. in motions to dismiss in companion federal and state court shareholder derivative actions.

Alicia Nunnery as Personal Representative of the Estate of Clem Nunnery v. Evergreen Kitsap, LLC and Extendicare Homes Inc d/b/a Aldercrest Health & Rehabilitation
Represented Extendicare Homes Inc. in allegations of neglect and wrongful death allegedly due to an infected bed sore and failure to properly monitor. The four-week jury trial resulted in a defense verdict.

Mark J. Nielsen as Personal Representative of the Estate of Clayton D. Nielsen v. Northwest Care West Seattle Inc, d/b/a Park West Care Center
Represented Northwest Care West Seattle, Inc. in a jury trial.

Brandrup v. ReconTrust Co., N.A.
Case No. S060281 | Oregon Supreme Court
Represented Bank of America and numerous other players in the mortgage industry in cases referred to the Oregon Supreme Court from the U.S. District Court for the District of Oregon. arising out of the mortgage foreclosure crisis.

Carelo v. Diamond Parking, Inc.
Case No. 1:10-cv-00734 | U.S. District Court, District of Hawaii
We acted as national counsel and lead trial counsel for Diamond Parking, Inc. and related entities in a national constitutional, civil rights and consumer class action arising out of our client’s parking concession agreement with the State of Hawaii.

**Donuts, Inc. v. Rightside Group, Ltd.**
Represented Rightside in arbitration, in one of the first cases in the country testing the scope and definitions of registry service agreements.

**DuWors v. TracFone Wireless, Inc. et al**
Case No. 2:2010cv01789 | U.S. District Court, Western District of Washington | Seattle, Washington
Defended TracFone and big box retailer against claims that the defendants’ sales of prepaid wireless phone cards are in violation of the Washington Gift Card Statute and Consumer Protection Act.

**Espinoza v. Evergreen Helicopters, Inc.**
Case No. A147028
Defended Evergreen Helicopters against eight wrongful death cases arising out of a helicopter crash in Peru.

**Estate Of Maia Haykin And Richard Haykin, Apps. V. City Of Bellingham, Et Al., Res.**
Case No. 10-2-00168-5 | Whatcom County Superior Court | Bellingham, Washington
Defended National RR Passenger Corp. against a wrongful death lawsuit filed by the estate of an individual killed by an Amtrak train while crossing railroad tracks in Bellingham, Washington.

**FINRA Arbitration for Broker-Dealer, Financial Advisor and Sales Assistant**
Case No. 10-05313 | FINRA | Seattle, Washington
Defended major broker-dealer, nationally recognized financial advisor and highly capable sales assistant against claims that they had a duty to halt the aggressive trading and borrowing by another firm’s representative, who lost a $26M fortune amassed by his grandfather. Obtained complete dismissal.

**Gig Harbor Family Trust v. Columbia Valuation Group, Inc. et al.**
Case No. 13-2-04399-8 | King County Superior Court
Represented an appraiser in a suit brought by 18 investors claiming his appraisal firm caused them to lose more than a million dollars in a mortgage-paper security investment. Obtained jury verdict dismissal of all claims.

**Golden Tea Management Advice In re Golden Temple of Oregon Litigation**
Case No. 0909-13281 and 1010-14518 | Multnomah County Circuit Court
Defended GTM, the manager and majority owner of Golden Temple of Oregon, LLC (GTO), the leading tea manufacturer in the natural foods sector, against multiple challenges to the 2007 transaction that gave GTM control of GTO.

**Government Contracting Services LLC v. Evergreen Fire Alarms LLC**
We represented Government Contracting Services in obtaining a temporary restraining order and preliminary injunction against two former employees and their new employer for violating non-disclosure agreements, and tortiously interfering with contractual and business relations.
Gee West Seattle v. Huling Bros.
Represented sellers in dispute with buyer over the sale of large car dealership group; obtained favorable arbitration result after two-week arbitration before three arbitrator panel.

