

**WASHINGTON STATE
BAR ASSOCIATION**

**Board of Governors Special Meeting
Public Session Materials**

**February 14, 2019
WSBA Conference Center
Seattle, Washington**

MEMO

TO: Board of Governors

DATE: February 14, 2019

FROM: Margaret Shane

RE: Recommendation on Section Representatives to the Washington Supreme Court's Workgroup on the WSBA Structure

Action: Rank section applications for recommendation to the Washington Supreme Court for the Court's Workgroup on the WSBA Structure.

Consistent with the Court's request that the BOG's ranking of WSBA Sections applicants for the Court's Workgroup on the WSBA Structure be transmitted to the Court by Friday, February 15, attached to this memo is the Chief's correspondence detailing the request as well as her response on the ranking method. I have also included the materials from the January 17-18, 2019, Board meeting on this topic.

The Supreme Court

State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

February 6, 2019

Bill Pickett, President
Washington State Bar Association
1325 Fourth Avenue, Ste. 600
Seattle, WA 98101-2539

Re: Board of Governors' recommendations for section representatives to WSBA
Structure Workgroup

Dear Bill:

I am writing to advise that, no later than the end of business on Friday, February 15, 2019, the Justices of the Supreme Court would like to know who the Board of Governors (BOG) recommend that the Court consider in its selection of the section representatives for the WSBA Structure Workgroup. I understand this was on your last BOG meeting agenda but because of other business you did not decide. I also understand that a special meeting requires five days' notice. Because today, is February 6, 2019, the Court has decided to give you until the end of business on February 15, 2019. If the BOG will not be able to meet our deadline or does not wish to make recommendations, please advise me as soon as possible and the Court will go ahead with its selections. Thank you.

Very truly yours,

A handwritten signature in black ink that reads "Mary E. Fairhurst".

MARY E. FAIRHURST
Chief Justice

cc: Justices
Paula Littlewood, Executive Director

From: Paula Littlewood

Sent: Saturday, February 9, 2019 8:50 PM

To: Alec Stephens <alecstephensjr@gmail.com>; Athan Papailiou <Athan.Papailiou@pacificalawgroup.com>; Bill Pickett <bill@wdpickett-law.com>; Brian Tollefson <TollefsonBOG@outlook.com>; Carla Higginson <carla@higginsonbeyer.com>; Christina Meserve <ctm@olylaw.com>; Dan Bridges <dan@mcbdlaw.com>; Dan Clark <DanClarkBog@yahoo.com>; Jean Kang <jeankang.wsba.bog@gmail.com>; Julie Shankland <julies@wsba.org>; Kim Hunter <kim@khunterlaw.com>; Kyle Schuchietti <kyle.s@bullivant.com>; Michael Cherry <mikech@lexquiro.com>; Paul Swegle <pswegle@gmail.com>; PJ Grabicki <pjg@randalldanskin.com>; Rajeev Majumdar <rajeev@northwhatcomlaw.com>; Russell Knight <rknightbog@gmail.com>

Cc: Margaret Shane <Margarets@wsba.org>

Subject: FW: Ranking of recommendations.

A governor had inquired about how the ranking should be done -- below is the Chief's answer to my clarifying question.

Margaret will resend the materials from the January BOG book that contain the spreadsheet with applicants categorized by section size as well as the application materials.

Thanks,

Paula

-----Original Message-----

From: Fairhurst, Justice Mary [mailto:Mary.Fairhurst@courts.wa.gov]

Sent: Friday, February 08, 2019 8:25 AM

To: Paula Littlewood

Cc: rajeev@northwhatcomlaw.com; Bill and Diane Christie; SUP DL - JUSTICES; SUP DL - ADMINISTRATIVE ASSISTANTS

Subject: Ranking of recommendations.

Dear Paula: I am not sure I understand your question, but hopefully my answer will provide the information you need.

The board of governors recommended that the section representatives come from a large, medium and small sized section. The court agreed and asked you to make recommendations reflecting one from a large one from a medium, and one from a small sized section. I think what you could do is put the applicants into the various categories for which they qualify. Recognizing that a few qualify for more than one sized section, I think the BOG would rank all the applications in each size section. If it is somehow too difficult to rank the number of applicants in each sized section. Then I would think at least your top three would be helpful to the court knowing they are only recommendations and the court retains the ultimate decision. Hope this is helpful. If it is not or you need more direction, please let me know and I will try again. Thanks. Mary

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

MEMO

TO: Board of Governors

DATE: January 11, 2019

RE: Recommendation on Section Representatives to Washington Supreme Court Structures Work Group

Action: Rank section applications for recommendation to the Washington Supreme Court for the Court's Workgroup on the WSBA Structure.

Consistent with composition of the Washington Supreme Court's Workgroup on the WSBA Structure, three members of the Workgroup are to come from WSBA's sections. These members are to be selected by the Supreme Court in consultation with the BOG.

At its November 2018 meeting, the BOG recommended to the Supreme Court that the three members be selected, one each, from a large, medium and small size section. Consistent with this recommendation, the Court has asked that the BOG rank applicants within each section size (large, medium and small).

Included here are the applications from WSBA section members for the Workgroup as well as a table showing the size of the section(s) they are members of.

SUPREME COURT WORKGROUP ON WSBA STRUCTURE

SECTION REPRESENTATIVES (corrected on January 10, 2019)

NAME	EMPLOYER/AREA/ DIVERSITY	CATEGORY	REASON APPLIED	BACKGROUND PROVIDED	RESUME/LETTER OF SUPPORT	WSBA-PROVIDED SECTION INFO ¹
						<i>S = Small; M = Medium; L = Large</i>
Abell, Hunter M.** ¹	Williams Kastner/ Seattle (from Ferry County rural)	Litigation & Admin Law, Indian Law Sections	Yes	Yes	Resume; e-mail of support	Litigation Section (L) Admin Law Section (S)
Davison, Zachary E.	Perkins Coie/Seattle Young lawyer perspective	Young Lawyers and Business and Litigation Sections	Yes	Yes	Yes	Business Law Section (L) Litigation Section (L)
Farley, Eileen	Former public defender/Seattle	Crim. Law Section	Yes	Yes	Resume	Criminal Law Section (M)
Hawkins, Nancy	Sole practitioner / Seattle (62 year old, Caucasian, lesbian)	Family Law Section	Yes	Yes	No	Family Law Section (L) Solo & Small Practice Section (L) Elder Law Section (M)
Hunter, Kim E.	Sole practitioner/ Kent	Crim. Law Section; “was an elected representative of all medium sized sections of the BAR” see letter	Yes	Yes	Resume	Criminal Law (M) Solo & Small Practice Section (L)
Gibbs, G. Geoffrey	Anderson Hunter Law Firm / Everett	Family Law Section; RPPT Section	No	Yes	Resume	Family Law Section (L) Real Property Probate and Trust Section (L)

1. If applicant has ** by their name, they indicated that they are eligible to participate in the Workgroup in two different categories. Their name will be located in both categories.

Gipe, Anthony David	Sole practitioner / Seattle	Belongs to 3 sections does not identify which ones	No	No	No	Family Law Section (L) Lesbian, Gay, Bisexual, Transgender Law Section (S) Civil Rights Law Section (S)
Johnson, Mark	Johnson Flora Sprangers/Seattle	Solo and Small Firm Section	Yes	Yes	No	Solo & Small Practice Section (L)
Johnson, Richard L.	LeSourd & Patten/Seattle	Taxation Section (mid-size)	Yes	No	No	Taxation Section (M)
Kaplan, John S.	Perkins Coie/Seattle	Creditor Debtor Section	Yes	Some	CV from firm website	Creditor Debtor Rights Section (M)
Larson, Linda R.	Nossaman LLP/ Seattle	Land Use & Environmental Section	Yes	Yes	Resume	Environmental and Land Use Law Section (M) Alternative Dispute Resolution Section (M)
Madsen, Hillary	Columbia Legal Services staff attorney and lobbyist/Seattle	Juvenile Law; Statute Law Committee	Yes	Some	No	Juvenile Law Section (S)
McComb, Devin P.	Perkins Coie/Seattle	RPPT Section (selected by Section to be rep)	Yes	Yes	Support letter	Real Property Probate and Trust Section (L)
McKinley, Sands	McKinley Irvin / Seattle / Not currently practicing	Section (does not ID which one)	Yes	Yes	No	Family Law Section (L)
Satagaj, Thomas J.	Seed IP Law Group/Seattle	Intell. Property Section	Yes	Some	No	Intellectual Property Section (L)
Ward, Lawrence**	Dorsey Whitney/ Seattle	International Practice Section	Yes	Yes	Resume	Business Law Section (L) International Practice Section (S)
Winn, Randall**	IRS/Seattle (not currently practicing law)	World Peace Through Law Section (small)	Yes	Yes	Support Letter	World Peace Through Law Section (S)

ⁱ Section membership based on 2018 data. We are currently in the middle of licensing for 2019, including renewal of section membership. Sections are categorized as small (0-299 members), medium (300-849 members), or large (850+ members) using FY18 membership size and based on the same ranges as were used for the WSBA Section Policy Workgroup.

December 6, 2018

SENT VIA REGULAR U.S. MAIL AND EMAIL

Washington State Supreme Court
ATTN: Chief Justice Mary Fairhurst
PO Box 40929
Olympia, WA 98504
Email c/o: Cindy.Phillips@courts.wa.gov

00900.0505

RECEIVED

DEC 13 2018

WASHINGTON STATE SUPREME COURT

Re: Application for 2019 Workgroup on WSBA Structure

Dear Chief Justice Fairhurst:

I respectfully offer my services as a Section representative or public representative to the Supreme Court Workgroup on the WSBA Structure ("Workgroup").¹ This application outlines my background and provides additional information on my interest.

As indicated by the enclosed CV, I am a member at Williams Kastner & Gibbs, PLLC in Seattle. Before practicing at Williams Kastner, I served as a Judge Advocate in the U.S. Navy JAG Corps where I deployed to Iraq and Guantanamo Bay, Cuba. I am currently a Commander in the U.S. Navy Reserve. I am a native of Ferry County in rural Eastern Washington where I was raised on a ranch, and currently serve as a Judge Pro Tem for the Ferry County District Court. My practice also involves service as a Judge on the Quinault Tribal Court of Appeals and the Round Valley Tribal Court of Appeals. I am married to my wife, Sara, and am the proud father of two daughters, Libby (5) and Wynie (3).

I have long been interested in WSBA functions and leadership, serving previously as Chair of the WSBA Professionalism Committee and the WSBA Indian Law Section. Additionally, I was awarded the 2015 WSBA Courageous Award, and ran as a candidate for the WSBA Board of Governors in 2018. I have been fortunate to interact with the professionals at the WSBA for many years on a variety of issues, and believe that I can meaningfully contribute to the Workgroup's discussions. My recent candidacy for the Board of Governors was animated, in part, by many of the issues you identified in your September 21, 2018 letter to the WSBA leadership. I am currently a member of the WSBA Litigation Section and Administrative Law Section.

¹ Based on my review of available Workgroup information, it is unclear to me whether the public member of the Workgroup is expected to be a non-attorney. If that is the case, I request to be considered as one of the three Section representatives.

December 6, 2018

Page 2

My interest in the Workgroup stems from my deep concern about the public's perceived lack of trust and confidence in institutions in general, and the legal profession, in particular. At a time when public confidence in many national institutions is dangerously low, it is incumbent upon all of us who care about the legal profession to do what we can to promote and defend the rule of law, separation of powers, and the independence of the judiciary. *Janus v. AFSCME*, No. 16-1466, 585 U.S. ___ raises important questions about the relationship of the WSBA to its members and, by extension, the relationship of the WSBA to the public. I believe that a vital consideration of the Workgroup as it considers the future organizational structure of the WSBA should be the impact of any reorganization on the trust between the public and members of the legal profession.

Finally, I believe that my participation will contribute a diverse voice to the discussion. As a native of Eastern Washington who practices in downtown Seattle, I have a unique statewide perspective that may be helpful in the Workgroup's deliberations. Additionally, my military background may inform deliberations as they impact the roughly 90,000 active duty and reservist personnel who live in Washington, along with their family members and dependents. Finally, my past leadership in the Indian Law Section will help inform the Workgroup as to any proposed reorganizational impact on developing tribal judicial systems and bar associations, as well as on the Sections in general.

Thank you for your consideration.

Very truly yours,

WILLIAMS, KASTNER & GIBBS PLLC



Hunter M. Abell

Attorney at Law

(206) 233-2885

habell@williamskastner.com

Encl.

HMA/dsl

HUNTER MAGNUSON ABELL

18318 32nd Ave. SE
Bothell, WA 98012
habell@williamskastner.com
(509) 994-7567

EMPLOYMENT:

Williams, Kastner & Gibbs, PLLC

Member, Seattle, WA, November 2010 – Present. Represent hundreds of clients before state, federal, and tribal courts or administrative tribunals. Representative matters: 1) Represent large tribe in multi-million dollar casino and hotel expansion; 2) Represent tribe in drafting and implementation of Revenue Allocation Plan; 3) Represent former CEO in tribal gaming agency licensing case; 4) Represent multiple claimants in *Keepseagle v. Vilsack* claims process; and 5) Represent Tribal Council member in high-stakes criminal prosecution related to official conduct.

United States Navy Judge Advocate General's (JAG) Corps

U.S. Navy/U.S. Navy Reserve, April 2003 – Present. Commander (O-5) in USNR. Deployed to Baghdad, Iraq in 2007-2008, Guantanamo Bay, Cuba, in 2014 –2015. Executive Officer for Preliminary Hearings Unit.

Quinault Indian Nation – Court of Appeals Chief Justice, March 2011 – Present.

Hoh Indian Tribe – Court of Appeals Associate Justice, January 2015 – Present.

Round Valley Indian Tribe – Court of Appeals Associate Justice, January 2015 – Present.

EDUCATION:

Georgetown University Law Center, Washington, DC

Masters of Law (LLM) *With Distinction* May 2006; GPA: 3.67
Individual Study - Constitutional Law with National Security Certificate

Gonzaga University School of Law, Spokane, WA

Juris Doctorate (JD) *Cum Laude*, May 2005; GPA: 3.34, top 15% of class
Student Government, S.B.A. President
Gonzaga Law Review, Associate Editor

The College of William & Mary, Williamsburg, VA

Bachelor of Arts (BA) in Government, May 2002; GPA: 3.2
Student Government, Vice President for Liaison Affairs
Honor Council, Justice

AWARDS AND RECOGNITION:

2017 Puget Sound Business Journal “40 Under 40” Award – Award presented by the *Puget Sound Business Journal* to recognize rising business leaders under the age of 40.

2016 Rising Star Award – Award presented by *Super Lawyers* magazine to top 2.5% of Washington attorneys younger than the age of 40.

2015 WSBA Courageous Award – Award presented for “exceptional courage in the face of adversity, thus bringing credit to the legal profession.”

Defense Meritorious Service Medal – July 2015. Medal presented upon successful completion of service as Chief of Military Justice at Joint Task Force Guantanamo, Guantanamo Bay, Cuba.

Joint Service Commendation Medal – May 2008. Medal presented upon successful completion of service as Liaison Officer to Central Criminal Court of Iraq, Baghdad, Iraq.

Gonzaga University School of Law Commencement Speech – May 2005. Selected to deliver commencement address on theme of “Attorneys of Honor, Faith, and Courage.”

PRESENTATIONS AND PUBLICATIONS:

WSBA Indian Law Section CLE, Chair, 2014. Coordinate speakers on developments in federal Indian law, sovereign immunity, and gaming matters.

PROFESSIONAL ACTIVITIES:

Gonzaga University School of Law Board of Advisors – Member, 2012-Present.

WSBA Indian Law Section – Chair, 2013-2014.

WSBA Professionalism Committee – Chair, 2012-2013.

CIVIC PARTICIPATION:

Canyon Hills Community Church – Member, 2010-Present.

Seattle Navy League – Board Member, 2016-Present.

PERSONAL:

Married (Sara) with two daughters (Libby and Wynnie). Avid hiker, hunter, waterskiier, and history buff.

