

**WSBA CONSTRUCTION LAW SECTION COUNCIL MEETING**

**October 14, 2020 @ 12:00 p.m.**

<p>MEETING <b>Virtual Zoom Meeting Only</b></p> <p>ATTENDEES Colm Nelson Brett Hill Amber Hardwick Allison Murphy Bart Reed Will Young Joseph Scuderi Saki Yamada Scott Campbell Will Young Paige Spratt Lena Holohan Rick Wetmore Seth Millstein Todd Henry Jennifer Beyerlein Athán Trámountanas Eleen Trang</p>	<p>CALL IN INFORMATION Phone: +12532158782 Meeting ID: 985 1003 8934</p> <p>Password: 554443</p> <p>URL: <a href="https://zoom.us/j/98510038934?pwd=UzNOYmNLbVBVTVo0Tk04RndQbINtUT09">https://zoom.us/j/98510038934?pwd=UzNOYmNLbVBVTVo0Tk04RndQbINtUT09</a></p>
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**MEETING MINUTES**

1. Approval of September 9, 2020 minutes – Minutes were approved as presented.
2. Financial Report – Seth gave a financial report. \$37,078 year to date. Under budget in certain areas.
3. Mid-Year CLE - (Bankruptcy/Receivership/Payment rights) – B. Reed/R. English. Ron English provided report to Brett. Settled on this as the topic. Potential speakers were discussed. Paige will cover preserving payment rights during COVID. Location is still TBD. Goal is to have it both in-person and Zoom. Mid-year second week in June. That is preferred date.
4. Road Trip CLE (Follow up re Thurston location) – P. Spratt/J. Scuderi. Joe has not heard anything back from the Thurston County bar association. Sidebar discussion concerning assess to and charging for CLE’s put on through section. TBD. Schedule for Road Trip discussed. August timeframe was settled on.
5. Writing Competition Planning – S. Millstein gave report. Seth updated group on potential topic which is whether a limitation of liability clause in design professional contract is enforceable to limit

tort claims arising independent of the contract. Spring 2021 date for writing competition. Will vote on final topic next meeting. But likely going with the limitation of liability question.

6. Winter Forum (Tabled) – B. Reed

7. Updating Form Contracts & Adding Design Build w/ GMP – M. Yamada/B. Hill. Saki says he believes he can have the contract forms updated by next meeting – apply similar comments and changes from Design Build w/GMP to other contract forms. Amber is running through Robin's comments now. Lena offered to help Saki.

8. Newsletter Update – A. Tramountanas. Newsletter is ready to go final. Todd to provide case update on Scarsella matter to Athan.

9. For the Good of the Order