House v. Amtrak and BNSF Railway Company
Case No. 11-CV-2110-TSZ | U.S. District Court, Western District of Washington
Defended National RR Passenger Corp. against a lawsuit filed brought by a driver severely injured in a train accident in Marysville, Washington.

Mary Byrne/Nissan of Fife Asset Purchase Dispute With Nissan of North America
Represented Mary Byrne, the owner of Nissan of Fife, LLC, in an appeal of an adverse ruling issued by an Administrative Law Judge regarding Byrne’s attempt to transfer her dealership to another existing dealer.

Northwest Infrastructure, Inc. v. PCL Construction Services, Inc. v. Puget Sound Regional Transit Authority
Case No. 09-2-12930-4 SEA | King County Superior Court | Seattle, Washington
Represented Sound Transit in prosecuting fraud and unfair business practices/Consumer Protection Act counterclaims against a subcontractor, and in defending against a multi-million dollar claim for additional compensation by the same subcontractor.

Rosenblum v. Oracle America Inc.
Representing Oracle America in a series of lawsuits in Oregon state and federal courts between Oracle and the state of Oregon arising out of Oregon’s attempts to create and manage a state health insurance exchange (HIX) under the Federal Affordable Care Act.

ODOT v. Alderwoods (Oregon), Inc. Appeal
Represented Alderwoods (Oregon), Inc. in a claim for compensation after the Oregon DOT sought to condemn all direct highway access at one of the client’s Oregon funeral home locations.

Ormco Corp. v. World Class Technology Corp (Appeal)
Case No. Appeal Nos. 2013-1679 and 2014-1692
Represented World Class Technologies in this patent infringement matter involving orthodontic braces.

Panter et al v. BNSF et al
Case No. 3:2011cv05691 | U.S. District Court, Western District of Washington | Tacoma, Washington
Defended National RR Passenger Corp. in litigation brought by family members of a woman who died in a vehicular grade crossing accident involving a BNSF train and an Amtrak train in Bucoda, Washington.

Pierce v. Securities and Exchange Commission
Case No. 14–1079
Represented Canadian stock promoter Brent Pierce in administrative proceedings seeking potential disgorgement of more than $10M.
Rapid Funding Group, Inc. v. KeyBank NA  
Case No. CV07-1348 PK  
Defended KeyBank against an action by Rapid Funding Group to recover damages based on representations and warranties allegedly made by KeyBank in conjunction with loans by RFG to third-party Trade Base Equipment.

Case No. 3:2013cv00098 | U.S. District Court, District of Oregon  
Defended Reser’s Fine Foods against a counterclaim in a matter arising out of Reser’s decision to discontinue a 17-year relationship with BEF Foods, Inc. for the supply of refrigerated side dishes.

Big Box Retailer Wage & Hour Class Action Lawsuit  
U.S. District Court, Northern District of California  
Defended big box retailer in case alleging the company failed to timely pay associates at the time of the termination of their employment. A favorable settlement was achieved and approved by the court.

Schroeder v. Diamond Parking, Inc. et al  
Case No. 1:12-cv-00378 | U.S. District Court, District of Hawaii  
We acted as national counsel and lead trial counsel for Diamond Parking, Inc. and related entities in a national constitutional, civil rights and consumer class action arising out of our client’s parking concession agreement with the State of Hawaii.

Shelter Products v. Bridgewell Resources, LLC et. al.  
Portland, Oregon  
We defended departing executives against actions, for a temporary restraining order and preliminary injunction to enforce non-competition agreements, against these departing executives and their new employer. Advised departing executives on strategy and handled all phases of the litigation in circuit court. Complex issues concerning the assignability and validity of covenant not to compete agreements covering key marketing/sales personnel. The case was later voluntarily dismissed with prejudice.

The Evangelical Lutheran Good Samaritan Society Wrongful Death Suit  
Case No. 4:11 cv-00059-MHW | Idaho  
Defended Good Samaritan against a lawsuit by a surviving son for the wrongful death of his mother, alleging negligent care.