Phillips, Cindy

From: Fairhurst, Justice Mary
Sent: Sunday, December 9, 2018 5:37 PM
To: Michael J. Cherry
Subject: Re: Supreme Court Committee on Future of the Bar

Thanks Michael. Mary

Sent from my iPhone

On Dec 9, 2018, at 4:59 PM, Michael J. Cherry <mikech@lexquiro.com> wrote:

Justice Fairhurst,

Over the last few weeks I have spoken to the sections I work with to encourage individuals to apply for your committee on the future of the bar. Two individuals contacted me, and I encouraged them to apply. One is Mr. Lawrence Ward; the other is Mr. Hunter Abell. Mr. Abell ran against me in the first district and would have been a great governor. Mr. Abell was one the JAG officers at the Apex meeting supporting their friend who won the award but was still serving overseas. Mr. Abell spoke about the issues facing mandatory bars during the campaign, so I know he has been following the subject for some time.

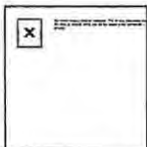
I know you will have excellent candidates and I know many people have discussed what may be appropriate criteria. I know there is some talk about representation from big, medium, and large suggestions. Because I am the liaison for the Indian Law section, please consider someone from this section as they represent an often-underrepresented population for legal services, and they often work in the more rural rather than urban portions of our state. I believe Mr. Abell has been a member of this section.

I hope I am not being presumptuous. I know you will select the best individuals for this committee, I just wanted to ensure I was representing the attorney's in my district and within the committees on which I serve.

Finally, I would like to offer that if there is anything that I can do to assist please reach out to me. I am not asking for a seat at the table or a vote as the Board of Governors is well represented. Rather, if my technical, organizational, and research skills can assist you with any of the administrative matters of the committee, please let me know. I know this committee will take considerable time and pressure your already full calendar and I am willing to help in any way that I can.

Yours truly,

Michael Cherry



Michael John Cherry | Governor, District One
Washington State Bar Association
(425) 765-8977
mikech@lexquiro.com

NOTICE: This e-mail may contain privileged or other confidential information. If you receive it in error, please advise the sender by reply e-mail and immediately delete the e-mail and any attachments without copying or disclosing the contents. Thank you.

December 4, 2018

Chief Justice Mary E. Fairhurst
Washington State Supreme Court
415 - 12th Avenue SW
Olympia, WA 98501

Zachary E. Davison
ZDavison@perkinscoie.com
D +1 206 359 6739
F +1 206 359 7739

RECEIVED

DEC 11 2018

WASHINGTON STATE
SUPREME COURT

Dear Justice Fairhurst:

This letter initiates my application to serve as a Sections representative on the Washington Supreme Court Workgroup conducting a structural review of the Washington State Bar Association (WSBA). Both my bar service and professional experience underpin my desire to participate in the Workgroup and uniquely qualify me to serve in this role.

For the past year and a half, I have been the King County representative on the Washington Young Lawyers Committee (WYLC). I currently serve on the WYLC's Bylaws and Governance Subcommittee, which prepares proposed bylaw changes to the Board of Governors that affect new and young lawyer constituents. The subcommittee is specifically focused on analyzing how pending litigation and the *Janus* decision will influence WSBA governance.

Through my bar service, I have become acutely aware of the challenges confronting the legal profession and the potential implications of *Janus*, its progeny, and the lawsuits pending around the country regarding the legal status of state bar associations. I have also witnessed firsthand many issues facing the Board of Governors, analyzed ways to address those issues, and gained insights that will position me to add value to the Workgroup's efforts to improve the WSBA's structure and deliver a comprehensive recommendation to the Board of Governors.

I have also been a member of WSBA's Business and Litigation Sections since being admitted to the bar. In my legal practice, I routinely represent clients in an array of business disputes pending in both Washington State and federal courts. My diverse litigation experience, coupled with my status as a new and young lawyer, enables me to bring fresh and practical perspectives to difficult issues that the Workgroup will encounter.

Justice Fairhurst
December 4, 2018
Page 2

For these reasons, I respectfully submit this application to participate in the Workgroup and look forward to another opportunity to serve members of the WSBA. Please let me know if you have any questions or need any additional information.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Zachary E. Davison'.

Zachary E. Davison

ZED

Enclosure

Professional Biography



ZACHARY E. DAVISON | ASSOCIATE

SEATTLE
 1201 Third Avenue, Suite 4900
 Seattle, WA
 +1.206.359.6739
 ZDavison@perkinscoie.com

Zachary Davison is a business litigator who focuses on securities and cross-border commercial disputes. His experience spans multiple industries and includes defending companies and their directors and officers in securities class actions, contract and business tort cases, and regulatory enforcement actions. Zach also counsels clients on various pre-dispute matters, including drafting and revising Foreign Corrupt Practice Act (FCPA) compliance programs, revising Investment Advisers Act registration filings, and responding to information requests in connection with SEC examinations and DOJ investigations.

In helping clients resolve matters involving complex accounting, securities and other financial issues, Zach often draws on his background working as an accountant, during which time he passed the Uniform Certified Public Accountant Examination.

PROFESSIONAL LEADERSHIP

- World Affairs Council, Fellow, 2018 - 2019

COMMUNITY INVOLVEMENT

- WSBA Young Lawyers Committee, Member, 2017 - Present
- College Success Foundation, Mentor, 2015 - 2017
- Kids In Need of Defense (KIND), Volunteer Attorney, 2014 - 2017

RELATED EMPLOYMENT

- Dorsey & Whitney LLP, Seattle, WA, Summer Associate, 2013; Associate, 2014 - 2017
- Judicial Extern for the Hon. Paul Crotty, United States District Court, Southern District of New York, New York, NY, 2012
- Judicial Intern for the Honorable Barbara Kapnick, New York Supreme Court Commercial Division, New York, NY, 2012

CLERKSHIPS

- Hon. Thomas Zilly, U.S. District Court for the Western District of Washington, 2017 - 2018

EXPERIENCE

COMMERCIAL LITIGATION

CROSS-BORDER CONTRACT DISPUTE*

U.S. District Court for the District of Oregon

Represented foreign technology company in cross-border dispute. Obtained pre-discovery dismissal of all claims.

INTERNATIONAL FINANCING DISPUTE*

U.S. Court of Appeals for the Ninth Circuit

Represented foreign distributor seeking to enforce a foreign money judgment. Summary judgment affirmed on appeal.

INTERNATIONAL FINANCING DISPUTE*

U.S. District Court for the Western District of Washington

Represented foreign bank in cross-border dispute seeking to enforce a security guarantee.

PURCHASE ORDER DISPUTE*

U.S. District Court for the Eastern District of Washington

Represented leading electronic manufacturing services company in dispute arising from the manufacture of technology products.

LENDING PRACTICES DISPUTE*

King County Superior Court (Washington); Washington Court of Appeals, Div. I

Obtained summary judgment dismissal of claims against financial institution. Affirmed on appeal.

SECURITIES LITIGATION

ASSET SALE DISPUTE*

Snohomish County Superior Court (Washington); Washington Court of Appeals, Div. I

Represented startup company and its principals in litigation arising from asset sale. Achieved favorable result on appeal resulting in voluntary dismissal of all claims.

STOCK MARKET MANIPULATION*

U.S. District Court for the Southern District of Florida

Defended investment management firm and its director in class action arising from alleged stock market manipulation. Successfully opposed class certification resulting in voluntary dismissal.

FALSE FINANCIAL STATEMENTS INVESTIGATION*

Represented publicly traded company in investigation arising from restatements and possible expense misclassifications.

STOCK MARKET MANIPULATION INVESTIGATION*

Represented venture capital firm and its principal in investigation arising from alleged "pump and dump" scheme.

ASSET VALUATION*

Counseled investment adviser in examination by the OCIE.

*Prior firm experience

AREAS OF FOCUS

PRACTICES

- Business Litigation
- Litigation

BAR AND COURT ADMISSIONS

- Washington
- U.S. District Court for the Eastern District of Washington
- U.S. District Court for the Western District of Washington
- U.S. Court of Appeals for the Ninth Circuit

EDUCATION

- New York Law School, J.D., *magna cum laude*, 2014, Executive Editor, *New York Law School Law Review*
- Western Washington University, B.A., Accounting, 2009

Eileen Farley

RECEIVED

DEC 11 2018

WASHINGTON STATE
SUPREME COURT

December 7, 2018

The Honorable Mary Fairhurst
Chief Justice
Washington Supreme Court
P.O. Box 40929
Olympia, WA 98504

Re: *Janus* Work Group-Sections Representative Member

Dear Chief Justice Fairhurst:

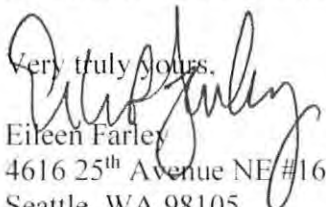
I am applying to join the work group reviewing how the Washington State Bar Association should be structured in light of the *Janus* and *Keller* decisions.

I am fortunate to be a member of a bar association that has recommended standards, adopted by the Washington Supreme Court, to strengthen the representation provided to indigent Washington residents charged with crimes. My wish to serve arises from the significance of a response to *Janus* and *Keller*, and how potential changes may affect constitutionally mandated indigent defense, an issue of importance to the bar and the public.

My experience includes serving as the Public Defense Supervisor appointed by United States District Court Judge Robert Lasnik in *Wilbur v Mount Vernon, et.al*, C11-1100RSL (W.D.Wash.); court-approved appointment as Executive Director of Northwest Defenders Association, after the 65-employee public defense agency was placed in receivership; and representing clients in state and federal court who had been charged with crimes.

I am an emeritus member and immediate past Chair of the WSBA Council on Public Defense and a member of the Criminal Law Section. While I was Chair my priorities included broadening the Council to include members from urban and rural parts of the State, completing the Juvenile Performance Guidelines, which the Supreme Court has adopted, and developing Performance Guidelines for attorneys representing clients during involuntary commitment proceedings. I previously served as member, and later Chair, of the Washington Defender Association Board of Directors. My resume with further details of my experience is attached.

Very truly yours,


Eileen Farley
4616 25th Avenue NE #164
Seattle, WA 98105
206-719-8951
efarley-mtvb@outlook.com

Eileen Farley
4616 25th Ave NE
No. 164
Seattle, WA 98105
206-719-8951

Employment

March 2014-June 2017

Court-Designated Public Defense Supervisor

Wilbur v. Mt. Vernon, No. C11-1100RSL (W.D.Wash.)

Work with cities of Mount Vernon and Burlington, Washington and Mountain Law, the cities' public defense firm, and the contract attorney panel to strengthen public defense services and access to counsel.

July 2013-March 2014

Director, Northwest Defenders Division, King County Department of Public Defense
Oversaw operation of 60+ attorneys and staff providing legal representation to approximately 5,000 indigent clients per year. Staff attorneys represented adults and juveniles charged with felony and misdemeanor offenses, parents and children in Dependency proceedings, and respondents in family support contempt motions. Oversaw transition of legal services provided by Northwest Defenders Association (NDA), a Washington not-for-profit corporation, to King County while resolving NDA's outstanding obligations.

October 2002-June 2013

Executive Director of Northwest Defenders Association

Appointed Interim Executive Director by Jeff Robinson, who became NDA's court appointed Receiver after NDA was sued because of alleged misconduct by previous management. Interim appointment confirmed by Superior Court and later made permanent by Board of Directors after NDA emerged from Receivership.

Accomplishments included improving NDA's quality of service, building financial systems, developing a sustainable budget, resolving complex labor issues, strengthening hiring and training, renegotiating lease and obligations, and updating IT infrastructure. Built NDA into strong and well regarded public defense law firm. Honored with Washington Association of Criminal Defense Lawyers President's Award for work on behalf of public defense.

1990-2002

Judge pro tempore in King County Superior Court. Accepted by prosecution and defense as judge for criminal trials and plea calendars

Judge pro tempore in King County District Court. (Appointed by the District Court, now Superior Court Judge Laura Inveen). Presided over criminal trials, jail calendar, and small claims court.

Judge pro tempore in Seattle Municipal Court. (Appointed by Mayor Norm Rice.) Presided over criminal trials, jail calendar, and mental health court.

1986-1990

Attorney, Finegold and Zulauf

Assisted in representation of clients in federal court criminal and grand jury proceedings, including in the U.S. District Court for the Western District of Washington, U.S. District Court for Oregon, U.S. District Court for Alaska, and U.S. District Court for Colorado.

1984-86

Private practice. With Lloyd Shorett provided public defense services in Winslow Municipal Court, Poulsbo Municipal Court and Poulsbo District Court. Represented private clients in Kitsap County Superior Court.

1981-1984

Staff Attorney, The Defender Association

Represented respondents in Involuntary Treatment Act proceedings and in Seattle Municipal Court.

Present Professional Activities

Member, Interpreter Committee, nominated by Justice Steven Gonzalez (appointment confirmed by Supreme Court Administrative Committee).

Emeritus Member, Washington State Bar Association Committee on Public Defense (appointment confirmed by the Washington State Bar Association Board of Governors).

Past Professional Activities

Core member of coalition challenging the routine acceptance of nonjudicial detainer requests made by Immigration Custom Enforcement (ICE). Coalition members included Northwest Immigrant Rights Project, King County Coalition against Domestic Violence, OneAmerica, Puget Sound Alliance, and Washington Defender Association among others. After our two year effort, involving outreach to King County Council members and the King County Executive, the Council adopted an ordinance restricting acceptance of ICE detainer requests to serious criminal convictions.

Member, Washington State Bar Association Rules Committee

Member, Washington State Sentencing Guidelines Commission (appointed by Governor Booth

Gardner). As a Commission member wrote, with Judge Anne Ellington, state "work crew" legislation proposed by the Commission and enacted by the Washington State Legislature.

Member, Board of Directors, Washington Defender Association (WDA)

President, WDA Board of Directors 2011-2012

Board of Directors, Washington Women Lawyers, (WWL) King County Chapter

Co-chair, with Colleen Kinerk, WWL State Judicial Evaluation Committee

Co-author, with Judge Linda Portnoy, Washington Criminal Practice in Courts of Limited Jurisdiction, 1st and 2nd editions. (Judge Portnoy is sole author of the Third Edition.)

Speaker at numerous Continuing Legal Education Seminars.

Education

Juris Doctor, University of California at Davis School of Law

Bachelor of Arts, cum laude, University of Washington

NANCY HAWKINS
ATTORNEY AT LAW
6814 GREENWOOD AVE. N.
SEATTLE WA 98103
(206) 781-2570
FAX (206) 781-7014

RECEIVED
NOV 28 2018
WASHINGTON STATE
SUPERIOR COURT

November 19, 2018

Chief Justice Mary Fairhurst
The Supreme Court
P. O. Box 40929
Olympia, WA 98504

Re: WSBA Structural Work Group

Dear Justice Fairhurst:

I would like to be considered for one of the section representative slots on the WSBA Structural Work Group. I am the liaison to the Board of Governors from the Family Law Section but I understand that my role, if selected, would be to provide input relative to all sections, not just Family Law. In any event, I am a long time member of the Family Law Section and have, at times, also been a member of other sections. I am also an interested WSBA member.

I have a good handle on the perspectives of a number of sections through my attendance at section leader training events. Besides the comments during those training sessions, I have talked with many people from other sections during social portions of those meetings. I have also met with a number of section members at various other events. I have also been an active reader and participant in the Solo Section list serve and the Family Law Section list serve.

Through my 36 (almost 37) years as an attorney, I have worked diligently to resolve differences between parties primarily in hotly contested family law matters. While the WSBA issues can be emotional and contested at times, they are really nothing close to legal disputes over beloved children and life savings. While an advocate for my clients, I have also learned to listen to all sides in order to try and come up with constructive approaches to difficult situations. With regard to WSBA issues, I have my opinions at times, but I try to come to them after thoughtful preparation. I try my best not to reject suggestions from one person merely because I disagreed with that person on another topic. I would do so on the Structural Work Group as well.

