

WSBA CONSTRUCTION LAW SECTION COUNCIL MEETING

July 10, 2019 @ Noon

JULY MEETING
STOEL RIVES LLP
600 University Street, Suite 3600
Seattle, WA 98101
Cascade Conference Room

CALL IN INFORMATION
Dial In # is: 1-866-577-9294
Participant Code: 501655
Moderator Code: 5016559

AGENDA

1. Welcome – J. Piskel
2. Approval of May 2019 minutes – J. Piskel (See Attachment 1)
3. Financial Report – J. Beyerlein
4. Midyear Meeting/CLE Recap – R. English/ J. Beyerlein/ B. Hill
5. Deskbook Pocket Part - Next Year – R. English/ J. Piskel
6. Road Trip CLE - Vancouver – J. Piskel/ B. Sinner/ P. Spratt
7. Writing Competition - Next Year – S. Millstein/A. Hardwick
8. Section Membership Benefits Webpage - .docx Documents – J. Piskel
9. Special Projects/Other Docs/Deskbook – J. Piskel
10. Bar Issues Continued – J. Piskel/ A. Tramountanas
11. Next Fiscal Year Budget – J. Beyerlein
12. Young Lawyer Liaison Selection –J. Piskel (See Attachment 2)
13. For the Good of the Order

ATTACHMENT 1

Construction Law Section
Meeting Minutes
May 8, 2019

Jason Piskel
Jennifer Beyerlein
Athan Tramountanas
John Evans
Lena Holohan
Ron English (phone)
Amber Hardwick

Eleen Trang, WSBA
Colm Nelson
Rick Wetmore (phone)
Alex Jouravlev
Bryce Sinner (phone)
Todd Henry (phone)

The meeting commenced at 12:00 p.m. at Stoel Rives and recessed at 12:45 p.m. Chair Jason Piskel presided.

Discussion

1. Approval of April Minutes - Minutes for April 10, 2019 were presented and unanimously approved.
2. Financial Report: Treasurer Jennifer Beyerlein gave a financial report stating that section membership is at 96% of last year with hope that there will be a few more registrations.
3. Midyear Meeting/June 2019 CLE: A reminder was given that law students are invited to the social hour following the CLE regardless of school in or out of state. So far, 34 people have registered.
4. Spring 2020 CLE: Vancouver, WA, Tacoma and Olympia were discussed as potential venues and a unanimous decision made to hold the event in Vancouver. Bryce Sinner and Paige Spratt will co-chair and report to the group at the July meeting regarding location, topics, speakers and coordination with local bar associations.
5. Deskbook: As of May 1, 2019, 108 hard copies and 8 e-copies have been sold.
6. Writing Competition. Amber Hardwick reported that there were seven submissions and two of those were outstanding. Upon motion made, seconded and unanimously passed, the second place finisher will receive \$1,000 as an unbudgeted item.
7. Nomination Committee. Ballots will go out Monday, May 13. Jason will send a reminder message.

NEXT MEETING IS 12:00 P.M., JULY 10, 2019
AT STOEL RIVES

END OF MINUTES

ATTACHMENT 2

WASHINGTON STATE BAR ASSOCIATION

WSBA Young Lawyer Liaison to Construction Law Section Volunteer Position Description

Deadline: June 28, 2019 at 5:00 p.m.

The WSBA Young Lawyer Liaison (Liaison) to Sections Program creates an opportunity for a WSBA section and new or young lawyers to focus on strengthening the connection between a specific section and the new and young lawyer community. In collaboration with the section, Liaisons bring their perspective and connections to building educational programming, events, and other section activities tailored to new and young lawyer members.

Position overview:

Responsibilities include:

- Be prepared to provide report on WYLC activities at each executive committee meeting
- Work with WSBA New Member Education program on behalf of the section
- Recruit new and young lawyers to join the section
- Collaborate with other executive committee members to plan social functions
- Collaborate with other executive committee members to plan CLE seminars
- Collaborate with other executive committee members to plan mentorship events
- Participate in section subcommittees
- Solicit and/or contribute articles for the section newsletter
- Act as leader for specific projects & tasks that may come up throughout year

The Liaison will serve as a non-voting advisory member of the section's executive committee.