Wah Chang v. PacifiCorp  
Represented Wah Chang in a matter arising out of the manipulation of the Western electricity markets during 2000 and 2001, during which period Wah Chang paid extraordinary prices to its electricity supplier, PacifiCorp, pursuant to a contract tied to a market index.
UnitedHealthcare Insurance Co. Self-Insured Employee Health Plan Arbitration
Represented a healthcare insurer against an arbitration demand filed by a petitioner hospital requesting payment of amounts allegedly owed under an in-network provider contract with our client.

Case No. CV09-5395-RBL | U.S. District Court, Western District of Washington
Represented the Washington Health Care Association (WHCA) and a number of Washington skilled nursing homes in a federal lawsuit which challenged the validity of a cut in Medicare reimbursement rates.

World Class Technology Corp. v. Ormco Corporation
Case No. 2013-1679; 2014-1692 | U.S. Court of Appeals, Federal Circuit
Represented World Class Technology in a case against one of its largest competitors, Ormco Corporation. The case sought a declaratory judgment that WCT did not infringe Ormco’s patent relating to an orthodontic bracket.

Steele v. Extendicare Health Services, Inc.
Case No. 607 F.Supp.2d 1226 | U.S. District Court, Western District of Washington
Represented the defendant, obtaining an order dismissing class action claims under the Washington Consumer Protection Act in the context of long term care.

Dept. of Trans. v. Pyramid Investments LLC
Case No. 03CV0172MA
Defended property owner, obtaining recovery following trial of more than $98,000, including fees, against ODOT alleged value of $10,500.

City of Tigard v Bonita LLC
Case No. C125531CV
Represented owner in condemnation of land affected by wetlands, obtaining substantial increase in compensation based on revised wetlands delineation.

Washington County v. Commercial Enterprises, LLC et al.
Represented shopping center owner in condemnation of land and access, obtaining settlement for increased monetary compensation and the preservation of highway access.

Case No. C96 0399CV
Counsel to Burns Bros, Inc. Inc., obtaining an injunction requiring ODOT to condemn property owners’ rights of access prior to closure of a frontage road.

Case No. 318 Or 33, 862 P2d 95
Co-counsel for plaintiffs in a successful class action for employer beneficiaries of the State Accident Insurance Fund.
ABM Parking Services, Inc. v. Seattle Second and James, LLC
King County Superior Court
Lead attorney for two-week jury trial in commercial landlord/tenant case resulting in approximately $968k judgment for our client.

Estate of Margarette E. Eckstein v. Life Care Centers of America, Inc.
Case No. 2009 WL 1605312 | U.S. District Court, Eastern District of Washington
Arbitration Agreement enforced in context of claim against nursing facility.

Warshawer et al. v. Tarnutzer
Case No. 2-14-cv-01042-RSM | U.S. District Court, Western District of Washington
Represented former shareholders of acquired company in dispute with putative shareholder; summary judgment for clients.

Welch and Riverside v. Pettersson and Valley Cadillac
JAMS Arbitration
Represented defendant sellers in dispute over sale of car dealership; the arbitrator rejected plaintiff buyers’ claims and awarded defendants a monetary judgment and indemnity claims totalling $1.5M.

The Chamberlain Group v. Nassimi
Case No. C09-5438-BHS | U.S. District Court, Western District of Washington
Represented defendant seller in dispute over sale of electronics manufacturer; claims of rescission, breach of warranty and misrepresentation; successfully settled after extensive motion practice and two weeks before jury trial.

Community Bank v. United States Department of Agriculture
Represented community bank in appeal of agency’s rejection of a $4M loss claim under federal loan guaranty; agency rejection overturned on appeal by Agency Director after two-day hearing; 100 percent of claim allowed.

Shareholder Representatives of Abacus v. TAC Americas, Inc.
Represented selling shareholders in dispute over sale of company and obtained an arbitration award for $1.35M on post-sale earn out clause.

Everything Cycles, Inc. v. American Honda Motor Co., Inc
Case No. 07-1170-TC | U.S. District Court, District of Oregon
Represented motorcycle manufacturer in dealer termination dispute; summary judgment for defendant.