The issues facing the WSBA are serious ones and they must be approached in that manner. Decisions made must be made for the right reasons. Certainly, structure issues must be addressed but not with a knee-jerk move to bifurcation or a knee-jerk "unified and mandatory or bust" approach. The structure issues and any resolution of them cannot be a way to achieve staff changes and they cannot be a way to achieve BOG changes. If I am selected for this workgroup, I will focus on the structural issues

Justice Mary Fairhurst
Re: WSBA Structural Workgroup
November 19, 2018
Page 2

and challenges and try to provide constructive input. I will be disciplined in my efforts so as to maintain that focus and not let side issues detract me from being constructive.

I am aware of the significant time and effort that this workgroup will require. I commit to attend all meetings of the workgroup and I commit to fulfill any responsibilities given to me to work on between meetings.

To provide you with some of my background, I graduated from the University of Puget Sound Law School in 1981 and was admitted to the Washington State Bar in 1982. I am also admitted to practice in the Federal courts in the State of Washington. In addition to being a member of the Family Law sections of the Washington State Bar Association and the King County Bar Association. I am a former chair of the King County Bar Association's Family Law Section's Legislative Committee and a former chair of the King County Bar Association's Family Law Section itself. I have spoken at numerous continuing legal education seminars on the subject of family law. I am a chapter author for the Washington State Bar Association's Family Law Deskbook.

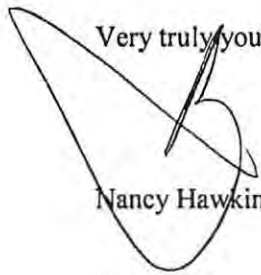
Outside of the law, I spent about 15 years in leadership roles within the National Organization for Women (NOW) and another 15 years or so in leadership roles within the Northwest Womens Law Center (now Legal Voice).

I have spent the last 15 years or so volunteering at and coordinating one of the King County Bar Association's Neighborhood Legal Clinics.

I have received several awards over the years including the 1993 Cynthia Gillespie Award from the Northwest Women's Law Center, 2001 GSBA Businesswoman of the Year Award and the 2016 WSBA Family Law Section Attorney of the Year.

As far as diversity goes, I am a 62 (soon to be 63 year old) Caucasian lesbian from Seattle.

Very truly yours,



Nancy Hawkins

From: [Kim Hunter](#)
To: [Mary E. Fairhurst \(J M.Fairhurst@courts.wa.gov\)](mailto:M.Fairhurst@courts.wa.gov)
Subject: from Governor Hunter
Date: Saturday, December 8, 2018 10:19:00 AM
Attachments: [Application.pdf](#)

Justice Fairhurst -

Please pardon the use of email, but the WSBA Structure Group is important to me. I believe I may have mailed my application without my cover letter, I have enclosed it.
Thank you for your patience and understanding.

Best Regards,

Kim

Kim E. Hunter
Attorney at Law, Governor for the WSBA Board of Governors District 8
13036 SE Kent Kangley RD
#455
Kent, WA 98030
253-709-5050
Fx253-397-3520
kim@khuntererlaw.com

"Character is what you are in the dark."
Dwight L. Moody

"Character is higher than intellect..A great soul will be strong to live, as well as to think."
Ralph Waldo Emerson

KIM E. HUNTER

13036 SE Kent Kangley Rd #455
Kent, WA 98030
(253) 709-5050
fax (253) 397-3520
kim@khunterlaw.com

EDUCATION:

- Juris Doctorate – Gonzaga University School of Law Spokane, WA. 2002
- MBA City University - Marketing Seattle, WA 1998
- BA with Bio-Medical History and Ethics, Dean’s List 9 quarters - University of Washington – 1981

WORK EXPERIENCE:

<p>Law Offices of Kim E. Hunter, PLLC Covington, WA Misdemeanor cases, DV, DUI, DWLS, Theft, Traffic Court Appearances: Hearings, Trials, Reviews Civil; Anti-harassment, Protection orders, etc.</p>	<p><u>Attorney – Private Practice Criminal Defense</u></p> <p>Assisted Clients with resolution Prepared Motions, Pleadings, Orders Appeals, Wills,</p>	<p>6/2004-present</p>
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<p>Law Offices of Kim E. Hunter, PLLC Municipal Courts covered: Des Moines, Federal Way, Renton, Auburn, SeaTac Took Over for Public Defender cases: Misdemeanor cases, DV, DUI, DWLS, Theft, Traffic Court Appearances: Hearings, Trials, Reviews</p>	<p><u>Conflict Attorney: Municipalities</u></p> <p>Assisted Clients with contract resolution Prepared Motions, Pleadings, Orders</p>	<p>6/2004-present</p>
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<p>Tucker & Stein, P.S. Bellevue, WA</p> <ul style="list-style-type: none"> • Handled Misdemeanor cases, DUI, DWLS, Theft, Traffic • Court Appearances: Hearings, Trials, Reviews • Handled large caseload for the City of Redmond/Bellevue etc. 	<p><u>Associate Attorney – Public Defender</u></p> <ul style="list-style-type: none"> • Assisted Clients with resolution • Prepared Motions, Pleadings, Orders • Civil; Anti-harassment, Protection orders, 	<p>3/2003-6/2004</p>
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<p>Gonzaga Center for Law and Justice Spokane, WA</p> <ul style="list-style-type: none"> • Handled Misdemeanor cases, DUI, DWLS, Theft, Traffic • Court Appearances • Prepared Motions, Pleadings, Orders 	<p><u>Legal Intern – Criminal Defense/Family Law</u> Innocence Project/Civil Law</p> <ul style="list-style-type: none"> • Assisted Clients with resolution • Supervised 3 Interns • Also handled Family Law issues 	<p>2001-2002</p>
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<p>Spokane County Prosecutor’s Office Spokane, WA</p> <ul style="list-style-type: none"> • Conducted Site Council Sessions for Restorative Justice • Court Appearances for Program 	<p><u>Legal Intern – Restorative Justice</u></p> <ul style="list-style-type: none"> • Prepared Files for processing • Supervised Site Council Staff 	<p>2001</p>
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AWARDS, EXTRACURRICULAR ACTIVITIES

- Rising Star Super Lawyer for 2009, 2010, 2011, 2012, 2013, 2014
- Super Lawyer 2015, 2016, 2017, 2018
- AVVO Super Lawyer 10/10
- Washington State Bar Member in Good Standing
- King County Bar Association Member
- South King County Bar Member
- Washington Defender's Association Member
- Pro Bono Award WA State Bar for 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017
- WA State Bar Criminal Law Section Board Member 2007-present –
- Chair for the Criminal Law Section of the Washington State Bar 2014, Chair elect for 2018
- WA State Bar Elected for Section Workgroup Committee 2014, 2015, 2016
- Member WA state bar, Washington Association of Criminal Defense Lawyers (WACDL)
- National College of DUI Defense member 2005-present
- National Association of Criminal Defense Lawyers member
- Solo and Small Practice Member 2004 - present
- WACDL Board of Governors 2004-2006
- Co-chair of the Criminal Justice Institute 2010, 2012, 2013, 2014, 2015, 2016, 2017
- Speaker for Criminal Justice Institute, "The Psychology of Juries, 2016"
- Speaker for CLE, 2014 "Domestic Violence updates"
- Speaker for Seattle GYN Society, "Domestic Violence from the Defense perspective, 2014"

2016-present

- Board of Bar Examiners (BOG Liaison);; Legal Education Committee (Bog liaison) Criminal Law Executive Committee (BOG liaison); Criminal Law Section Executive Team (chair – elect) Solo and Small Practice section Executive Committee (BOG Liaison) Disciplinary Board (BOG Liaison)
- Washington State Bar Associations Board of governors elected by the 8th WA Congressional District.
 - Meow Auction Participant
 - Feral Spay and Neuter Volunteer
 - Advocats volunteer feeder
 - Covington Chamber of Commerce Auction participant

• **LAW SCHOOL ACTIVITIES**

- 2001-2002 Gonzaga National Trial Team
- Student Bar Association Secretary
- Phi Delta Phi Secretary and Member
- Negotiation Competition, Nov. 1999 – 4th pl
- Founder Student Animal Legal Defense Fund
- 911 Fundraising Chair 2001, 2002
- Negotiation Competition, Nov. 1999 – 4th pl
- Quarter-Finalist – Linden Cup 2001
- Site Council Supervisor – PA Office
- Mentor program Coordinator 2000, 2001
- Dean's Honor Code Council & Dean's Council

Law Offices of Kim E. Hunter, PLLC
caring, competent criminal defense

13036 SE Kent Kangley Rd, #455
Kent, WA 98030
ph 253-709-5050 fx 253-397-3520
kim@khunterlaw.com

I, Kim Hunter, am a criminal defense attorney and was an elected representative of all medium sized sections of the BAR. I am interested in working on the Structure Workgroup that is being formed this year. Having been the Chair of the Criminal Law Section (medium section group) and a member for 15years, I have seen changes in the practice of law, the operation of the BoG, and the reactions by the Bar to both. Now on the Board of Governors, and with first-hand observation of how of the Sections, Membership and the Bar itself evolve to the constant fluctuations in leadership and policy. This allows me to have a particularly knowledgeable background in all aspects of governance, membership and operation of the Washington State Bar Association.

The ultimate resolution of Janus may mean some drastic changes in the structure of the Bar. I believe we need to approach this in constructive manner, but most importantly we must keep the members in mind; to alleviate any concerns or fears; we must listen to and connect with each of the sections, as the sections have the best connections with their members. We must explore every option and be ready to implement that resolution that would best serve our membership and the health of the Washington State Br Association, while being compliant with the ultimate Janus decision.

I would be honored to serve in such a capacity.

Kim E. Hunter



KIM E. HUNTER
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 (mailing address)
 Kent, WA 98030
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 fax (253) 397-3520
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EDUCATION:

- Juris Doctorate – Gonzaga University School of Law Spokane, WA. 2002
- MBA City University - Marketing Seattle, WA 1998
- BA with Bio-Medical History and Ethics, Dean's List - University of Washington – 1981

WORK EXPERIENCE:

<p>Law Offices of Kim E. Hunter, PLLC Kent, WA</p>	<p><u>Pro Tem Judge City of Kent</u></p>	<p>2017-present</p>
<p>Law Offices of Kim E. Hunter, PLLC Kent, WA Misdemeanor cases, DV, DUI, DWLS, Theft, Traffic Court Appearances: Hearings, Trials, Reviews Civil; Anti-harassment, Protection orders, etc.</p>	<p><u>Attorney – Private Practice Criminal Defense</u></p>	<p>6/2004-present</p>
<p>Law Offices of Kim E. Hunter, PLLC Municipal Courts covered: Des Moines, Federal Way, Renton, Auburn, SeaTac Took Over for Public Defender cases: Misdemeanor cases, DV, DUI, DWLS, Theft, Traffic Court Appearances: Hearings, Trials, Reviews</p>	<p><u>Conflict Attorney: Municipalities</u></p>	<p>6/2004-present</p>
<p>Tucker & Stein, P.S. Bellevue, WA</p> <ul style="list-style-type: none"> • Handled Misdemeanor cases, DUI, DWLS, Theft, Traffic • Court Appearances: Hearings, Trials, Reviews • Responsible for large caseload for the City of Redmond/Bellevue etc. 	<p><u>Associate Attorney – Public Defender</u></p>	<p>3/2003-6/2004</p>
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	<ul style="list-style-type: none"> • Prepared Files for processing • Supervised Site Council Staff 	

AWARDS, EXTRACURRICULAR ACTIVITIES

- Washington State Bar Association (WSBA) Board of Governors (BOG)– Governor District 8
- WSBA Budget and Audit Committee – Budge and Expenditures for the Bar Association
- WSBA CLE Board - Responsibilities include Budget, and oversight of Continuing Legal Education
- WSBA District and Municipal Court Judges Association Bar Liaison – meet with Judge monthly over issues of significance to the Municipal and District Court Bench
- WSBA Member Engagement Workgroup – strives to improve communications with the BOG and the attorney membership
- WSBA Sections Workgroup member – Sections for each type of law – works to improve relations and cirricu;um to benefit lawyer members
- WSBA Disciplinary Committee Liaison
- WSBA – Solo and Small Practice Liaison
- Kent Chamber of Commerce Member
- Rising Star Super Lawyer for 2009, 2010, 2011, 2012, 2013, 2014
- Super Lawyer 2015, 2016, 2017,2018
- AVVO Super Lawyer 10/10 rating “pro” designation
- Washington State Bar Member in Good Standing
- King County Bar Association Member
- South King County Bar Member
- Washington Defender’s Association Member
- Pro Bono Award WA State Bar for 2005- 2017 inclusive
- WA State Bar Criminal Law Section Board Member 2007-present
- Chair for the Criminal Law Section of the Washington State Bar 2014, Chair elect for 2018
- WA State Bar Elected for Section Committee 2014, 2015, 2016
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- National Association of Criminal Defense Lawyers member
- Solo and Small Practice Section Member 2004 - present
- WACDL Board of Governors 2004-2006
- Co-chair of the Criminal Justice Institute 2010, 2012,2013, 2014. 2015, 2016
- Speaker for Criminal Justice Institute, The Psychology of Juries, 2016
- Speaker for CLE, 2014 Domestic Violence updates
- Speaker for Seattle GYN Society, Domestic Violence from the Defense perspective, 2014
 - Meow Auction Participant
 - Feral Spay and Neuter Volunteer
 - Advocats volunteer feeder and participant/member
 - Covington Chamber of Commerce Auction participant

• **LAW SCHOOL ACTIVITIES**

- 2001-2002 Gonzaga National Trial Team
- Student Bar Association Secretary
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- Negotiation Competition, Nov. 1999 – 4th pl
- Founder Student Animal Legal Defense Fund
- 911 Fundraising Chair 2001, 2002
- Quarter-Finalist – Linden Cup 2001
- Site Council Supervisor – PA Office
- Mentor program Coordinator 2000, 2001
- Negotiation Competition, Nov. 1999 – 4th
- Dean’s Honor Code Council & Dean’s Council

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SARA E. BLAGG
JEFFREY H. CAPELATO
GLENN PAUL CARPENTER
BRADFORD N. CATTLE
THOMAS R. COLLINS
JOHN A. FOLLIS
NICOLE FRANKLIN
G. GEOFFREY GIBBS

IAN JOHNSON
CHRISTOPHER J. KNAPP
C. MICHAEL KVISTAD
JORDAN STEPHENS
LAURIE UMMEL
JEFFREY C. WISHKO
O. D. ANDERSON (1892-1961)
JAMES P. HUNTER (1915-1988)

November 15, 2018

RECEIVED

NOV 19 2018

WASHINGTON STATE
SUPERIOR COURT

Supreme Court of the State of Washington
Attn: Chief Justice Mary Fairhurst
P O. Box 40929
Olympia, WA
98504

Re: Section Representative
WSBA Future Work Group

Dear Justice Fairhurst:

This letter will serve as an expression of my interest in serving on the Work Group addressing the future of the Washington State Bar Association. I am currently a member of the Family Law Section and the Real Property Probate & Trust sections and have been for many years. I have not only attended meetings of the leaders of these sections but have participated as a presenter in numerous CLE's sponsored by them. Although my resume is appended, I will also highlight a few aspects of my interest and background.

- My past service to WSBA has included election and service as a member of the Board of Governors and as WSBA Treasurer.
- Service on the WSBA Committee for Diversity (2007 – 2010)
- WSBA Liaison to the Civil Rights Section, SCJA and DMCJA
- Chair, Taskforce to Revise Rules for Enforcement of Lawyer Conduct (2008-2012)
- Member, Taskforce to Revise Rules of Professional Conduct

During my term as Governor, I visited every local bar association in my district (2nd District) on multiple occasions and maintain membership not only in the Snohomish County Bar Association (of which I am a Past President and Board member) but the Skagit County Bar Association. I have also had the opportunity to interact with the leadership of bar associations elsewhere in the country and have maintained contacts in those states including Montana, California, Texas, Arizona, British Columbia and other jurisdictions.

Martha Fairhurst
November 15, 2018
Page 2

If selected to serve, I would join the Work Group with an open mind and without a pre-conceived goal or agenda. My interest is in maintaining an effective and strong bar association for all of our members, for the Court and for the public. I have the time available to fully commit to the process.