Time commitment:

- Appointment is for a two-year term, beginning October 1, 2019 and ending September 30, 2021.
- Liaisons are expected to attend (in person or via conference call) the Liaison orientation at the WSBA offices on September 16, 2019 from 8 a.m. to 10 a.m. In person attendance strongly encouraged.
- Attend section executive committee meetings, and additional meetings as needed.
- There is an estimated additional 3-5 hours of section work per month.

Requirements: Liaisons must meet the WSBA young lawyer criteria on the start date of their term. Active members of the Bar shall be considered "young lawyers" until whichever occurs later:

- the last day of December of the year in which the member attains the age of 36, years, or
- until the last day of December of the fifth year after the year in which such member was first admitted to practice in any state.

While serving in this position, Liaisons must be a member of the section (section membership dues will be paid for by WSBA New Member Programs).

Preferred qualifications and skills:



1325 4th Avenue | Suite 600 | Seattle, WA 98101-2539
800-945-9722 | 206-443-9722 | questions@wsba.org | www.wsba.org

- Dependability and accountability
- Collaboration and team work
- Problem-solving ability
- Experience volunteering with the section
- Experience developing new lawyer programs or benefits
- Connection to local YLD or other new lawyer networks

Benefits:

- Helping shape new lawyer programming within WSBA sections
- Leadership development
- Networking
- Increased knowledge of and access to WSBA resources for new lawyers
- Membership to Construction Law Section at no cost to the Liaison

Reimbursement policy: This is an unpaid volunteer position. The section will reimburse the Liaison's expenses for:

- Participating on the executive committee and in events on a case-by-case basis with prior approval of executive committee
- Traveling to the Liaison orientation

Selection and appointment process: The section executive committee reviews applications and selects a preferred and alternate candidate for appointment to the Liaison position.

For more information: See <https://www.wsba.org/for-legal-professionals/new-members/wsba-young-lawyer-liaisons-to-sections>

How to apply: Visit the [WSBA Young Lawyer Liaisons to Sections webpage](#) to apply. The application deadline is June 28, 2019 at 5:00 p.m. Questions about the application? Email newmembers@wsba.org.

WSBA Young Lawyer Liaisons to Sections Application

Application Deadline: June 28, 2019 at 5:00 p.m.

The WSBA Young Lawyer Liaison to Sections Program creates an opportunity for a WSBA Section to strengthen the connection with the new and young lawyer community by electing a new or young lawyer to serve as a Liaison to the section. In collaboration with the section, Liaisons volunteer by bringing their perspective and connections to building educational programming, events, and other section activities tailored to new and young lawyers.

To qualify as a Liaison, applicants must meet the "Young Lawyer" qualification in the WSBA Bylaws, meaning that they are an active member of the WSBA who have been admitted to practice for less than five years in any jurisdiction, or who is age 36 or younger, whichever is later. Young Lawyers who want to apply for more than one liaison position must complete an application for each section.

The Liaison position serves a two-year term beginning Oct. 1, 2019 and ending on September 30, 2021, unless otherwise indicated. Applicants who are chosen to serve as Liaisons must attend a Liaison orientation on September 16, 2019 from 8-10 a.m. at the WSBA offices in Seattle (remote attendance options will be available). Travel reimbursement may be available for those attending in person.

First Name *

Luke

Last Name *

O'Bannan

Bar Number *

50054

Email Address *

lobannan@ks-lawyers.com

City *

Where you practice, if employed. If unemployed, please indicate your city of residence.

Spokane

Section Selection *

Below are the sections that have an opening for a liaison. You must submit a separate application form for each section in which you apply. (*indicates 1-year interim term to end September 30, 2020)

Construction Law

Resume and Other Materials

You are required to submit your resume. It is also recommended that you provide a statement of interest. You may upload your resume and other files here by clicking the "Add file" link below or you may email your resume and any additional materials to newmembers@wsba.org.



How did you hear about this opportunity?

- Website, WSBA.org
- WSBA Email
- New Lawyers List Serve
- Social Media
- WSBA Sections
- Washington Young Lawyers Committee
- Colleague/Friend
- Other:

Thank you for your interest in WSBA's Young Lawyer Liaison to Sections Program! We will notify all applicants of the final selections in mid-late August 2019. If you have questions, please email newmembers@wsba.org.