Maid O’Clover v. Chevron Products Group
Case No. CV-03-3077-EFS | U.S. District Court, Eastern District of Washington
Represented defendant oil company in gas pricing and franchise dispute against 20 station marketer; six-week jury trial; defense verdict.
SOMA Partners v. Northwest Biotherapeutics  
Case No. 13 180 02010 04 | AAA Arbitration | New York  
Represented biotech company in arbitration over multi-million dollar investment banking fee claim; three-day arbitration hearing with complete victory for client.

Home Depot v. Rosenwald  
Case No. 96-2-00399-8 | King County Superior Court  
Represented lessor in declaratory relief case against tenant one-week bench trial.

Brader v. Minute Muffle  
Case No. 81 Wn. App. 532 | Washington Court of Appeals  
Represented franchisee in franchise dispute under Washington Franchise Investment Protection Act; partial summary judgment and two-week bench trial on damages.

First Interstate Bank, Trustee v. Sinegal  
Case No. 93-2-02890-2 | King County Superior Court  
Represented trustee in lot line dispute; two-week jury trial with complete victory for client.

Horbach v. Tompourlos  
Case No. 75 Wn. App. 1001 | Washington Court of Appeals  
Represented foreclosing seller in commercial property dispute; foreclosure affirmed on appeal.

First Interstate Bank v. WestCap, et al.  
Case No. 74 Wn. App. 900 | Washington Court of Appeals  
Represented lender in $5.3M foreclosure case; summary judgments affirmed on appeal.

Blanton v. Texaco  
Case No. 914 F. 2d 188 | U.S. Court of Appeals, Ninth Circuit  
Represented putative franchisor in franchise dispute under Washington Franchise Investment Protection Act; summary judgment affirmed on appeal.

Paper Manufacturer v. Ellis et al.  
Case No. 85-2-09627-4 | King County Superior Court  
Represented paper manufacturer in dissenting minority shareholder valuation; co-counsel in four-week bench trial; victory for client.

Aquilini Investment Group v. Pfeifer et al.  
Case No. 13-2- 00076-3 | Klickitat County Superior Court  
Represented vineyard owner in dispute with adjoining property owner over water rights in well; summary judgment for clients allowing development of extensive additional vineyards.
Manufacturing Facility v. Utility District  
AAA Arbitration  
Represented Fortune 50 manufacturing facility in contract dispute with Utility District regarding jointly operated electric co-generation plant; obtained arbitration award granting client 100 percent of claim.

Home Depot v. First Berkshire Properties  
Case No. 03-2-13169-5 SEA | King County Superior Court  
Represented retail store in lease assignment dispute; summary judgment in favor of client.

Abigail Investments v. Urquhart v. Abigail, Mainland Resources et al.  
Case No. 2:09-cv-1174-JCM-GWF | U.S. District Court, District of Nevada  
Defended several companies and individuals named in counter-claim by consulting oil and gas engineer for $5 million in stock and $6 million in lost profits and supervised tactics of numerous defendants’ counsel. Orchestrated multi-party, highly favorable settlement.

Convertpac Non-compete and Trade Secret Matter  
Filed declaratory judgment action to relieve purchaser of paper products business from covenant not to compete and common law trade secrets obligations arising from aborted purchase. Conducted bench trial and secured relief from covenant well beyond settlement offers.

Trujillo v. Northwest Trustee Services, Inc.  
King County Superior Court  
Obtained summary judgment dismissal of post-sale “wrongful foreclosure” lawsuit filed against banking client.

Hogan v. NW Trust Services, Inc., et al.  
Case No. 10-35534; 10-35536 | U.S. Court of Appeals, Ninth Circuit  
Led preparation of a Ninth Circuit joint appellate brief on behalf of a group of defendants in litigation arising out of a foreclosure.

Everett 4 Corners, LLC v. Kmart Corporation  
U.S. District Court, Western District of Washington  
Represented landlord in three day federal court bench trial and obtained judgment against tenant for unpaid maintenance expenses, attorney fees and costs.

Sullivan v. Harris  
King County Superior Court  
Obtained summary judgment in favor of employer in personal injury lawsuit alleging negligent driving by employee.