Respectfully,

ANDERSON HUNTER LAW FIRM, P.S.

A handwritten signature in blue ink, appearing to read "G. Gibbs", with a stylized flourish extending from the bottom left.

G. Geoffrey Gibbs

ANDERSON HUNTER LAW FIRM, P.S.

2707 COLBY AVENUE, SUITE 1001
EVERETT, WASHINGTON 98201
(425) 252-5161
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IAN JOHNSON
CHRISTOPHER J. KNAPP
C. MICHAEL KVISTAD
JORDAN STEPHENS
LAURIE UMMEL
JEFFREY C. WISHKO
O.D. ANDERSON (1892-1961)
JAMES P. HUNTER (1915-1988)

G. GEOFFREY GIBBS

CURRENT PRACTICE

Currently a shareholder in the firm of *Anderson Hunter*, my practice emphasizes largely courtroom and trial practice principally in Snohomish, Skagit San Juan and Island Counties along with occasional matters in King County. These matters encompass not only family law and boundary line disputes, but encompass a broad range of civil litigation. I am routinely asked to serve as mediator on a range of Superior Court cases. In addition, I currently continue to serve in the following capacities:

Judge *Pro Tem*, Snohomish County Superior Court
Commissioner *Pro Tem*, Snohomish County Superior Court
Arbitrator, Snohomish County Superior Court

Prior professional service includes the following:

Member, WSBA Family Law Section Executive Committee
Chair, Taskforce to Revise Rules for Enforcement of Lawyer Conduct (2008 – 2012)
Treasurer, Washington State Bar Association (2009-2010)
Governor, Washington State Bar Association (2nd District) (2007-2010)
(During the 3-year term, served as liaison to the SCJA and DMCJA)
Chair, WSBA Budget & Audit Committee (2009-2010)
Chair, WSBA Investment Committee (2008-2009)
WSBA Committee on Diversity (2007 – 2010)
Board Member, Washington State Bar Foundation (2008-2010)
Member and Liaison, WSBA Civil Rights Section (2008)

President - Snohomish County Bar Association (2005-2006)
Trustee – Snohomish County Bar Association
SCBA Liaison to WSBA Board of Governors
Rules for Professional Conduct Committee., WSBA (multiple terms)

AWARDS

“Clerk’s Choice Award”, 2004
“Pro Tem Jurist” Award”, 2005 Clerk’s Choice
“Clerk’s Choice Award – Civil/Family Law Attorney” 2006
“Clerk’s Choice Award – Civil/Family Law Attorney” 2009

(The nominees for the above awards are selected by the Superior Court Clerk’s operations staff and those voting to make the selection are all the Superior Court Clerks, Court Reporters, Bailiffs and Law Clerks.)

OTHER AFFILIATIONS

Maritime Law Association of the United States (Elected in 1990)
National Association of Distinguished Counsel (Elected 2015)

PRIOR PRACTICE & EMPLOYMENT

Before joining Anderson Hunter, I was a senior partner in the firm of Ogden, Murphy & Wallace (formerly Ogden, Ogden & Murphy), having joined that firm in 1976. This practice encompassed not only "insurance defense" trial work but representation of major corporations related to governmental affairs as well as numerous other corporate issues, including admiralty, international shipping and contracts, commercial lease negotiations, real estate foreclosures, applications and transfers of various types of permits and regulatory licenses at all levels. Also included were corporate mergers and acquisitions involving both major national and northwest companies including issues related to the new plant closure laws, termination of franchises, etc.

My practice has also included numerous issues before Congress, regulatory agencies and state legislatures, representing as "lead counsel" major corporations and trade associations, including Alaska Airlines, BP, Virginia Mason Hospital, Washington Society of Certified Public Accountants, Washington Library Association, Securities Industry Association and Washington State Association of Broadcasters. I also served as Regional Counsel for the United States Brewers Association, managing outside counsel, advertising and public relations agencies as well as directly handling legal issues for the association and its corporate members. Supplementing this position, I also served as Chairman of Northwest Brewers Association, Washington Brewer Institute and Chairman of Industry for a Quality Environment. My past experience also includes service as Special Counsel to the *Washington State Legislative Transportation Committee* in 1975-77, specifically retained on federal and state constitutional issues relating to the marine transportation of oil and energy siting. Early in my practice and in the far distant past, I served as an Assistant Prosecuting Attorney in Gallatin County, Montana.

EDUCATIONAL BACKGROUND

LL.M.	Law & Marine Affairs University of Washington (1976)
J.D.	School of Law University of Montana (1975)
B.S.	Economics Montana State University (1971)

November 15, 2018

Page 3

BAR ADMISSIONS & MEMBERSHIPS

State of Washington (admitted 1975)
State of Montana (admitted 1975)
U.S. Court of Appeals (9th Circuit)
U. S. District Courts for Washington
U. S. District Courts for Montana
Washington State Bar Association
Montana State Bar Association
Snohomish County Bar Association
Skagit County Bar Association

PUBLISHED ARTICLES & PAPERS

CLAM AND MUSSEL HARVESTING INDUSTRIES IN WASHINGTON STATE, a report to the 47th Legislature, State of Washington, under a grant of the Oceanographic Commission of Washington.

MANAGEMENT OF THE NORTH PACIFIC FISHERIES UNDER A 200-MILE EXCLUSIVE ECONOMIC ZONE, University of Washington (1976)

JURISDICTIONAL AUTHORITY OF A STATE LEGISLATURE TO REGULATE THE MARINE TRANSPORTATION OF ALASKA CRUDE OIL AND SITING OF ENERGY FACILITIES, University of Washington Press for the Legislative Transportation Committee, State of Washington.

MEDICAL - LEGAL SCREENING PANELS, Montana Law Review (1975)

Various "*INFORMAL ETHICS OPINIONS*", Washington State Bar Association, Rules of Professional Conduct Committee (2000 - 2003)

"THE NEW RULES OF PROFESSIONAL CONDUCT", CLE – Snohomish County Bar Association (presented in December 2006).

"ETHICS IN DAILY PRACTICE", CLE – Snohomish County Bar Association (presented in December 2007).

OTHER ACTIVITIES

I am a past member and past Board Member of the *North Snohomish Rotary*. I am actively involved in fund-raising for the *Providence Hospital Foundation*, *YMCA*, *Snohomish County Bar Association* (and *Snohomish County Legal Services*) and *Junior Achievement of Puget Sound*. In the past, I have served the *Greater Seattle Chamber of Commerce* as a member of the Government Affairs Council and as Chairman of its Legislative Committee. I have also served as a Board member of the *Ocean Resource and Conservation Association* and numerous other civic and charitable organizations.

ANTHONY DAVID GIPE

1001 FOURTH AVENUE, SUITE 4400

SEATTLE WA 98154

206-389-1647

November 15, 2018

RECEIVED

NOV 21 2018

WASHINGTON
COURT

Chief Justice Mary Fairhurst
Washington Supreme Court
415 12th St W.
PO Box 40929
Olympia WA 98504

Re: WSBA Governance & New Workgroup

To Chief Justice Fairhurst:

I am writing to request consideration for appointment to the Court's working group on reviewing the WSBA structure, which is due to commence its work in early 2019.

You and your fellow justices are very familiar with my work and experience in governance within the WSBA, and my experience with organizational structure and leadership over the years. In addition, I have the historical knowledge of working within the WSBA and other bar associations on difficult issues with governance and accountability. Finally, I am currently a member of three of the WSBA sections, in addition to my past leadership roles within WSBA.

I understand the composition of this working group is very important to its success. If I can be of service and value to the efforts it would be my pleasure to serve.

Respectfully Submitted,



ANTHONY DAVID GIPE
WSBA President, 2014-15



JOHNSON FLORA SPRANGERS PLLC

Mark Johnson
Michael Sprangers
Donovan Flora (Ret.)

RECL
DEC 6 -
WASHINGTON

Sent via USPS

November 26, 2018

The Supreme Court
Attention: C.J. Mary Fairhurst
PO Box 40929
Olympia, WA 98504

Dear Chief Justice Fairhurst:

As a member of the WSBA's Solo and Small Firm Practice Section, I would appreciate being considered to be one of the three section representatives to the Court's WSBA Structure Work Group.

I have been a member in good standing of the WSBA since October 1978. I am an elected Fellow in the American College of Trial Lawyers. I was president of the WSBA from September 2008-September 2009. Prior to my term as president I served three years on the WSBA Board of Governors and was the Bar's treasurer. I have chaired two task forces for the WSBA; the Character and Fitness Task Force and the Flat Fees Task Force. I am currently a member of the Mandatory Malpractice Insurance Task Force and I also serve as a trustee on the board of the Legal Foundation of Washington.

The structure of the WSBA is the most important issue that our profession has faced since I entered practice forty years ago. As someone, like you, who has devoted thousands of hours to WSBA governance I would welcome the opportunity to participate in a respectful and thorough process analyzing the future of our Bar.

Best Regards,

A handwritten signature in blue ink that reads "Mark Johnson".

Mark Johnson

LESOURD & PATTEN, P.S.

ATTORNEYS AT LAW

2401 ONE UNION SQUARE • 600 UNIVERSITY STREET • SEATTLE, WASHINGTON 98101-4121
TELEPHONE: (206) 624-1040 • FACSIMILE: (206) 223-1099 • WWW.LESOURD.COM

RICHARD L. JOHNSON
DIRECT LINE: (206) 357-5084
EMAIL: rjohnson@lesourd.com

RECEIVED

DEC 11 2018

WASHINGTON STATE
SUPREME COURT

December 7, 2018

The Supreme Court
Attention: C.J. Mary Fairhurst
PO Box 40929
Olympia, WA 98504

Re: Application to Supreme Court Work Group on WSBA Structure

Dear Chief Justice Fairhurst,

I am applying for a Section representative seat on the Supreme Court's work group to review and assess WSBA's structure.

Currently, I am the chair of the WSBA Taxation Section, a mid-sized section with about 665 members, which puts us at number 11 out of 29 sections by membership size. I have also served in various other roles on the executive committee during the last seven years.

Currently, there is an air of discord between the various sections and the WSBA, and I often hear section leaders and members call for bifurcation. In 2018, total section membership dropped for the first time since 2009. And based on the WSBA survey, one of the primary reasons for not renewing section membership was the high cost and lack of value. Over the last few years, section leaders have grown frustrated by the WSBA's high member charge, red tape and administrative burden, which make it difficult for sections to provide benefits to their members.

Splitting the sections from the Bar is a monumental decision that would impact all attorneys. This is a good opportunity to evaluate the benefits the Bar brings to the sections and vice versa. I would come to the work group with the perspective of an active mid-sized section and with an open mind.

Thank you for your consideration.

Sincerely,



Richard L. Johnson

RLJ/ndh

22659\000\62335_itr

December 6, 2018

John S. Kaplan
JKaplan@perkinscoie.com
D +1.206.359.8408
F +1.206.359.9408

VIA OVERNIGHT MAIL

The Supreme Court,
Attention: C.J. Mary Fairhurst
415 12th Ave SW
Olympia, WA 98501-2314

Re: Work Group on Structural Review of WSBA

Dear Chief Justice Fairhurst:

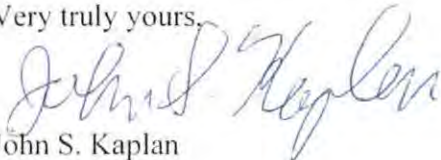
I write to my express my interest in serving as a Section representative of the work group you are forming to conduct a comprehensive review of the Washington State Bar Association structure. I have been on the executive committee of the WSBA Creditor Debtor Section for 2 years. In that capacity, I have seen examples of things that work and do not work with respect to communications regarding the sections and the WSBA administration. I have also witnessed a number of acrimonious communications regarding bar business.

I would approach the working group without any particular agenda or an "axe to grind." My interest is seeing that the WSBA members' best interests are preserved, whether changes are made due to mandatory legal requirements, best practices learned from other states, or generally in the interests of promoting efficiency and effectiveness.

As a well-respected bankruptcy lawyer, I am a thoughtful consensus-builder. I practice at a large law firm, where I serve many clients who are in-house attorneys. I am also married to a solo practitioner. I am very active in the King County and state bankruptcy bar, including through service on the executive committee of the Creditor Debtor Section, whose constituency is largely solo and small firm practitioners. Therefore, I feel like I have a pulse on members of the bar practicing in large firms, small or solo firms, and in-house capacities.

My c.v. from my firm's website is attached. I am happy to provide references, from former board service or otherwise, upon request.

Very truly yours,



John S. Kaplan

Professional Biography



JOHN S. KAPLAN | PARTNER

SEATTLE
 1201 Third Avenue, Suite 4900
 Seattle, WA
 +1.206.359.8408
 JKaplan@perkinscoie.com

Bankruptcy and insolvency law attorney John Kaplan has represented all major constituents in bankruptcy, receivership, and real and personal property foreclosure matters. His clients have included Chapter 11 debtors, trustees, and secured and unsecured creditors. John's counsel to premier global clients in national bankruptcies has helped him earn recognition as *Best Lawyers* "Lawyer of the Year" 2018 in Bankruptcy Litigation in Seattle. John represents leading business clients in areas related to bankruptcy claims, contract assumption and termination, and other commercial transactions and litigation matters.

John advocates for clients in complex bankruptcy matters involving high stakes and challenging legal issues. His experience includes the heavily contested Chapter 11 trustee appointment in *In re Hawaiian Airlines Inc.*, as well as reported decisions by the U.S. Court of Appeals for the Ninth Circuit in *In re Birting Fisheries Inc.* and *In re TreeSource Industries, Inc.*

John has represented secured lenders —CMBS and otherwise—in single asset real estate bankruptcies, receiverships and foreclosures. He also represents borrowers in out-of-court restructurings, creditor compositions and secured loan transactions.

John is ranked by *Chambers USA* as a leading business lawyer and serves as an executive committee member of the Creditor/Debtor Section of the Washington State Bar Association as well as a mediator with the Thomas T. Glover Mediation Program.

PROFESSIONAL RECOGNITION

- Named the *Best Lawyers*' Seattle "Litigation - Bankruptcy, Lawyer of the Year," 2018
- Listed in *Seattle Metropolitan Magazine*, "Best Lawyers in Seattle," 2011
- Listed in *The Best Lawyers in America* - Bankruptcy and Creditor-Debtor Rights Law/Insolvency and Reorganization Law; Litigation - Bankruptcy, 2011 - present
- Ranked by *Chambers USA* as one of "America's Leading Business Lawyers," 2010 - 2018
- Listed in *Washington Law & Politics*, "Rising Stars of Washington Law," 1999 - 2003
- Peer Review Rated AV in *Martindale-Hubbell*
 (AV®, BV® and CV® are registered certification marks of Reed Elsevier Properties Inc., used in accordance with the Martindale-Hubbell certification procedures, standards and policies.)

PROFESSIONAL LEADERSHIP

- American Bankruptcy Institute
- Turnaround Management Association
- Washington State Bar Association, Creditor/Debtor Section, Executive Committee Member
- King County Bar Association, Bankruptcy Section
- CENTS (Consumer Education and Training Services), President, 2010 - 2012, Fundraising Chair, 2004 - 2010, Board of Directors, 2000 - present
- Thomas T. Glover Mediation Panel, Mediator
- Federal Bar Association

CLERKSHIPS

- Hon. Daniel Moore, Jr., Supreme Court of Alaska, 1993 - 1994

EXPERIENCE

BANKRUPTCY CASES – DEBTOR & TRUSTEE REPRESENTATION

IN RE KIKO USA, INC.

U.S. Bankruptcy Court for the District of Delaware
Representation of U.S. subsidiary of Italian-based global cosmetics company as Chapter 11 debtor in possession. Obtained confirmation of Chapter 11 plan of reorganization within 5 months, providing for continued U.S. operations while rejecting non-viable leases.

IN RE NATURAL MOLECULAR TESTING CORPORATION

U.S. Bankruptcy Court for the Western District of Washington
Representation of Chapter 11 trustee with respect to a molecular testing laboratory that was accused of overbilling Medicare by \$90 million. Achieved settlement with Center for Medicare and Medicaid, sold various estate assets, and prosecuted over 40 adversary proceedings for fraudulent transfers and/or preferences.