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Luke Wesley O'Bannan

108 N. Washington Street, Suite 201, Spokane, WA 99201 | 509.280.7640 | LOBannan@ks-lawyers.com

May 23, 2019

Dear Selection Committee,

This letter is my statement of interest to explain why I am applying to serve as WSBA Young Lawyer Liaison to the Construction Law Section, and to demonstrate my suitability for the position.

As you may discern from my accompanying resume, I work in litigation with cases involving a wide range of issues. My construction cases, however, have been my favorite and have sparked a desire to grow my knowledge and specialization in construction law. To this end, I attended the Construction Law Section's CLE in Spokane in March. I learned at that CLE that I still have much to learn about construction law and that I need more mentorship and exposure if I intend to become a construction law practitioner. Since the CLE, a local construction law attorney at another firm has allowed me to work with him pro-bono on a construction defect case. My goal is to become an expert in construction law, but I am still just starting. It is my hope that by serving as the WSBA Construction Law Section Young Lawyer Liaison I will gain mentors in the construction law field and greater exposure to the practice of construction law.

I am perfectly suited for this position. In addition to my ambition to practice construction law, I am connected to the young lawyer community and have experience in planning and executing CLEs. I currently serve as a trustee on the board for the Spokane County Bar Association Young Lawyer Division. One of my duties as trustee was to Co-Chair the CLE Committee, which involves the planning and execution of CLEs for young lawyers in Spokane County. Last November I successfully organized a CLE where newly admitted attorneys toured the Spokane Municipal Court, Spokane Superior Court, Washington Court of Appeals, and the Federal District Court and Bankruptcy Court for the Eastern District of Washington. At each court, sitting judges served as CLE instructors for the new attorneys. In addition to this recent experience, I have experience serving on boards and serving in a liaison capacity as both an undergraduate and law student.

Thank you for taking the time to review my application. I appreciate your consideration.

Sincerely,



Luke O'Bannan

Luke Wesley O'Bannan

108 N. Washington Street, Suite 201, Spokane, WA 99201 | 509.280.7640 | LOBannan@ks-lawyers.com

EDUCATION

Gonzaga University School of Law, Spokane, WA

Juris Doctor, May 2015

- Class Rank: 3 of 118 (Top 3%), GPA: 3.72, *summa cum laude*
- CALI Award for Highest Grade: *Criminal Procedure, Property, Sales, Securities Regulation, Taxation of Individual Income, and Torts*
- National Appellate Advocacy Competition Moot Court, *Team Member*
- Gonzaga Journal of International Law, *Associate Editor*

University of Washington

B.A. Political Science, August 2012

EXPERIENCE

Kirkpatrick & Startzel, P.S., Spokane, WA

Litigation Attorney, August 2017 – Present

- Represent individuals, businesses, and municipalities in lawsuits involving a wide range of legal issues including construction defect, nonpayment and construction liens, contract disputes, worksite injuries, wrongful death, insurance coverage, premises liability, motor vehicle accidents, property disputes, employment disputes, civil rights, dram shop liability, insurance bad faith, etc.

Chief Judge George B. Fearing – Division III Court of Appeals, Spokane, WA

Law Clerk, September 2015 – July 2017

- Reduced appellate briefs, factual record, and relevant law to a useful memorandum that assists the panel of judges in understanding and deciding the case.
- Drafted memoranda on motions including motions to publish, reconsider, and modify commissioner rulings.

United States Attorney for the Eastern District of WA, Spokane, WA

Law Clerk, May 2014 – May 2015

- Supported Assistant United States Attorneys by writing legal memoranda, drafting responses to motions, managing discovery, and aiding with litigation preparation.

Judge Kevin M. Korsmo – Division III Court of Appeals, Spokane, WA

Judicial Extern, August 2014 – December 2014

Law Offices of Wolff and Hislop, Spokane Valley, WA

Legal Intern, May 2013 – August 2013

- Produced transaction documents and legal memorandum regarding real property, trademarks, contracts, business acquisitions, probate, estate planning, trusts, homeowners' associations, misrepresentation, replevin, and other legal issues.

