



NAVIGATING A FINANCIALLY TROUBLED PROJECT DURING UNCERTAIN TIMES – WEBINAR

Friday, June 11, 2021

We have applied for 7 CLE credits (6 Law & Legal Procedure + 1 Ethics)

SCHEDULE

8:25 a.m. Welcome and Introductions by Program Co-Chairs

Jennifer Beyerlein – Lane Powell, Seattle
Ron English - Seattle Schools, Retired General Counsel
Bart Reed – Stoel Rives, Seattle

8:30 a.m. Who Settles the Case and How (and Why?)

A practical discussion of the advocate's role, ethical duties and methods to help clients decide to settle (or not).
Chris Soelling - Soelling Law, Seattle

9:30 a.m. COVID Claims Panel

This panel will cover claims and claim defenses related to COVID-19, including the types of claims (delay, inefficiency, and direct costs), as well as related contract clauses concerning how those claims are presented and considered. The panel will also discuss pending COVID-19 legislation related to construction contracts (SB 5333).

John Ahlers – Ahlers, Cressman & Sleight, Seattle
Colm Nelson – Stoel Rives, Seattle
Scott Sleight – Ahlers, Cressman & Sleight, Seattle

10:15 a.m. Break

10:30 a.m. Bankruptcy and Receiverships

A discussion of both the role of the receiver from the receiver's practical perspective and the practitioner's view on dealing with receiverships and bankruptcies.

Stuart Heath – Elliott Bay Asset Solutions, Seattle
Nate Riordan – Wenokur Riordan, Seattle
Seth Millstein (Moderator) – Pillar Law, Seattle

11:45 a.m. Break/Lunch

12:00 p.m. Judicial Panel – View from the Bench

The distinguished panel will share their perspectives on how the Coronavirus has changed trial and appellate practice and how they will continue to evolve.

Hon. Beth Andrus – Court of Appeals, Div. I, Seattle
Hon. Jim Rogers – Presiding Judge, King County Superior Court, Seattle
Hon. Catherine Shaffer – King County Superior Court, Seattle

1:00 p.m. Legislative Update

Discussion of new laws from the 2021 Legislative Session, featuring RCW 39.10's ten-year reauthorization and numerous revisions. Significant new laws were enacted regarding public works, employment and unemployment, the environment, and other areas.

Steve Goldblatt – Resolve Disputes, Seattle
Athán Trámountanas – Ogden Murphy Wallace, Seattle

1:30 p.m. Conway Construction Company v. City of Puyallup: Emerging Issues Regarding Termination and Attorneys' Fees in Public Works

Discussion of the three main issues in the case, which are (1) the government's burden of proof to justify the termination of a contractor for default, (2) whether a government is entitled to reduce amounts awardable to a contractor in a termination for convenience for allegedly defective or non-conforming work without prior notice and an opportunity to cure, and (3) whether a litigant is entitled to attorneys' fees pursuant to a fee-shifting clause in a public works contract as an alternative remedy to RCW 39.04.240.

Ryan Dumm – Schwabe, Williamson & Wyatt, Seattle

2:00 p.m. Break

2:15 p.m. COVID-19 Insurance Panel

Discussion of grounds for business interruption coverage for the COVID-19 pandemic and the status of the coverage claims currently pending in the courts.

Ian Birk – Keller Rohrback, Seattle
Kent Collier - Greyling Insurance Brokerage & Risk Consulting, Seattle
Eric Neal – Lether Law Group, Seattle

2:55 p.m. Liens

Overview of Washington lien law including basic notices, timelines and procedures. The presentation will also include a discussion of the impact of recent cases that practitioners should consider.

Paige Spratt – Schwabe Williamson & Wyatt, Vancouver
Seth Millstein – Pillar Law, Seattle

3:25 p.m. Case Law Update

Discussion of recent cases of interest, likely including cases addressing some or all of the following: arbitration, attorney-client privilege, claim notice, contract termination, ethics, incorporation by reference, industrial insurance, insurance, lien and bond claims, service of process, statute of repose, and workplace safety.

Paul Cressman – Ahlers, Cressman & Sleight, Seattle

4:30 p.m. Adjourn Seminar.

Virtual Social Hour sponsored by Ankura Consulting Group!

Please join Ankura Consulting Group for a virtual social hour, which will be hosted via a Zoom conference call. Ankura will be the host of an entertaining and informational remote "happy hour," describing Ankura's services while educating aspiring wine aficionados with a wine tour guided by an official wine sommelier. Be sure to RSVP as **the first 50 people to register for this exciting event will receive a FREE bottle of wine** delivered to their house or office.

Seminar is webinar only.

Registration will be online only at <https://WSBAConstructionLaw2021.eventbrite.com>

Registrants will receive the login information a day or two in advance of the webinar.

We encourage early registration.

Section Member, \$120

Non-Section member, \$135

Section Member, new/govt./small firm, \$95*

Non-section member, new/govt./small firm, \$110*

Coursebook included with price of tuition.

*Attorneys who have been admitted to practice in Washington for fewer than five years, or are government employees, or who work at a firm of five lawyers or less, are eligible to receive the reduced tuition.

Refunds: Registration fees may be refunded, less \$25 for handling, for written cancellations emailed, by 5 p.m., up to 3 business days before the seminar. No refunds after that date, but you will receive the coursebook. Canceled registrations may not be transferred to other seminars. You may send a substitute (e.g., someone from your firm) in lieu of canceling.

Questions: Contact Bart Reed at bart.reed@stoel.com