IN RE PRECISION AIRMOTIVE LLC

U.S. Bankruptcy Court for the Western District of Washington
Representation of Chapter 11 debtor in possession with high-stakes product liability claims through confirmation of plan of reorganization.

IN RE TREESOURCE INDUSTRIES, INC.

U.S. Court of Appeals for the Ninth Circuit
U.S. Bankruptcy Court for the Western District of Washington
Representation of Chapter 11 debtor in possession for multistate publicly traded forest products company in successful liquidation of lumber mill operations through plan confirmation. In reported decision within case, obtained affirmance of ruling that lessee's obligations did not arise until lease was rejected in bankruptcy, resulting in unsecured claim rather than administrative expense claim. 363 F.3d 994 (9th Cir. 2004).

IN RE BC NORTHWEST, L.P.

U.S. Bankruptcy Court for the Western District of Washington
Representation of debtor in possession for Boston Market franchisee in Washington, Oregon and Idaho during controlled wind down.

COMMITTEE REPRESENTATIONS

IN RE DONALD J. SIMPLOT

U.S. Bankruptcy Court for the District of Idaho
Representation of bank and creditors' committee member.

IN RE THE KOBOS COMPANY

U.S. Bankruptcy Court for the District of Oregon
Representation of creditors' committee.

SIGNIFICANT CREDITOR REPRESENTATIONS

IN RE POTENTIAL DYNAMIX LLC

U.S. Bankruptcy Court for the District of Arizona
Representation of Amazon Services, LLC in obtaining summary judgment with respect to termination of bankruptcy debtor as third-party seller.

IN RE HAWAIIAN AIRLINES INC.

U.S. Bankruptcy Court for the District of Hawaii
Representation of Boeing and affiliates in a heavily contested motion for appointment of a Chapter 11 trustee based on mismanagement and malfeasance related to CEO and majority owner's stock repurchase prior to insolvency. Motion granted following trial.

IN RE HITCHCOCK INDUSTRIES INC.

U.S. Bankruptcy Court for the District of Minnesota
Representation of The Boeing Company as counter-party to executory contracts.

IN RE IMMEDICA, INC.

U.S. Bankruptcy Court for the District of New Jersey
Representation of doctor who invented and licensed product to the debtor and obtained multimillion-dollar settlement for rejection of his license agreement related to medical devices.

IN RE LACY HENRY

U.S. Bankruptcy Court for the Eastern District of North Carolina
Representation of energy equipment manufacturer in multiparty adversary proceeding regarding stalled cogeneration projects in which general contractor's shareholder was alleged to have misappropriated funds and asserted various counterclaims. Obtained favorable settlement on eve of trial.

IN RE ANNE MARIE KREIDLER

U.S. Bankruptcy Court for the Western District of Washington
Representation of lender in mortgage reformation adversary proceeding, resulting in favorable settlement and high-claim payment.

PREFERENCE DEFENSES

Representation of numerous clients in defense of preference adversary proceedings, both locally and nationally.

LANDLORD REPRESENTATIONS

Representation of various landlord clients in national retail bankruptcy cases.

MEDIATION

Served as mediator of numerous cases as member of the Thomas T. Glover Mediation Panel for the U.S. Bankruptcy Court for the Western District of Washington. Successfully mediated all cases to settlement prior to trial.

REPRESENTATIVE SINGLE ASSET BANKRUPTCY CASES

IN RE PATCO INVESTMENTS, INC.

U.S. Bankruptcy Court for the Western District of Washington
Representation of secured lender in hotel bankruptcy case. Obtained favorable claim treatment under consensual plan of reorganization.

IN RE COI MIDWEST

U.S. Bankruptcy Court for the Central District of California
Representation of first position secured lender in single asset real estate case. Obtained payment of claim upon sale of property in favorable settlement of litigation claim components.

IN RE TOSCANA, LLC

U.S. Bankruptcy Court for the Western District of Washington
Representation of secured lender in single asset real estate case. Achieved settlement and client obtained possession of property.

IN RE LONGHOUSE ASSOCIATES INC.

King County Superior Court (Washington)
U.S. Bankruptcy Court for the Western District of Washington
Representation of secured lender in a single asset real estate case. Achieved dismissal of bankruptcy case, appointment of state court receiver, summary judgment allowing defeasance prepayment premium, and full payment of creditors' claim.

IN RE E. HOPP, LLC

U.S. Bankruptcy Court for the Western District of Washington
Representation of secured lender in single asset real estate case. Obtained favorable plan treatment.

RECEIVERSHIPS & NON-BANKRUPTCY LITIGATION

SECURED LENDER REAL ESTATE RECEIVERSHIPS

Representation of secured lenders in more than 75 real estate receiverships throughout Washington, with loan balances ranging up to \$35 million.

MORTGAGE REPURCHASE LITIGATION

Representation of CMBS special servicer in mortgage repurchase litigation in New York State Court against loan originator.

RECEIVERSHIP OF ISSAQUAH GROUP, LLC

King County Superior Court (Washington)
Representation of general receiver in successful completion of constructions and full sell-out of condominium project.

RECEIVERSHIP OF DIRECT LENDING GROUP, INC.

King County Superior Court (Washington)
Representation of general receiver in wind down of hard-money lender.

RECEIVERSHIP OF MIRROR SOFTWARE CORPORATION

King County Superior Court (Washington)
Representation of receiver in Mirror Software Corporation receivership. Completed successful sale of assets.

REPORTED DECISIONS

IN RE TREESOURCE INDUSTRIES, INC.

U.S. Court of Appeals for the Ninth Circuit
U.S. Bankruptcy Court for the Western District of Washington
Representation of debtor-in-possession for multistate forest products company in successful liquidation of lumber mill operations. Obtained affirmance of ruling that lessor's obligations did not arise until lease was rejected in bankruptcy, resulting in unsecured claim. 363 F.3d 994 (9th Cir. 2004).

IN RE BIRTING FISHERIES INC.

U.S. Bankruptcy Appellate Panel of the Ninth Circuit
Unanimous affirmance of bankruptcy court order refusing to enjoin enforcement of a Norwegian judgment alleged to be in conflict with confirmed Chapter 11 plan. 300 B.R. 489 (B.A.P. 9th Cir. 2003).

NEWS

08.20.2018

Best Lawyers® 2019 Recognizes 277 Perkins Coie Attorneys
Press Releases

Perkins Coie is proud to announce that 277 of its attorneys were selected by their peers for inclusion in the 2019 edition

of *The Best Lawyers in America*®.

05.03.2018

Perkins Coie Named Among Top Firms in 2018 Chambers USA

Press Releases

Perkins Coie is proud to announce that it has again been ranked by Chambers & Partners, publishers of *Chambers USA: America's Leading Lawyers for Business*, as one of the top law firms in the United States. For 2018, the firm is recognized in 51 practice areas and 130 individual attorneys were also recognized.

08.15.2017

Best Lawyers® 2018 Recognizes 281 Perkins Coie Attorneys

Press Releases

Perkins Coie is proud to announce that 281 of its attorneys were selected by their peers for inclusion in the 2018 edition of *The Best Lawyers In America*®.

08.15.2017

35 Perkins Coie Attorneys Named 2018 Lawyers of the Year by Best Lawyers®

Press Releases

Perkins Coie is proud to announce that 35 of its attorneys have been named 2018 Lawyers of the Year by Best Lawyers®.

05.26.2017

Perkins Coie Named Among Top Firms In 2017 Chambers USA

Press Releases

Perkins Coie is proud to announce that it has again been ranked by Chambers & Partners, publishers of *Chambers USA: America's Leading Lawyers for Business*, as one of the top law firms in the United States. For 2017, the firm is recognized in 40 practice areas and 131 individual attorneys were recognized.

08.15.2016

Best Lawyers® 2017 Recognizes 252 Perkins Coie Attorneys

Press Releases

Perkins Coie is proud to announce that 252 of its attorneys were selected by their peers for inclusion in the 2017 edition of *The Best Lawyers In America*®, the oldest and most respected peer-review publication in the legal profession.

05.27.2016

Perkins Coie Named Among Top Firms in 2016 Chambers USA

Press Releases

Perkins Coie is proud to announce that it has again been ranked by Chambers & Partners, publishers of *Chambers USA: America's Leading Lawyers for Business*, as one of the top law firms in the United States. For 2016, the firm is recognized in 37 practice areas and 127 individual attorneys were recognized.

08.17.2015

Best Lawyers® 2016 Recognizes 245 Perkins Coie Attorneys

Press Releases

Perkins Coie is proud to announce that 245 of its attorneys were selected by their peers for inclusion in the 2016 edition of *The Best Lawyers In America*®, the oldest and most respected peer-review publication in the legal profession; a more than 10 percent increase over the 221 firm attorneys recognized by *Best Lawyers* in the 2015 edition.

05.19.2015

Perkins Coie Named Among Top Firms in 2015 Chambers USA

Press Releases

Perkins Coie is proud to announce that it has again been ranked by Chambers & Partners, publishers of *Chambers USA: America's Leading Lawyers for Business*, as one of the top law firms in the United States.

08.18.2014

Best Lawyers® 2015 Recognizes 221 Perkins Coie Attorneys

Press Releases

Perkins Coie is proud to announce that 221 of its attorneys were selected by their peers for inclusion in the 2015 edition of *The Best Lawyers In America*®, the oldest and most respected peer-review publication in the legal profession.

08.21.2013

Best Lawyers 2014 Recognizes 206 Perkins Coie Attorneys

Press Releases

Perkins Coie is proud to announce that 206 of its attorneys were selected by their peers for inclusion in the 2014 edition of *The Best Lawyers In America*®.

09.12.2012

197 Perkins Coie Lawyers Recognized In 2013 Best Lawyers

Press Releases

Perkins Coie is proud to announce that 197 of its attorneys were selected by their peers for inclusion in the 2013 edition of *The Best Lawyers in America*®. Thirty-five attorneys were listed this year for the first time, representing a 22 percent increase in the number of Perkins Coie attorneys who appeared in the 2012 edition.

08.31.2011

The Best Lawyers in America Recognizes 163 Perkins Coie Lawyers

Press Releases

Perkins Coie is proud to announce that 163 of its attorneys throughout the country were selected by their peers for inclusion in the 2012 edition of *The Best Lawyers in America*® (Copyright 2011 by Woodward/White, Inc., of Aiken, S.C.).

03.01.2011

Perkins Coie Named Among Top Firms in Chambers USA 2011

Press Releases

Perkins Coie proudly announces that once again it has been ranked by Chambers & Partners, publishers of Chambers USA: America's Leading Lawyers for Business, as a top law firm in the United States.

08.13.2010

The Best Lawyers in America Recognizes 143 Perkins Coie Lawyers

Press Releases

Perkins Coie is proud to announce that 143 of its attorneys throughout the country were selected by their peers for inclusion in the 2011 edition of *The Best Lawyers in America* (Copyright 2010 by Woodward/White, Inc., of Aiken, S.C.).

PUBLICATIONS

11.27.2018

Patent Licensee's Rights Are Perishable in Chapter 7 Bankruptcy

Updates

The U.S. Court of Appeals for the Fifth Circuit recently reminded bankruptcy trustees, creditors and asset buyers that patent licenses have a limited "shelf life" in Chapter 7 liquidations.

10.10.2018

A Plaintiff's Bankruptcy Created a Pathway to Settlement

Updates

The U.S. Court of Appeals for the Ninth Circuit recently reminded litigants that a plaintiff's bankruptcy can benefit a defendant by providing an alternative settlement path.

11.07.2016

Ninth Circuit Overturns Entz-White Lumber; Avoiding Default Interest Via Cure Through Chapter 11 Plan No Longer Valid

Updates

In the case of *Pacifica L 51, LLC v. New Investments, Inc. (In re New Investments, Inc.)*, 9th Cir. November 4, 2016, the U.S. Court of Appeals for the Ninth Circuit held that a Chapter 11 debtor could not avoid paying default interest to an over-secured creditor by retroactively curing the default under a plan of reorganization.

05.18.2016

Supreme Court Rules Exception to Bankruptcy Discharge for Fraud Claims Extends to Fraudulent Transfer Liability

Updates

The U.S. Supreme Court ruled that the exception to bankruptcy discharge for debts incurred through actual fraud applies to debts imposed for fraudulent transfer liability.

02.10.2015

Supreme Court of Washington Clarifies Guarantor Liability for Deficiency Judgments

Updates

The Supreme Court of Washington has upheld a lender's right to pursue a deficiency judgment against a guarantor following a nonjudicial foreclosure of collateral under Washington's Deed of Trust Act.

05.29.2012

Eleventh Circuit Decision Highlights Fraudulent Transfer Risks when Subsidiary Satisfies Debt of Parent Updates

In a much-watched case coming out of Florida, on May 15, 2012, the U.S. Court of Appeals for the Eleventh Circuit reinstated a bankruptcy court judgment (which had been reversed by the district court) avoiding liens on assets of debtor-subscribers and providing for the lender-beneficiaries' disgorgement of \$421 million that had been paid to the lenders. As a result of the decision, lenders who make loans to troubled borrowers and accept payoffs of loans from troubled borrowers may bear an increased burden in investigating the sources of funds that are used for the payoff and expected to be used for future loan repayments.

AREAS OF FOCUS

PRACTICES

- Bankruptcy & Restructuring
- Corporate Law
- Litigation
- Real Estate Workouts
- Financial Transactions

BAR AND COURT ADMISSIONS

- Washington

EDUCATION

- Duke University School of Law, J.D., with high honors, 1993
- The University of Pennsylvania, B.S., Economics, *cum laude*, 1987

HIGHLIGHTS





ATTORNEYS AT LAW

601 Union Street
Suite 5305
Seattle, WA 98101
T 206.395.7630

Linda R. Larson
D 206.395.7633
llarson@nossaman.com

December 3, 2018

Washington Supreme Court
Attention: Chief Justice Mary Fairhurst
P.O. Box 40929
Olympia, Washington 98504

RECEIVED
DEC 12 2018
WASHINGTON STATE
SUPERIOR COURT

Re: Work group on structural review of WSBA

Dear Chief Justice Fairhurst:

I am writing to apply as a Sections representative to the work group for the structural review of the Washington State Bar Association. I am a member of the Land Use and Environmental Section.

I have been a member of the Washington State Bar Association for almost 40 years and have watched with dismay the recent controversies and acrimony that appear to have engulfed the organization. In addition to being a long time member of the bar, I have substantial experience in leading nonprofit organizations that may be of use to the work group. For example, as a member of the board of directors for Crosscut LLC, I led the board and employees in the decision to reformulate the organization as a nonprofit from a for-profit enterprise. Similarly, for Public Radio International, first as chair and then as a director, I assisted the organization in strategic planning which ultimately led to two mergers with other nonprofit organizations.

If this experience would be helpful, I would welcome the chance to assist. A copy of my resume is attached.

Very truly yours,

Linda R. Larson
Nossaman LLP

LRL:lr
Enc.

LINDA R. LARSON
NOSSAMAN LLP
601 Union Street Suite 5305
Seattle, Washington 98101
Office Phone: (206) 395-7633
llarson@nossaman.com

PROFESSIONAL EXPERIENCE

Nossaman LLP, Seattle

Partner

- Environmental and natural resource law. Practice encompasses regulatory compliance advice, permitting, and litigation for public and private clients. Deep subject matter expertise in water pollution, storm water management, fisheries, site remediation and endangered species issues.
- WSBA section member, Environmental and Land Use Law

Private law practice in Seattle

1981-2016

National Oceanic & Atmospheric Administration, Washington D.C.

1979-1981

- Special Assistant to the Deputy Administrator; Staff Attorney in General Counsel's Office with responsibility for coastal zone management and satellite programs.

U.S. Senate Appropriations Committee, Washington D.C.

1978-1979

- Staff Counsel and Aide to Senator Warren G. Magnuson. Staffed subcommittee with responsibility for appropriations for the Departments of State, Justice and Commerce.