Red Shield Insurance Co. v. Sears, Roebuck, and Co.  
Obtained defense verdict absolving defendant of all liability in lawsuit alleging product defects in a commercial dryer.
Farmers Ins. Co. of Wash. v. Electrolux Home Products, Inc.
Obtained defense verdict absolving defendants of all liability in lawsuit alleging product defects in consumer range.

In re Nichols Bros. Boat Builders
Case No. 07-15522 | U.S. Bankruptcy Court, Western District of Washington
Represented purchaser of partially completed commercial vessel.

Complex Involuntary Discharge — Dangerous Resident
Represented skilled nursing facility in administrative hearing where resident was involuntarily discharged from facility for ongoing dangerous conduct that included death threats against facility’s administrator and violent conduct directed at vulnerable residents.

Wrongful Death Civil Lawsuit / DHS Neglect / Abuse Hearing
After defending assisted living community in week-long administrative hearing against Department of Human Services’ penalty and finding of abuse related to death of resident, defended same assisted living facility against civil lawsuit wrongful death allegations based on same underlying incident.

CIBC v. InvesTraders Int’l Corp., et al. *
New York Supreme Court
Represented a large financial institution in a breach of contract action involving the purchase of a portfolio of high-yield bonds, resulting in a $7 million verdict in the client’s favor.

State of Washington v. LG Electronics, Inc. et al
Case No. 12-2-15842-8 | King County Superior Court
Represented Korean CRT manufacturer and subsidiaries in alleged price fixing suit brought by antitrust section of Washington Attorney General’s Office on behalf of the state and as a parens patriae on behalf of Washington consumers.

State of Washington v. AU Optronics Corp. et al
Case No. 10-2-21964-4 | King County Superior Court | Seattle, Washington
Represented Korean LCD manufacturer and subsidiaries in alleged price fixing suit brought by antitrust section of Washington Attorney General’s Office on behalf of the state and as a parens patriae on behalf of Washington consumers.

Mid-Valley Resources Inc. v. Foxglove Properties, LLP
Case No. A154337
Obtained reversal on appeal of a trial court’s declaration of the existence of public roads across a vineyard’s real estate holdings.

A.F. v. T-Mobile USA, Inc. and United Healthcare Services, Inc.
Case No. 2:15-cv-00180 | U.S. District Court, Western District of Washington | Seattle, Washington
Represent T-Mobile and United Healthcare in a putative class action alleging that the Employee Benefit Plan provided and administrated 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.
Koss v. Norwood  
Case No. 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.

Judgement — Unpaid Fees  
Represented national owner of nursing communities to obtain judgment against estate of former resident to collect unpaid fees for services provided to resident.

State of Washington v. Trump  
Case No. 2:17-cv-00141-JLR / 17-35304 | U.S. Court of Appeals, Ninth Circuit  
Filed amicus briefs in the U.S. District Court and the Ninth Circuit Court of Appeals on behalf of a group of law professors supporting the standing of the State of Washington to sue the Trump administration over its first travel ban.

State of Hawaii v. Trump  
Case No. 17-15589 | U.S. Court of Appeals, Ninth Circuit  
Filed amicus briefs in the U.S. District Court and the Ninth Circuit Court of Appeals on behalf of a group of law professors supporting the standing of the State of Hawaii to sue the Trump administration over its second travel ban.

Cervantes Orchards & Vineyards LLC et al. v. Deere Credit Inc.  
Case No. 18-35366 | U.S. Court of Appeals, Ninth Circuit  
Civil RICO.

Health Insurance Payor Arbitration  
Defended a Health Insurance Payor in arbitration regarding payment rates.

California Based National Lender Mortgage Litigation  
Assisted a California based national lender in setting aside a $750,000 default judgment levied against it.

Successfully resolved a complex commercial dispute on behalf of a ship building business investor.

Fu v. Wanda Sports Group Company, LTD  
We represented Morgan Stanley, Deutsche Bank Securities and Citigroup Global Markets as local counsel in the federal court suit.

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 administrated 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.
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