Associated Students of the University of Washington, Seattle, WA

Director of Operations, July 2008 – June 2009

- One of eight elected, paid, and voting board members that managed a student body organization with a budget exceeding one million dollars and over 100 employees.
- Chaired the Judicial Committee and liaison to various university committees.

VOLUNTEER

Spokane County Bar Association Young Lawyer Division (YLD), Spokane, WA

Trustee, July 2018 – Present

- Serve as the YLD CLE Committee Co-Chair which involved the planning and execution of the fall Intro to the Courts CLE for young lawyers in Spokane County to visit the various courthouses and learn practical tips from sitting judges.
- Serve on the YLD Awards Committee which involves attending regular committee meetings and to solicit award nominations and select recipients for various awards.

Gonzaga Student Bar Association, Spokane, WA

ABA Representative & Parliamentarian, Fall 2013 – Spring 2015

ADMISSIONS

Washington (WSBA 50054), Idaho (ISB 10503), all Washington and Idaho federal courts

WSBA Young Lawyer Liaisons to Sections Application

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First Name *

William

Last Name *

Young

Bar Number *

52023

Email Address *

way@soslaw.com

City *

Where you practice, if employed. If unemployed, please indicate your city of residence.

Seattle

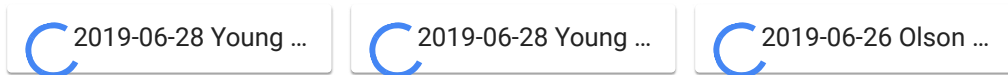
Section Selection *

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Construction Law ▼

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William A. Young
WSBA Construction Law Section Young Lawyer Liaison Application
Statement of Interest

Though my practice as an attorney began when I was admitted to the Washington bar in April 2017, the professional experience I obtained prior to my admission date has provided me with a practical perspective on construction that I hope to share with the WSBA Construction Law Section and other aspiring, new, and young lawyers. Further, my ability to collaborate, solve problems, and manage projects, which is a skillset that was largely developed during my pre-law career and has carried over into my legal practice, is an asset that I hope can contribute to the Construction Law Section's efforts in planning and implementing events, CLE seminars, and other projects.

My interest in the built environment began at a relatively early age. As a high school and college student, I was drawn to the building industry's unique combination of engineering, art, history, and tangibility. Throughout college, when opportunities arose, I worked as a laborer in various capacities, performing concrete work, painting, carpentry, flooring, and other jobs on residential construction projects. Although I started my undergraduate career with aspirations of becoming an architect, I quickly realized the world of physical construction was a more natural fit for me.

After earning my undergraduate degree in Construction Management, I worked on commercial construction projects as a project engineer and assistant project manager for a local general contractor. Over the course of more than three years, I helped complete over \$40 million in high-end retail, restaurant, and other commercial projects, including more than \$3 million in specialty retail (i.e. \$1,000/sf boutique and designer shops) and restaurant projects that I successfully managed independently. This combination of education and hands-on experience has given me a practical knowledge of the construction industry and an appreciation and respect for the individuals that participate in this process.

In 2016, during my last semester of law school, I started my legal career as a law clerk at Schlemlein Fick & Scruggs, PLLC, where I now practice as an associate attorney. My work at SFS constantly presents me with opportunities to incorporate lessons learned from my pre-law background, whether in contract drafting and review at an early stage of a project, or schedule and change order analysis after a project has been completed. Even basic skills, such as the ability to read a set of drawings or communicate in common construction vernacular, have been assets to my practice.

I believe my combination of construction and legal experience situates me well to serve as the next WSBA Construction Law Section Young Lawyer Liaison. At this point in my career, I have spent almost as much time in the legal realm as I have in construction, and, as I gain more legal experience, I feel more like a "lawyer with a construction background" rather than a "contractor with a law degree." I hope to offer my perspective and ties to the construction industry for the benefit of the Construction Section and to connect with other young lawyers who may be interested in exploring this dynamic field of law. I appreciate your consideration of me for this position.