EDUCATION

- Mediation Training, Strauss Institute for Dispute Resolution, Pepperdine University School of Law (2011)
- J.D., University of Washington School of Law (1978)
 - *Washington Law Review*, Moot Court Honor Board
- B.A., *magna cum laude*, *With Distinction in History*, Phi Beta Kappa, University of Washington (1975)

SELECTED CIVIC AND BOARD SERVICE

Commissioner, King County Charter Review Commission
2018 - present

Board of Directors, Public Radio International, Minneapolis (Board Chair 2009-2011).
2001- present

Board of Directors, Forterra (Finance Committee Co-chair)
2016 - present

Board of Directors, Museum of History and Industry (Treasurer/Finance Committee Chair).
2011 - January 2017

Board of Directors, Crosscut LLC
2007 - 2009

Board of Trustees, Seattle Public Library
1997-2006

- Served as President of the Board (2002 and 2003) and Chair of Facilities Committee (1999 to 2006) during implementation of \$290.7 million Libraries for All capital program which replaced the Central Library and renovated or built 27 branch libraries.

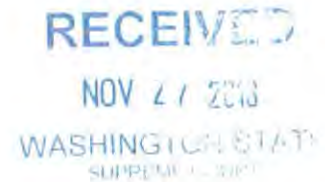
Nominating Committee, Totem Girl Scout Council Board of Directors
2001-2004

Board of Directors, Ronald McDonald Children's Charities of Western Washington
1993-1998

Board of Trustees, Seattle Children's Museum (President 1990-1991).
1987-1991

City of Seattle Landmarks Preservation Board (Vice Chair and Member).
1983-1989

Hillary Madsen
2511 W Montlake Pl E
Seattle, WA 98112



November 29, 2018

Chief Justice Mary Fairhurst
Washington State Supreme Court
PO Box 40929
Olympia, WA 98504

RE: Application to the Supreme Court work group to review WSBA's structure

Dear Chief Justice Mary Fairhurst:

Please consider my application, as a section representative, to the Supreme Court work group to review the WSBA's structure. I am interested in the work group for several reasons. First, I am motivated by importance of regulating lawyers to protect the public. As a staff attorney and registered lobbyist for Columbia Legal Services, I have seen too many examples of attorneys violating trust placed in them by their clients. Second, I am passionate about improving the quality and accessibility of legal services available to the people of Washington. Third, I have followed the political efforts of the WSBA through my frequent interactions with WSBA representatives during the legislative session. Finally, I have been honored to serve as a Section member and leader so I have developed opinions on how to organize attorneys.

My background as a registered lobbyist and staff attorney for Columbia Legal Services will help the work group. It has not escaped my attention that a significant majority of members of the Board of Governors come from solo or small, private law firms with just a few litigators from large firms and two members with a government practice. No one works for a legal aid organization. No one appears to have a government affairs practice representing clients before the state legislature and state agencies. I can speak to the unique nature of my practice and provide insight into the ways the WSBA structure and regulations impact my work.

Personally, I have noticed the years in practice among members of the Board of Governors skews higher, perhaps twenty years or more of practice. I graduated from law

Chief Justice Mary Fairhurst

November 29, 2018

Page 2

school in 2007 during the Great Recession; many of my classmates could not find work and left the profession so I appreciate the pressures confronting an organization whose mission includes bolstering the careers of its members. I am close enough to graduation to remember the frustration of my years in early practice.

A longtime section member, I served on the Juvenile Law Section Executive Committee as a board member for two years, filling the role of Legislative Liaison. I am now serving the WSBA as representative to the Statute Law Committee. In my community, I am a mentor with the IF Project, a program for women being released from prison, and a board member for the Children's Alliance, a nonprofit organization advocating for public policy to keep children safe and healthy. I am also a member of Social Venture Partners and, in my spare time, I enjoy volunteering on political campaigns.

Healthy discussions require friction and debate; that's the way smart people with innovative insights make real change happen. Yet there is a fine line when discussion turns into conflict and feedback gets personal. I want the important mission of this work group to review and assess the WSBA structure to reflect the best of our creative impulses as attorneys, to respect the profundity of our chosen careers, and to increase transparency within our community.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Hillary Madsen', with a horizontal line extending to the right.

Hillary Madsen

Devin McComb
DMcComb@perkinscoie.com
D +1.206.359.3260
F +1.206.359.4260

December 7, 2018

RECEIVED
DEC 13 2018
WASHINGTON STATE
SUPREME COURT

Chief Justice Mary Fairhurst
Washington State Supreme Court
PO Box 40929
Olympia, WA 98504

Re: Supreme Court Workgroup on WSBA Structure

Dear Chief Justice Fairhurst:

I am writing in application for a position on the Supreme Court's Workgroup on WSBA Structure. I am a member of the Real Property Probate & Trust Section and have served on its Executive Committee for the last 2 years. I respectfully request that you select me as one of three (3) members from WSBA sections for service in this very important effort. I believe that my involvement with RPPT's leadership team along with my knowledge, skills and experience as a member of that section (as well as a partner at Perkins Coie LLP and active member of the broader WSBA community) will add important perspective and help in the review and assessment of WSBA's structure.

Within the RPPT Executive Committee, I serve as a Real Property Council Director and CLE coordinator. This role has encouraged a deep and lasting commitment to service to my fellow lawyers (both in the Section and otherwise). We have enjoyed remarkable success in providing interesting, essential and - somewhat unique among WSBA sections - profitable continuing legal education. In organizing these CLEs and the Mid-Year meeting, I have developed broad relationships with members of the RPPT section, WSBA's largest section statewide, and those contacts are important elements of my application. As a member of the Workgroup, I will call upon a wide and diverse range of colleagues for input on issues that will be evaluated. Additionally, coordinating WSBA CLE's has familiarized me with the finances of RPPT section and the monetary costs and benefits of our current WSBA structure. It goes without saying that both as an individual and as a section member, I have found our section's relationship with WSBA and our WSBA Section Liaison rewarding and beneficial.

I also currently serve as a Councilmember for the Pike Place Market Preservation & Development Authority, and participate in open, public meetings on a regular basis. Those meetings require an extremely thick skin, and a willingness to engage in thoughtful and respectful discussion of all manner of important topics. I have always felt one of my greatest

attributes as a Councilmember is my ability to listen carefully, to speak honestly and to foster an environment where all viewpoints and people are treated with respect and concern. When I considered both your September 21, 2018 letter, and my observations from attending presentations and Board of Governors meetings discussing the WSBA Structure, I became confident that my ability to work collaboratively and positively, especially in situations of importance like this, would be a positive addition to the Workgroup as we make the best recommendation to the Supreme Court.

I am hopeful that you will receive numerous applications for the positions on the Workgroup, as I think it is impossible to overstate the importance of the questions being considered regarding the structure of the WSBA. The RPPT Section Executive Committee is committed to helping the Supreme Court, WSBA leadership and BOG reach a decision that will ensure the continued success and growth of our State Bar. I volunteered to (and was unanimously selected/endorsed by) the leadership of the RPPT Section, which I hope illustrates the degree of excitement and engagement that I will bring to the Workgroup if selected. I have many years of legal practice ahead of me, and my ability to listen, communicate with a broad section of WSBA membership, and to work collaboratively with all people and perspectives would be a great addition to the Workgroup and help ensure its success.

Respectfully,

A handwritten signature in blue ink that reads "Devin McComb". The signature is written in a cursive, slightly slanted style.

Devin P. McComb

Enclosures



WASHINGTON STATE BAR ASSOCIATION

Real Property, Probate and Trust Section

December 7, 2018

Chief Justice Mary Fairhurst
Washington State Supreme Court
PO Box 40929
Olympia, WA 98504

RE: Letter of Support for Devin McComb to the Supreme Court
Workgroup on WSBA Structure

Dear Chief Justice Fairhurst:

I am the chair of the WSBA Real Property, Probate and Trust Section and I write this letter in support of Devin McComb's application to serve on the Supreme Court Workgroup on WSBA Structure. This letter endorses Devin as an individual and also as a representative of the WSBA RPPT Section.

RPPT is the largest section of our state Bar Association, with approximately 2,500 members. We include a diverse array of lawyers practicing across two distinct yet related practice groups. Our members include lawyers from every corner of the state, lawyers who focus on high rise condo projects and lawyers who serve the needs of our agricultural community, lawyers who provide pro bono service at will-drafting clinics and low-income tenant foundations, litigators and transactional lawyers alike. We consistently generate the highest revenues of any WSBA Section which allows us to do extensive programming for the benefit of our members. We produce four Newsletters each year, packed with subject matter content and relevant membership information. We produce four full day CLEs each year in addition to our three-day midyear meeting which includes both educational content and opportunities for professional development and mentoring. We have incredibly active legislative committees that review and comment on legislation before and during session as well as regularly draft proposed legislation. Uniquely, we host our own website and list serves for communication with and among our members. We are the only section to create and maintain a Fellows Program, annually bringing two newly licensed lawyers onto our executive committee for two year terms during which they organize outreach to the law schools and new lawyer community while developing personal leadership skills and CLE presenter capabilities. The Fellows are additional to the WSBA Young Lawyer Liaison we welcome each year.

In addition to the enormous benefit our section creates for our members and for WSBA, we have a productive and respectful relationship with WSBA and its staff. The RPPT Executive Committee is populated with "team players". Our immediate past chair, RoseMary Reed, was a member of the WSBA Sections Task Force convened under the WSBA presidency of Anthony Gipe. I served on the Supreme Court Task Force, chaired by Justice Gonzalez, that reviewed the Unauthorized Practice of Law Board. We work successfully with WSBA staff to administer our section and to annually produce 40+ hours of CLE specifically for our membership, more education than is offered by any other section. We work with the WSBA Legislative Liaison and testify at

Legislative hearings throughout each Legislative session, informing lawmakers regarding the subject matter of important legislative efforts.

RPPT will continue to play a leading role in whatever structural form WSBA assumes. We have provided enormous benefit to the Bar, to our members, to the citizens of our state and to the Court and we intend to continue doing so. Devin is uniquely qualified to represent RPPT and to serve on the workgroup. He was elected to the RPPT Executive Committee two years ago and has served faithfully and productively. He values the benefits provided by WSBA sections to the legal community and the citizens we serve and he understands the commitment of time and resources necessary to make sections work. Moreover, he has committed to ongoing representation on the RPPT Executive Committee, if elected by the membership, so he can assist the section, WSBA and the Court with the completion of any structural changes deemed necessary by the Court.

The RPPT executive committee unanimously elected Devin to serve as our section's ambassador for application to the Supreme Court Workgroup. RPPT respectfully requests that you place Devin on the Workgroup so that the RPPT section, through him, may continue to share our experiences and commitment to service as the Court and WSBA answer important questions and work through a transformative time for our state's legal community.

Very Truly Yours,

Annie Fitzsimmons /sm

Annie T. Fitzsimmons
Chair, WSBA Real Property Probate and Trust Section



McKINLEY IRVIN
FAMILY LAW

RECEIVED

NOV 29 2018

WASHINGTON STATE
SUPREME COURT

November 27, 2018

The Supreme Court
Attention: C.J. Mary Fairhurst
PO Box 40929
Olympia, WA 98504

RE: I am applying for a Section representative seat on your committee for exploring the future structure of the WSBA

Dear Chief Justice Fairhurst:

The reason for my interest. I am interested in a seat on your committee because currently the WSBA

1. is not effectively serving the interests of its members or the public.
2. as a result, the vast majority of WSBA membership are at best apathetic toward the WSBA, and at worst openly hostile to it, with those who are hostile rapidly increasing in number, and
3. poor results will not change until the root problem is identified and a sensible change is engineered to cause different and better results.

At the same time, powerful and deeply invested business interests from outside the traditional legal profession are and will continue disrupting the social contract between the legal profession and society through market forces and the law itself, while legal regulatory bodies and their Court overseers grasp for elusive means to bridge the so-called *access to justice* gap, despite society's unwillingness to fund it.

The marketplace, the law, and regulators combine to form two sliding vice grip jaws, and the screw is slowly ratcheting tighter. Lawyers and their association representatives sit between the two sliding jaws and have little or no control over the ratcheting. Thus, fundamental interests among new market entrants, bar regulators, the Court, and lawyers do not align, which is why we have arrived at this moment. Properly structuring the bar is

a necessary step forward in discovering better opportunities and solving even bigger problems.

My pertinent background information.

- I am the founder of one of the largest family law firms in the country, McKinley Irvin. <https://www.mckinleyirvin.com>
- I no longer personally practice law and haven't for 20 years. I spend the majority of my time leading my firm, solving big problems, and pursuing new opportunities, which most often requires innovating new ways of doing things differently and better, with an eye toward the future, meeting the needs of many, and planning for both long-term intended and unintended consequences.
- I try to communicate in an objective, thoughtful, and diplomatic manner. However, I always communicate frankly and honestly in an effort to move things forward and get things done.
- I am familiar with the different ways bar associations form and function in various states.
- I've spent a great deal of personal time studying the regulatory changes in the legal profession both here and abroad, specifically the changes in the British legal system, along with the events preceding and following those changes. My studies include a three-week summer course in 2014 at Westminster Law School, London, England, entitled *21st Century Law Practice*.
- I have presented the following
 - <https://www.youtube.com/watch?v=CnLMv7iBOWw> Reinvent Law talk given at Westminster Law School, London England, June 2014.
 - <https://www.mckinleyirvin.com/family-law-blog/2014/december/on-the-future-of-law-comments-on-the-aba-futures/> As submitted to the ABA Commission on the Future of Legal Services, 2014. I also spoke before the committee in 2014.
 - <https://www.tacoma.uw.edu/politics-philosophy-public-affairs-pppa/article/uw-tacoma-2015-innovate-law-challenge>
- I spent a great deal of time during the period of 2014 - 2015 personally familiarizing myself with the WSBA's inner workings, including participation on the WSBA Future of Law committee during Patrick Palace's time as President.

- I am familiar with the antitrust and First Amendment litigation activity against bar and other associations over the past several years.
- I'd be both interested and honored to serve on your committee if the sincere goal is to move the WSBA forward with smart, fair, and realistic change.

Sincerely,
McKINLEY IRVIN

A handwritten signature in blue ink, appearing to be "Sands McKinley". The signature is stylized and cursive, with a large initial "S" and "M".

Sands McKinley
Founder

sands@mckinleyirvin.com



December 5, 2018

Thomas J. Satagaj
Direct Line: (206) 694-4866
TomS@SeedIP.com

RECEIVED
DEC 12
WASHINGTON

C.J. Mary Fairhurst
PO Box 40929
Olympia, WA 98504

Re: Application for a position on the Supreme Court Workgroup of the WSBA Structure

Dear Chief Justice,

Please consider my application for a position on the Supreme Court Workgroup of the WSBA Structure as a member from the WSBA Sections.

As a patent attorney, I have been a member of the Intellectual Property (IP) Section for four years, and I am the IP Section's 2019 Chair. I have been working in private practice at Seed IP Law Group since 2006. Seed IP is a Seattle boutique law firm with about 50 attorneys, all practicing in intellectual property.

I am level-headed, civic minded, and interested in participating in the Workgroup as a voice for the approximately 1000 members of the IP section. In its November meeting, the IP Section formed a sub-committee to study this matter, which I am leading. We have already communicated with the IP Section members and have received feedback from several.

If brought into the Workgroup, I pledge careful and active consideration for each proposal raised, along with respect for all members and the ideas they bring. I further pledge to support the work and decisions of the Workgroup.

Your earnest consideration is sought, and I look forward to hearing back from you.

Best regards,

Thomas J. Satagaj

Seed Intellectual Property Law Group LLP

address: 701 Fifth Avenue
Suite 5400
Seattle, WA 98104
telephone: 206 622 4900
fax: 206 682 6031
website: SeedIP.com

LAWRENCE A. WARD
Partner
(206) 903-8817
FAX (206) 299-5163
ward.lawrence@dorsey.com

December 6, 2018

Supreme Court
Attention: C.J. Mary Fairhurst
PO Box 40929
Olympia, WA 98504

RECEIVED
DEC 11 2018
WASHINGTON STATE
SUPREME COURT

Dear C.J. Fairhurst:

I am a partner at Dorsey & Whitney LLP based in Seattle. Please accept my application to serve on the Supreme Court Workgroup on the WSBA Structure.

