

WSBA CONSTRUCTION LAW SECTION COUNCIL MEETING

December 9, 2020 @ 12:00 p.m.

<p>MEETING Virtual Zoom Meeting Only</p> <p>ATTENDEES Brett Hill Seth Millstein Allison Murphy Will Young Bart Reed Eleen Trang Bryce Sinner Scott Campbell Todd Henry Lena Holohan Joe Scuderi Paige Spratt</p>	<p>CALL IN INFORMATION Phone: +12532158782 Meeting ID: 985 1003 8934</p> <p>Password: 554443</p> <p>URL: https://zoom.us/j/98510038934?pwd=UzNOYmNLbVBVTVo0Tk04RndQblNtUT09</p>
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MEETING MINUTES

1. Approval of November 11, 2020 minutes – Minutes were approved, no comments.
2. Financial Report – Seth has nothing new to report. Previous update remains current: PMC – out of the \$25 dues, the amount that goes to WSBA has dropped by 3%; WSBA's get \$18.18, we get \$7 – does not materially affect our budget. In agreement to discuss the matter in the future, considering raising in July when we do our budgeting. Gifts for past chairs Jason, Athan and Amber a total of \$450 (\$150 each).
3. Mid-Year CLE – (Bankruptcy/Receivership) – Bart gave update. Trying to determine title of Mid-Year CLE. Asked for thoughts on top two candidates. COVID impacts dwindling? Likely not. Take COVID out of title to broaden applicability? “Navigating a Financially Troubled Project” was put forth as another title candidate. Cressman, Soelling and Goldblatt confirmed. Judge Andrus confirmed for Judicial Panel. Bart would like Judge Rogers and Schaffer also confirmed. Seth proposed having a 45 minute speaker (Ryan) on *Conway* case slated for hearing before Supreme Court. Seth put forth candidates for bankruptcy speakers. Seth to reach out to Stewart (Receivership), and Scalia (Counsel for Receiver) as panel speakers. Seth and Paige to split up lien presentation.
4. Road Trip CLE (Follow up re Thurston location) – Joe Scuderi to follow up with Thurston County – Thurston County has yet to get back to section re venue. “Anatomy of a Construction Project” discussed as potential topic to discuss various key points in construction process. TBD,

speakers to be discussed at next meeting. August, 2021 discussed as potential date for event.

5. Writing Competition Planning – Topic: *In WA, is a liability limitation in a design professional contract enforceable to limit liability for tort claims independent of the contract?* Will launch the contest February 1. Bryce volunteered to assist Seth along with Will.

6. Updating Form Contracts & Adding Design Build w/ GMP –Brett emailed revised contract to group. No comments or objections from group. Vote to confirm and approve the contract will be tabled until next meeting.

7. Newsletter Update – Newsletter went out last week. No new updates.

8. Legislation Bill Tracking – Seth circulated list of search terms to run across bills that might be of interest to section. Asked for additional search terms from group. Retention added as well as statute of repose references. Multiple other statute references added. December 18 is update for revisions.

9. Section Listserv Job Posting – Is this something we want to open up listserv for or not? Brett posed question to group. Concern it will be utilized as a poaching platform. Consensus is we will not open the listserv for this.