

## **MINUTES**

### **WSBA CONSTRUCTION LAW SECTION MONTHLY COUNCIL MEETING**

**DATE: WED FEBRUARY 12, 2025 @ TIME: 11:55 AM\*<sup>1</sup>**

### **AGENDA**

<b>No.</b>	<b>What</b>	<b>Who</b>	<b>Additional</b>
<b>1</b>	Welcome	Seth	> Zoom & In Person (Stoel) > Approve January Minutes ( <i>attached</i> )
	<i>Fact of the day – on this day in 1994, Edvard Munch’s The Scream was stolen. Also, Gershwin’s Rhapsody in Blue.</i>  <i>Thanks to Stoel Reeves for hosting our section’s in-person February meeting.</i>  <i>S. Noel motions to approve January minutes; M. Yamada seconds. Approved.</i>		
<b>2</b>	Course Book & midyear	Ron English	Discuss status of midyear <i>See attached</i> . Co-Chair Status – Millstein / Brown / In-house at host = Ryan G.
	<i>Thanks to Seyfarth Shaw for hosting the mid-year CLE.</i>  <i>Tentative schedule:</i>  <i>8:30 – 9:30 — caselaw update;</i> <i>9:30 – 10:30 — Change Order Revolution (M. Yamada, B. Reed, &amp; B. Sinner);</i> <i>10:30 – 10:45 — Break;</i> <i>10:45 – 11:45 — Talmadge Fitzpatrick discussion re: Mike M. Johnson, waiver, AI, and phantom cases;</i> <i>11:45 – 12:00 — Chair Report, Lunch Break, Presentations;</i> <i>12:00-1:00 — Judges panel. Judge Rogers has agreed to speak and will find two other judges to participate;</i> <i>1:00 – 1:30 — Legislative update (A. Tramountanas);</i> <i>1:30 – 2:30 — Future of Construction Contracts (B. Sinner &amp; R. Gilchrist);</i> <i>2:30 – 2:45 — Break;</i> <i>2:45 – 3:45 – Surety Law (Dorothy Reed of USI);</i> <i>3:45 – 4:45 – Ethics in Construction Law (Chad Alred)</i> <i>Social Hour: sponsor may be either HKA or Dorothy from USI. C. Nelson asks if one or the other may sponsor another event...</i>  <i>S. Millstein will reach out to R. English to get the deadlines for presenters written submissions.</i>		
<b>3</b>	Financial Report	Erin	>Erin to discuss if new info available.

<sup>1</sup> \*Really, it’s 12:00 PM. This is to inspire you to be early. On Wednesday we could be really draconian and say “no lunch for you,” but since it’s free, I won’t do that. And, we’re doing a

	<i>No report. But, there is approximately \$75k in the WSBA Construction Law Section account.</i>		
<b>4</b>	Winter Event	Travis & Erin	>Aquarium Tour – <i>vote on date. 3.27.25?</i>
	<i>LMN Architects will host a tour of the Aquarium on March 27, 2025. There will be a 4:15 departure; first tour will be of LMN’s fabrication shop, then the aquarium. There will be a limit on the number of guests — maybe 25 to 30 people. S. Millstein will send out an announcement; W. Young will be assisting S. Millstein with this event.</i>		
<b>5</b>	Subcommittees	Various	<u>Current Subcommittees</u> >Social: Erin & Travis >Law School: Travis & Rita - Leary, Noel & Park outreach - Rita to reach out to Etter >Community Outreach and Charitable – Pin down a date for SF and \$ to SF > Newsletter: Evan
	<i><u>Social Committee</u> – no report.</i>		
	<i><u>Law School Outreach</u> – M. Kutsin reports on need for campus presence to make an impact. M. Kutsin and T. Colburn and spoke with SU’s Matt Etter regarding options; one option is to do a table with coffee and doughnuts (or something like that) and a network event the same day. Matt Etter suggests doing it before the second week in April as students will be preparing for finals after. M. Kutsin and T. Colburn to coordinate a date.</i>  <i>There is some potential interest in a virtual intersession (between fall and winter semesters) construction law course at Seattle University. T. Colburn, K. Smith, and W. Young to draft a preliminary syllabus for consideration/presentation to SU.</i>		
	<i><u>Community Outreach/Charity</u> – The Section intends to sponsor the purchase of a tiny home. More details to come. There will be another day of volunteering (likely a Saturday) early to mid-April, possibly week of April 14<sup>th</sup> or early May. No date is set. There will be room for approximately 12 volunteers.</i>		
<b>5</b>	Subcommittees	Various	<u>New Subcommittees</u> >Social Media? -- Park and Kutsin to follow up. >Others – Technology for EC – Travis, blinding us with science. > <u>Legislative</u> – monitoring and updating > <u>Elections</u> – getting ready
	<i><u>Social Media</u> – C. Young reports that the section can do either a profile or group page on LinkedIn. C. Young suggests that a group page is easier to maintain and could post things like the WSBA Construction Law newsletter. A decision will be made next</i>		