My practice focuses on U.S. national security law, including U.S. export control laws, U.S. economic sanctions, foreign direct investment in the United States and related filings with the Committee on Foreign Investment in the United States, and anti-corruption/anti-bribery laws. (I've attached a copy of my Firm biography for additional background on my practice and my qualifications.) Given my practice area, I have been a member of the WSBA's International Practice Section (IPS). Although I originally was a passive member in the IPS, I have served on the Executive Committee of the IPS since 2017. I am applying to the Workgroup for one of the three positions from the WSBA Sections or for the one public position.

When I moved to Seattle over ten years ago, I became actively involved with the King County Bar Association (KCBA) and served on the Young Lawyer's Division (YLD) Board of Directors. During my tenure on the YLD Board, I served one year as Vice Chair and one year as Chair. During my time on the YLD Board, I had the good fortune to be mentored by then-Judge (now Justice) Mary Yu.

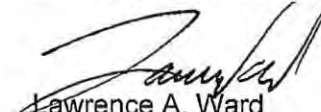
Justice Yu has continued to encourage me to give back to our legal community through service to the Bar. Over the years, I have continued my service to the KCBA and have extended my service to the WSBA through my involvement with the IPS. Through programs like the IPS's formal mentoring program and through assisting with CLE programming for the IPS, it seems that I have gained more than I have given. It is in that spirit of giving back that I am interested in serving on the Workgroup.

December 6, 2018
Page 2

If you have any questions about my application, please do not hesitate to let me know.
Thank you for your consideration of my application.

Sincerely,

DORSEY & WHITNEY LLP



Lawrence A. Ward
Partner

LW:cs

Enc.



Lawrence Ward

Partner
Dorsey & Whitney LLP
Columbia Center
701 Fifth Avenue, Suite 6100
Seattle, WA 98104-7043
P +1 (206) 903-8817
F +1 (206) 299-5163
ward.lawrence@dorsey.com

Overview

ITAR, EAR, OFAC, CFIUS, NISPOM, FCPA... AS AN INTERNATIONAL BUSINESS ATTORNEY, LARRY HELPS CLIENTS NAVIGATE THE COMPLEX ALPHABET SOUP OF U.S. NATIONAL SECURITY LAW AND INTERNATIONAL TRADE COMPLIANCE.

Larry helps government contractors, aerospace and defense, mining, technology, manufacturing, retail, service, hospitality, biotech and other companies involved in international trade understand and comply with various complicated U.S. regulatory schemes in a cost-effective manner so that they can avoid the monetary, criminal and other penalties and reputational damage faced when those regulations are violated. Larry advises clients ranging from small emerging companies to large public corporations and international professional associations. As a former appointed member of the U.S. State Department's Defense Trade Advisory Group (DTAG), Larry has built important connections with U.S. Government and industry leaders, which further bolsters his ability to provide practical compliance insight to his clients.

Larry helps clients build and refine compliance programs, train employees, classify products for export purposes, apply for export licenses and classification requests from the U.S. Government and structure internal safeguards for dealing with classified federal government information. When something goes wrong, he helps companies internally investigate potential violations of the law and strategize how best to disclose violations to the U.S. Government. Larry also helps clients in building international relationships with various third parties by drafting and negotiating agency and distribution agreements, manufacturing agreements, intellectual property licenses, franchise agreements and other commercial contracts. Before those relationships are even built, he often helps clients craft due diligence programs and assists with vetting of potential foreign partners to ensure that the risks of violations of export control and international business ethics, anti-bribery and anti-corruption laws is low.

When the business stakes are highest and a client is involved in transactional activity, Larry provides export control due diligence. He also helps foreign buyers and U.S. targets navigate important regulatory issues associated with foreign investment in the United States when U.S. national security is implicated through the transaction.

Larry advises clients on compliance matters related to U.S. export controls and national security law and regularly represents clients before:

- the U.S. Commerce Department on matters involving the Export Administration Regulations (EAR);
- the U.S. State Department on matters involving the International Traffic in Arms Regulations (ITAR);
- the U.S. Treasury Department on matters involving the economic sanctions administered by the Office of Foreign Assets Control (OFAC);
- the U.S. Energy Department and the Nuclear Regulatory Commission on matters involving energy and nuclear exports;
- the Committee on Foreign Investment in the United States (CFIUS) on regulatory issues associated with foreign investment in the United States;
- the U.S. Defense Department's Defense Security Service (DSS) on compliance with the National Industrial Security Program Operating Manual (NISPOM) and with plans to mitigate foreign ownership, control and influence (FOCI); and
- the U.S. Justice Department and Securities and Exchange Commission on matters involving the Foreign Corrupt Practices Act (FCPA).

Representative Transactions

International Trade

Export Control Matters

- Prepared export control policies for various clients, ranging from an international engineering professional society to a Fortune 100 international manufacturing company
- Prepared and delivered export control training programs for various clients, including a nuclear technology company, chemical company and multiple defense contractors
- Led export control due diligence of a fables communications semiconductor company's acquisition of a leading provider of 4G wireless platform solutions
- Developed FCPA compliance program and third-party agent questionnaire for an international fuel cell company

CFIUS Reviews

- Represented a Chinese leading short-distance personal transportation vehicle maker based in Beijing in its acquisition of the world's leading provider of personal electric transportation known for its two-wheeled, self-balancing, battery-powered electric vehicles in review by CFIUS
- Represented a U.S. provider of cybersecurity solutions in its sale of various sensitive assets to a French owned defense contractor
- Represented publicly held global provider of broadband communications network infrastructure products and related services in its acquisition by a foreign diversified manufacturing and services holding company
- Represented Canadian company with U.S. holdings engaged in the mining and production of uranium in its acquisition by a Russian state-owned company in review and investigation by CFIUS

- Represented Canadian company in its acquisition of two U.S. companies engaged in uranium mining and exploration in review by CFIUS
- Represented Canadian utility infrastructure equipment and services company in its acquisition of a privately held water and wastewater utility services company in review by CFIUS
- Represented U.S. space operations and ground network services provider in its acquisition by a Swedish state-owned space systems company in review and investigation by CFIUS

Admissions

- Washington
- California

Industries & Practices

- Aviation
- Banking Financial Institutions
- Energy Natural Resources
- Food, Beverage Agribusiness
- Healthcare
- Mining
- China
- Sustainability
- Government Enforcement Corporate Investigations
- Government Contracts Counseling Litigation
- International Trade
- Mergers Acquisitions
- National Security Law
- Technology Commerce
- Electric Power
- Oil Gas
- FinTech
- Development Infrastructure
- Technology

Honors

- Appointed to the Defense Trade Advisory Group (DTAG)
- Recognized as a "40 Under 40" honoree by the Puget Sound Business Journal, 2013
- Listed as a "Rising Star" by Washington Super Lawyers, 2013-2015

Education

- University of Notre Dame Law School (J.D., 2003),

Dean's List; Dean's Award for Outstanding Academic Achievement in Trial Advocacy; Legislative Reform Editor, *Journal of Legislation*; Treasurer, Student Bar Association

- University of Notre Dame (M.Ed., 2000), Highest Honors; Distinguished Portfolio
- University of Notre Dame (B.A., 1998), Dean's List, Class of 1998 Service Award

Professional Activities

- Defense Trade Advisory Group (DTAG) for the U.S. Department of State, Former Appointed Member
- Export Controls and Economic Sanctions Committee of the ABA Section of International Law, Steering Group Member and "Year in Review" Co-Editor
- Washington District Export Council, Member
- Pacific Northwest Defense Coalition (PNDC), Member

Civic and Community Activities

- Treehouse, Board Member, 2013 to Present
- Wayfind, Board Member, 2012 to Present
- Washington State Bar Association, International Practice Section, Member
- St. Joseph School, School Commission Member

Events and Speaking Engagements

- Dorsey & Whitney LLP Anti-Corruption 2018 Conference, July 16, 2018
- Seminar Playback: Dorsey & Whitney LLP Anti-Corruption 2018 Conference, July 16, 2018
- Webinar Playback: M&A in Asia: Beyond the Trends, November 15, 2017 (U.S.) and November 16, 2017 (HONG KONG & CHINA)
- Anti-Corruption, Compliance and Trade Sanctions Seminar, January 19, 2017
- Recent Developments with CFIUS, July 17, 2013
- Franchise Business Network (FBN): Keys to Successful Franchise Relations, November 13, 2007 - November 13, 2007

Select Presentations

- Presenter, "Structuring Your Classification Approach: Determining Jurisdiction," PNDC's Export Compliance Summit: EAR & ITAR, December 7-8, 2017
- Presenter, "The Impact of Regulatory Changes on the M&A Market: Focus on Economic Sanctions, Export Control Laws, FCPA, and CFIUS," 11th Annual M&A Seminar (The Seminar Group), November 1, 2017
- Presenter, Webinar "Introduction to the U.S. Export Administration Regulations (EAR)," PNDC Webinar, October 12, 2017
- Presenter, "US Economic Sanctions and Russia, Doing Business in Today's Russia: Practical Considerations for Minnesota Companies," Sept. 26, 2017

- Presenter, "Export Control Compliance in the Oil & Gas Industry," Strafford Webinar (CLE), Sept. 12, 2017
- Presenter, "Legal Due Diligence for Your Exporting Business," Pacific Northwest Export Controls Conference (PNECC), Seattle University School of Law, July 27, 2017
- Presenter, "International Trade Compliance," 9th Annual Northwest Export Conference: Exporting and the New Administration – Compliance and Opportunities, Export Finance Assistance Center of Washington (EFACW), July 25, 2017
- Co-presenter, "Section 734.13(b) of the EAR: How to Satisfy the 'Deemed Export' Rule, Foreign National Screening and Form I-129 Requirements amid Conflicting Foreign Privacy and Human Rights Laws," ACI's EAR Boot Camp on May 23-24, 2017
- Co-presenter, "Labor & Employment Lawyers: What they should all know about U.S. Export Controls and Sanctions" Dorsey Video Training Program, April 28, 2017
- Presenter, "U.S. Economic Sanctions and Non-U.S. Companies," BA-HR Programme: Anti-Corruption, Compliance and Trade Sanctions Seminar, January 19, 2017
- Presenter, "Practical Tips For Responding to Export Control Concerns at all Stages of your Company's Growth," 2016 Export Controls Conference: Evolving Controls for a Changing World, Seattle, Washington, July 28, 2016
- Co-presenter, "Structuring Your USML Classification Approach: Understanding the "Order of Review" Post Reform, Determining ITAR Jurisdiction, and Submitting a Commodity Jurisdiction Request," ACI's 14th ITAR Boot Camp, Chicago, Illinois, May 25, 2016
- Co-presenter, "U.S. Economic Sanctions Programs and Recent Changes Impacting What Banks Can Do in Cuba and Iran," Dorsey Bank Counsel Roundtable, April 27, 2016
- Presenter, "Overview of U.S. Economic Sanctions and their Impact on Exporters," Pacific Northwest Defense Coalition (PNDC) – Defense Export Compliance & Opportunities Conference, Seattle, Washington, April 21, 2016
- Presenter, "Important Developments on US Iranian Economic Sanctions," ABA Sanctions Year in Review, Washington, DC, February 2, 2016
- Presenter, "Enforcement Cases and What to do if Something Has Gone Wrong," PNDC ITAR Summit, Portland, Oregon, December 9-10, 2015
- Co-presenter, "International Traffic in Arms Regulations (ITAR) Update," PNDC Lunch & Learn, Seattle, Washington, September 30, 2015
- Presenter, "Export Violations in the Post-ECR Environment," 2015 Export Controls Conference, Seattle, Washington, July 29-30, 2015
- Co-presenter, "Navigating Ukraine-Related Sanctions: Meeting the Latest U.S. and E.U. Sanctions," Strafford CLE, June 9, 2015
- Presenter, "U.S. National Security Laws and Their Impact on Classified Contractors," DSS CI & FBI Strategic Counterintelligence Partnership with Defense Industrial Base - 2nd Annual Conference, Anchorage, Alaska, May 7, 2015
- Co-presenter, "When and How to Submit a CJ Instead of Conducting a Self-Determination: How to Prepare the Request and What to Do after Receiving a DDTC and DTSA Determination," ACI's 13th ITAR Boot Camp, San Diego, California, February 24-25, 2015
- Presenter, "Russia/Ukraine-related sanctions," ABA Sanctions YIR Event, Washington, DC, January 29, 2015

- Presenter, "Impact of U.S. Export Control Laws on Immigration Filings," Dorsey Breakfast Briefing, January 27, 2015
- Presenter, "2014 Enforcement Matters and What to do When Something Has Gone Wrong," PNDC ITAR Summit, Portland, Oregon, January 8, 2015
- Panelist, "What BIS and DDTC Expect from Your Technology Control Plan: How to Incorporate and Implement New IT Management, Security and Training Procedures that will Impress the Agencies," American Conference Institute's 8th Forum on International Technology Transfers & Deemed Export Compliance, San Francisco, California, September 2014
- Co-panelist, "OFAC Ukraine-Related Sanctions: Overcoming Compliance Challenges, Meeting Evolving U.S. and EU Sanctions," Strafford CLE, September 2014
- Presenter, "Internal Investigations and Voluntary Self-Disclosures," Microsoft Export Controls 2014 Conference, Redmond, Washington, July 10, 2014
- Co-presenter, "Ensuring Your Company's Success Through Compliance with the U.S. Foreign Corrupt Practices Act," PNDC ITAR Summit, Portland, Oregon, January 30, 2014
- Presenter, "Recent Enforcement Cases and What to Do if Something has Gone Wrong," PNDC ITAR Summit, Portland, Oregon, January 30, 2014
- Co-presenter, "Establishing & Maintaining an Effective Export Controls Compliance Program," PNDC ITAR Summit, Portland, Oregon, January 29, 2014
- Presenter, "2013 U.S. Export Controls Year in Review," ABA Section of International Law, Washington, DC, January 2014
- Panel Moderator, "Stay Private or Take Our A&D Company Public?" Orange County Aerospace and Defense Forum, Costa Mesa, California, November 2013
- Panelist, "Export Control Reform and Industry," ICE Seattle Export Control Seminar, October 2013
- Presenter, "An Overview of Export Controls under the U.S. Department of Commerce," ICE Seattle Export Control Seminar, October 2013
- Presenter, "Recent FCPA Developments and Conducting Internal Investigations," WSBA International Law Section CLE, Seattle, Washington, September 2013
- Panel Moderator, "Is Your A&D Company Part of the \$500B Yearly CYBER Loss?" Orange County Aerospace and Defense Forum, Costa Mesa, California, August 2013
- Presenter, "Recent Developments with CFIUS," Dorsey U CLE Program, July 2013
- Presenter, "Nuts and Bolts of Export Controls: Dealing with the Regulations," Pacific Northwest Defense Coalition and U.S. Commercial Service, Portland Oregon, January 2013
- Presenter, "Overview of the Foreign Corrupt Practices Act," Pacific Northwest Defense Coalition and U.S. Commercial Service, Portland Oregon, January 2013
- Presenter, "How U.S. Export Control and Related Laws and Regulations May Change during the Next Four Years," Orange County Aerospace and Defense Forum, Costa Mesa, California, December 2012
- Presenter, "The Impact of Deemed Exports in the University and Research Institute Setting," Export Council of Oregon and U.S. Commercial Service, Portland, Oregon, November 2011 and December 2012
- Presenter, "Fundamentals of U.S. Export Control Laws," WSBA International Law Section CLE, Seattle, Washington, September 2012
- Presenter, "U.S. Export Controls," Montana World Trade Center, Bozeman, Montana, May 2012

- Presenter, "Overview of the U.S. Foreign Corrupt Practices Act," U.S. Commercial Service and Pacific Northwest Defense Coalition, Portland, Oregon, January 2012
- Presenter, "Legal Considerations for International Business," Montana World Trade Center ExporTech, Missoula, Montana, April 2011
- Presenter, "Basic Considerations for Selling and Sourcing in International Agreements," International Trade Alliance New-to-Export Seminar, Seattle, Washington and Tukwila, Washington, March, August and September 2011
- Presenter, "Foreign Investments and Acquisitions in the United States: Dealing with CFIUS," Dorsey U CLE Program, February 2011