William A. Young

2613 Yale Ter. E.
Seattle, WA 98102

way@soslaw.com
425.466.4678

EDUCATION

Juris Doctor, Seattle University School of Law, Seattle, WA

December 2016

B.S. Construction Management, University of Washington, Seattle, WA

June 2010

EXPERIENCE

Schlemlein Fick & Scruggs, PLLC, Seattle, WA

Associate Attorney

May 2017 – Present

Law Clerk

August 2016 – April 2017

- Advise clients regarding business, construction, property, and contracting issues, including contract drafting and review, change order administration, and other contract matters
- Assist clients with formal dispute resolution through litigation or arbitration, including drafting pleadings, appearance at pre-trial hearings, drafting discovery requests and responses, interviewing fact witnesses, participation in depositions, document review and organization, hearing preparation, attendance and witness examination at arbitration hearings, and other responsibilities
- Prepare for and participate in mediation sessions, structured negotiations, informal settlement negotiations, and draft settlement agreements
- Assist clients with post-trial enforcement of judgments, including collections and garnishment
- Admitted to practice in Washington, Alaska, and the United States District Court for the Western District of Washington

Edifice Construction Company, Seattle, WA

Project Engineer

June 2013 – July 2016

- Prepared construction cost estimates and bids, including quantity surveys, solicitation and qualification of subcontractor bids, and bid preparation for commercial and residential projects
- Managed and coordinated subcontractors, material suppliers, and manpower, equipment, and material resources for self-performed work during construction
- Drafted and coordinated construction schedules, including review with project owners, coordination with subcontractors and in-house trades, and scheduling of long-lead material and equipment orders
- Drafted, processed, and reviewed material submittals and shop drawings, requests for information, change orders, and other project administration documentation
- Completed more than \$40 million in high-end retail, restaurant, and other commercial projects

Sun Valley Resort, Sun Valley, ID

Ski Lift Mechanic

May 2011 – June 2013

- Serviced ski lifts, including daily operational and safety inspections and maintenance
- Regularly inspected and serviced gondolas, as well as fixed-grip and detachable high-speed chairlifts
- Performed annual summer maintenance, including cable service and replacement, gearbox rebuilds, detachable grip rebuilds, and auxiliary motor and hydraulic system maintenance

TECHNICAL SKILLS

CS Disco E-Discovery Management Software
Westlaw
Microsoft Project

Microsoft Office Suite
Adobe Acrobat Professional DC
Sage Timberline

ADDITIONAL EXPERIENCE

WSBA Construction Law Section, Member, 2017-present

Seattle Journal of Environmental Law, Business Editor, 2015-2016; Staff Editor, 2014-2015

ASC 2010 Student Competition, Reno, NV; LEED Team

Associated Students in Construction, Member, November 2008-June 2010

AGC Education Foundation Scholarship Recipient 2009-2010

ROBERT L. OLSON
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JAMES G. FICK
JESSE O. FRANKLIN IV
BRIAN K. KEELEY
BENJAMIN W. LANCE
COLLEEN A. LOVEJOY
CHARLES A. LYMAN
ROBERT L. OLSON
DAVID W. SCHIFFRIN
GARTH A. SCHLEMLEIN
MICHAEL P. SCRUGGS
WILLIAM A. YOUNG

June 26, 2019

WSBA Construction Law Section
Young Lawyer Liaison Selection Committee

Re: Application of William Young

Dear Committee:

I am writing in support of the application of Will Young to be the liaison of the Young Lawyer Section to the Construction Law Section. I have known and worked with Will since 2016 when he interned with us while he was in law school and since then as an associate here where is has been working mostly on construction cases.

As a long-time member of the Construction Law Section and as a long-standing member and past chair of the governing Council, I believe I understand the qualities that make for a good liaison: interest or experience in construction; knowledge of construction law; energy; intelligence; keeping current on new developments in the field, recent cases and legislation; technologically adept; and willingness to try new approaches to solving problems. Will possesses all those qualities. I know of his background in the construction field before going to law school, his eagerness to learn all things related to construction law, and his interest and ability in helping us implement a new, more efficient electronic system for document management and e-discovery. He has become a vital and important resource for us and will continue to grow as an attorney. I think he would be an ideal fit for the liaison position. I urge you to act favorably on his application.

Very truly yours,

SCHLEMLEIN FICK & SCRUGGS, PLLC

A handwritten signature in blue ink that reads 'Robert L. Olson'. The signature is written in a cursive, flowing style.

Robert L. Olson