	<i>(March) meeting as to whether we will do a group or profile page.</i>		
	<i><u>Elections</u> – B. Sinner and M. Yamada have submitted section election memo and set up form to WSBA for Construction Law Section elections. S. Millstein will send link to the applications. Section members are encouraged to reach out to one or two people to join/apply. There are several spots open this election cycle, including three at-large positions. Voting will open March 10 and close April 21 with voting to commence on June 2.</i>		
	<i><u>Legislative Updates</u> – E. Varriano and J. Jensen Erler are on the subcommittee; M. Yamada would like to be on the subcommittee.</i>		
<b>6</b>	<i>Conclusion Good of the order</i>	<i>Seth</i>	<i>&gt;New cases, clauses, comments, confusions? &gt;Policies</i>
	<i>C. MacGregor would like S. Millstein to send out a disability survey.</i>		
	<i><u>Newsletter</u> – Another editor has been appointed: welcome, W. Young, who will assist E. Brown with the newsletter. E. Brown reports that the current issue is with the designer today (2/12) and should be published in a couple of weeks. As always, the newsletter needs articles, and E. Brown will circulate a list of topics for a March 7, 2025 deadline. . These are short articles – maybe 500-800 words, typical.</i>		
	<i>S. Millstein encourages section members to read David Lynch’s “Weather Reports” published during COVID-19 and promises to send out a link for anyone to watch.</i>		
<b>7</b>	<i>Special Guest</i>	<i>(12:50-1:00)</i>	<i>Interview with mystery past chair. Questions will be probing, targeted, and may include musical references</i>
	<p><i>A. Tramountanas is the mystery past chair. Athan chaired the committee maybe five years ago. Athan notes that he’s doing like everyone else in the room, with the exception of those who are general counsel.</i></p> <p><i>His three favorite Allman Brothers songs are Whipping Post, In Memory of Elizabeth Reed (which is Athan’s ringtone, verified when Seth calls Athan’s cell phone), and Jessica/Melissa (both maybe?). Rambling Man, also... [Chat GPT and the depths of Millstein’s brain is consulted for additional Allman Brothers’ notable titles, including Midnight Rider, One Way Out, Mountain Jam, and Statesboro Blues.]. Millstein mentioned great 90s album and promises to send a link (title: Where it all Begins).</i></p> <p><i>Currently, Athan is reading Matterhorn by Karl Marlantes, which is about the Vietnam War, not mountain climbing. He is also reading Tom Sawyer, then Huck Finn, and plans to read James.</i></p> <p><i>[W. Young offers that he is reading Lonesome Dove, and S. Millstein notes that Lonesome Dove’s author, Larry McMurtry has a son (James McMurtry) is an amazing musician, and he</i></p>		

*plays the Tractor now and again, incredible lyricist.*

*S. Millstein notes that February 12 is also Abraham Lincoln's birthday, and recommends the book, Lincoln's Conspiracy.*

*Athan recalls that, during his term, he was the first to start the privatization of the section's CLEs. The first one was hosted by the firm formerly known as Lane Powell.*

*Athan really enjoyed executive committee retreats, including a highly memorable event at Tutta Bella in South Lake Union where there was an abundance of pizza. It felt like a heist at the end, but all went home sated and ready to eat pizza for the next week and a half or feed it to pets if not, or neighbors they really don't like.*