Articles

- [US Sanctions On Iran: Does The JCPOA Work For Everyone?](#), November 13, 2018
- [U.S. Reimposes Economic Sanctions On Iran](#), November 2, 2018
- [CFIUS Announces Pilot Program: Mandatory Declaration Filings in Connection with Certain Transactions](#), October 23, 2018
- [Greater Scrutiny on Foreign Inbound Investments: Update on the Foreign Investment Risk Review Modernization Act of 2018](#), August 15, 2018
- [U.S. House of Representatives Passes Russia Sanctions Bill](#), July 26, 2017
- [Trump Administration's First Major Statement On Foreign Trade Affects Agriculture](#), March 7, 2017
- [Did Iran violate its agreement with the US? Depends on who you ask](#), February 6, 2017
- [The New AML Regulations and Their Impact on Banks—Increased Compliance for Lending Transactions with Legal Entities](#), June 7, 2016
- [Another New Day in Cuba: The Obama Administration Further Loosens U.S. Sanctions](#), March 17, 2016
- [Another Shoe Drops: More Changes to the U.S. Cuban Sanctions from the White House](#), February 3, 2016
- [Moving Forward with Iran: An Update on U.S. Business Interests and the Iran Nuclear Settlement](#), January 28, 2016
- [U.S. Business Interests and the 2015 Iran Nuclear Settlement: A Critical First Appraisal](#), July 24, 2015
- [Obama Administration Announces Historic Easing of Economic Sanctions Against Cuba](#), December 19, 2014
- Regular contributing author and co-editor for the annual publication, "Export Controls and Economic Sanctions, The Year in Review," published by the American Bar Association, 2014-2017
- [Practical Guidance for Dealing with OFAC's Recently Released Ukraine Related Sanctions Regulations and the EU's Ukraine Sanctions](#), May 16, 2014
- [Dorsey Partner Larry Ward Comments on Proposed Smithfield Sale](#), September 9, 2013
- [Dorsey Partners Larry Ward and Nelson Dong Review Obama Administration's Export Control Reform](#), July 2013
- [The Ralls Case: Warning Sign For International Investments In U.S.](#), November 14, 2012
- [Iran Sanctions Legislation Imposes New Public Company Disclosures](#), November 8, 2012
- ["International Academic Travel and U.S. Export Controls," NACUANOTES](#), August 28, 2009
- [Seattle](#),

News & Press Mentions

- [Dorsey Partner Larry Ward Remarks on FIRRMA and Impact to Tesla, August 14, 2018](#)
- [Dorsey Partner Larry Ward Comments on CFIUS' Chinese Deal Reviews, July 25, 2018](#)
- [Dorsey Partner Larry Ward Comments on CFIUS and Tariffs, June 26, 2018](#)
- [Dorsey Wins 12th Annual M&A Advisor Turnaround Award, December 21, 2017](#)
- [Dorsey Partner Larry Ward Comments on Chinese Offshore Investment, September 27, 2017](#)
- [Dorsey Partner Larry Ward Discusses N Korea Sanctions, September 21, 2017](#)
- [Dorsey Partner Larry Ward Comments on Chinese Acquisition, September 14, 2017](#)
- [Dorsey Partner Larry Ward Weighs in on North Korea Sanctions, August 7, 2017](#)
- [Dorsey Partner Larry Ward Discusses Russian Sanctions, August 3, 2017](#)
- [Dorsey Partner Larry Ward Comments on Sanctions Bill to White House, August 2017](#)
- [Dorsey Partner Larry Ward Comments on Russian Energy Sanctions, July 26, 2017](#)
- [Dorsey Partner Larry Ward Comments on Anti-Russia Sanctions, July 9, 2017](#)
- [Dorsey Partner Larry Ward Discusses Trump's Cuba Policy Changes, June 16, 2017](#)
- [Dorsey Partner Larry Ward Comments on Anti-Russia Bill, June 16, 2017](#)
- [Dorsey Partner Larry Ward Remarks on New Iran Sanctions, May 27, 2017](#)
- [Dorsey Partner Larry Ward Remarks on US and JCPOA, May 18, 2017](#)
- [Dorsey Partner Larry Ward Remarks on Trump's Iran Sanctions, February 3, 2017](#)
- [Dorsey Partner Larry Ward Comments on Trump Lifting Russian Sanctions, December 29, 2016](#)
- [Dorsey Partner Larry Ward Remarks on Trump's China Animus, December 14, 2016](#)
- [Dorsey Partner Larry Ward Discusses Tillerson's Secretary of State Nomination, December 14, 2016](#)
- [Dorsey Partner Larry Ward Discusses House Vote to Prevent Aircraft Sales to Iran, November 21, 2016](#)
- [Dorsey Partner Larry Ward Comments on Cuban Economic Embargo, November 19, 2016](#)
- [Dorsey Partner Larry Ward Comments on Ban Lifted on Cuban Goods, October 14, 2016](#)
- [Dorsey Partner Larry Ward Discusses OFAC Approving Boeing Airplane Sales to Iran, September 28, 2016](#)
- [Dorsey Partner Larry Ward Remarks on Boeing to Sell Passenger Jets to Iran, June 15, 2016](#)
- [Dorsey Partner Larry Ward Remarks on N Korea UN Nuclear Sanctions, March 7, 2016](#)
- [Dorsey Partner Larry Ward Discusses Latest US Sanctions Against Korea, February 20, 2016](#)
- [Dorsey Partner Larry Ward Discusses US Sanctions on North Korea, January 14, 2016](#)
- [Dorsey Partner Larry Ward Discusses US Sanctions Against Ukraine, December 23, 2015](#)
- [Dorsey Partner Larry Ward Discusses CFIUS - Ralls Settlement, November 6, 2015](#)
- [Dorsey Partner Larry Ward Comments on US-China Cyber Sanctions, September 2, 2015](#)
- [Dorsey Partner Larry Ward Discusses Benefits of Iran Sanctions Relief, July 29, 2015](#)
- [Dorsey & Whitney Represents Entone in Acquisition by Amino, July 22, 2015](#)
- [Dorsey Partner Larry Ward Remarks on US Lifting Iran Sanctions, July 17, 2015](#)
- [Super Lawyers Recognizes 13 Dorsey Lawyers in Seattle, June 12, 2015](#)
- [Partner Larry Ward Remarks on G-7 Summit, June 5, 2015](#)
- [Dorsey Partner Larry Ward Remarks on Removing Cuba from Terrorist List, May 29, 2015](#)
- [Dorsey Represents Tekmira Pharmaceuticals on OnCore Biopharma Merger Agreement, January 11, 2015](#)

- [Dorsey Partner Larry Ward Discusses Easing of US Embargo on Cuba](#), December 18, 2014
- [Dorsey Partner Larry Ward Appointed to the Defense Trade Advisory Group \(DTAG\)](#), June 18, 2014
- [Super Lawyers Recognizes 20 Dorsey Lawyers in Seattle](#), June 13, 2014
- Dorsey Partner Larry Ward Remarks on Export Control Compliance for Universities in *LA Daily Journal*, February 4, 2014
- [Dorsey Congratulates Partner Larry Ward on Being Named to 40 Under 40](#), July 22, 2013
- [12 lawyers in the Firm's Seattle office named Super Lawyers™ and six named Rising Stars by Washington Super Lawyers](#), July 9, 2013
- [Dorsey Names Nine New Partners](#), November 21, 2012

Washington State Supreme Court
Attention: C.J. Mary Fairhurst
PO Box 40929
Olympia, WA 98504

RECEIVED
DEC 12 2018
WASHINGTON STATE
SUPREME COURT

Application to Supreme Court Workgroup on the WSBA Structure (Small Section Member)

December 3, 2018

Dear Chief Justice Fairhurst,

Please appoint me to the Supreme Court's Workgroup on the WSBA Structure as an experienced member of a small WSBA section (World Peace Through Law.)

For over a decade, I have served in the leadership of that Section, as Chair, Secretary/Treasurer, Newsletter Editor and Board Member. In 2007, I led the section in cooperating with the LAMP Section to recruit, train and support over 60 WSBA members providing pro bono assistance to families of National Guard members when they were deployed to Iraq. This year I produced (with the superb assistance of WSBA's staff) a year-long bimonthly series of webcast CLEs, serving Section members and the public around the globe (our November speaker presented from his office in Tobago!) Previously I served on WSBA's Pro Bono and Legal Aid Committee, drafting our first statewide map of Qualified Legal Service Providers. I also served on WSBA's CLE Committee when, under the leadership of then-president Jan Eric Petersen, we assisted with converting WSBA's MCLE Compliance procedures from paper to web.

I am employed by the Internal Revenue Service and so may not practice law. When I retire in 2020 will return to writing pro bono appeals to the Court of Appeals for Veterans Claims. Meanwhile, I serve in Section leadership and publish 4freeCLE - the blog of free Continuing Legal Education (established 2009).

In reviewing and assessing WSBA's structure, I can offer a point of view from a small Section. I feel we need carefully to consider potential organizational and financial difficulties should it be necessary to divorce WSBA's license board and professional organization functions. This may especially impact smaller sections and functions that support equal access to justice. If this divorce must be done, it must be done well.

A professional organization is more like a small business than a part of government. Most small businesses fail. It would be sad were WSBA's successor professional organization to fail, not only for its own sake, but for the sake of the many charitable works WSBA currently does that a licensing board might not do. Because of the incandescent importance of maintaining and improving both those works and the professional organization, I ask to be assigned a full share of the work of the Workgroup.

Sincerely

Randall Winn, WSBA # 25833
9018 13th Ave SW
Seattle, WA 98106



December 1, 2018

Anna "Mickey" Moritz
PO Box 2343
Woodinville, WA 98072

C.J. Mary Fairhurst
PO Box 40929
Olympia, WA 98504

RECEIVED
DEC 12 2018
WASHINGTON STATE
SUPERIOR COURT

Dear Chief Justice Fairhurst,

I am writing on behalf of the World Peace Through Law ("WPTL") Section executive committee to endorse the selection of Randall Winn as a Section representative on the Supreme Court's Workgroup on WSBA Structure. The WPTL Section greatly appreciates that the Court is appointing Section representatives to the Workgroup and providing opportunities for meaningful input from Sections regarding the configuration of the Washington State Bar. We also appreciate that you plan to include a section representative from a small, medium and large section. As a small section, we are aware that our needs differ in important aspects from larger sections.

In reviewing the existing structure, case law, and potential future changes in configuration of the organization, it is my strong belief that Randall Winn would be an asset to the Workgroup. Randall Winn is Immediate Past Chair of the WPTL section. As the current Chair, I have had the opportunity to work with Randall over the last year. I have been impressed by Randall's calm, thoughtful approach to issues. Randall has been involved in WPTL section leadership since 2007 and served on various WSBA committees prior to that. Thus, he has a depth of understanding for the historical dynamics of the organization.

Not only has Randall served on committees and our Section over the years, but he has also worked with WSBA staff. Our Section has an active event calendar: we put on mini-CLEs monthly to bimonthly, with several larger events as well. Randall produced all of our webinars in the last year, and in doing so worked extensively with WSBA staff. Staff have been outstanding; we simply could not function as a section without such amazing support. Randall can speak directly to aspects of staff support given that he has worked with them on numerous occasions.

It is my firm belief that Randall Winn would be an excellent, impartial member of the Court's Workgroup. I urge you to consider appointing him as a "small" Section representative.

Thank you for your consideration, and please do not hesitate to contact me if you have any questions at (425) 780-0245 or atmoritz@gmail.com.

Sincerely,



Anna "Mickey" Moritz
Chair, World Peace Through Law Section
Bar # 49157

Supreme Court Workgroup on the WSBA Structure

The Supreme Court is convening a Workgroup on the WSBA structure. The Chief Justice, as chair, with 10 members will serve on the Workgroup.

Composition of Workgroup:

- 1 member from the Supreme Court -- Chief Justice, Mary Fairhurst, Chair
- 3 members from the WSBA Board of Governors (BOG)—can be either officers and/or BOG members (BOG selects)
- 3 members from the WSBA Sections—can be either chairs and/or members of the Sections (Supreme Court, in consultation with BOG, selects from applications)
- 3 members from the Supreme Court appointed boards that WSBA administers—can be either members and/or chairs (Supreme Court selects from applications)
- 1 public member (Supreme Court selects from applications)

Charter:

To review and assess WSBA structure in light of (1) recent case law with First Amendment and antitrust implications; (2) recent reorganizations by other state Bar associations and/or groups and their reasoning; and (3) the additional responsibilities of the WSBA due to its administration of Supreme Court appointed boards.

The Workgroup, as desired or needed, will invite input (which could be information or opinions) from those with subject matter expertise on issues involved in review, assessment and potential recommendations.

Based on this review and assessment, the Workgroup will make a recommendation to the Supreme Court as to future structure, for example, whether to maintain the status quo; divide into 2 organizations—one mandatory and one voluntary; or do some sort of hybrid where still one organization but perhaps with 2 governing bodies—one for the mandatory and one for the voluntary responsibilities. There may be additional suggestions that the Workgroup suggests or considers.

Expectations: The Workgroup will receive and share knowledge and have open, collaborative, respectful conversations. Meetings will be open to the public.

Anticipated duration: 6 to 8 months. Meetings every 3 to 4 weeks once Workgroup members identified. First meeting of Workgroup will be in January 2019.

For members applying for positions the Supreme Court selects, applications should be sent to the Supreme Court, Attention: C.J. Mary Fairhurst, PO Box 40929, Olympia, WA 98504. In the application, indicate the reason for your interest, pertinent background and which category of Workgroup membership applies. Deadline for applications is December 7, 2018. In making its selections, the court will be looking for diversity in all its aspects.

Dated: November 9, 2018

**WASHINGTON STATE
BAR ASSOCIATION**

Office of the Executive Director
Paula C. Littlewood, Executive Director

December 5, 2018

Hon. Mary E. Fairhurst
Chief Justice, Washington Supreme Court
Temple of Justice
P.O. Box 40929
Olympia, WA 98504-0929

RE: Representatives on Supreme Court WSBA Structure Work Group

Dear Chief Justice Fairhurst,

Consistent with the Supreme Court's correspondence regarding the formation of a WSBA Structure Work Group, at its November 16, 2018, meeting, the WSBA Board of Governors selected its three members to serve on the Work Group: Dan Clark (1st year from District 4); Kyle Sciuchetti (2nd year from District 3); and Paul Swegle (2nd year from District 7 North).

Also consistent with the correspondence regarding the Court's appointment of three members from WSBA Sections in consultation with the Board, the Board voted to recommend that the Court consider selecting a member from a large-size section, a medium-size section, and a small-size section. WSBA would be happy to help sort the applications from interested section members into these three categories. Once that is accomplished, the Board will hold a special meeting to decide which applicants to recommend to the Court for the Court's consideration. If the Court would prefer another process, please let us know.

In the meantime, if you have any questions, please don't hesitate to contact me.

Sincerely,



Paula C. Littlewood

cc: WSBA Board of Governors

The Supreme Court
State of Washington

MARY E. FAIRHURST
CHIEF JUSTICE
TEMPLE OF JUSTICE
POST OFFICE BOX 40929
OLYMPIA, WASHINGTON
98504-0929



(360) 357-2053
E-MAIL MARY.FAIRHURST@COURTS.WA.GOV

MEMORANDUM

TO: Bill Pickett, WSBA President
Paula Littlewood, WSBA Executive Director

FROM: Chief Justice Mary E. Fairhurst

DATE: January 4, 2019

RE: Selecting WSBA Structure Workgroup – Section Members

The court is getting ready to move forward to appoint members of the WSBA Structure Workgroup and would like to hear the Board of Governor's recommendations as to the appointment of the three Section members. Attached are copies of the applicants' letters (who identified at least as a Section representative) and any additional materials they submitted.

The court looks forward to receiving the Board's recommendations as to Section member representatives on the WSBA Structure Workgroup at your earliest convenience. Thank you.