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EXPERIENCE AND INNOVATION



5th Annual Pacific Northwest Construction Defect Law Seminar & Networking Party

March 27, 2014 3:30 - 7:00 p.m.
Grand Hyatt Seattle - Seattle WA



Limited Seats Available

Register Today!
NO CHARGE

AGENDA

▶ 3:30 - 4:30 p.m. - Oregon Industry Trends and Case Law Review:

Panel Speakers:

- Allen E. Eraut, Esq.; Rizzo Mattingly Bosworth PC
- Eric A. Kekel, Esq.; Dunn Carney Allen Higgins & Tongue LLP
- Michael J. Scott, Esq.; Scott Hookland LLP
- Daniel Zimmeroff, Esq.; Barker Martin P.S.

Discussion Points:

1) Statute of limitations/Repose:

- ORS 12.080(1) / ORS 12.135 / ORS 12.135(3) - i. SB 46 (CH 469)
- Negligence
- Duty to inquire
- AIA accrual provision and what constitutes substantial completion
- Repose and Indemnity
- Accrual

2) Resolution/Settlement:

- ORS 31.825
- *Portland Public School Dist. No. 1J v. Great American insurance*
- Assignment of claims
- *Marion V. Ater Construction Co., LLC*
- Courts' adherence to "the Stubblefield Rule."
- Issue releases/Scope of release

3) Nature of Defects:

4) Insurance and Conflict Issues:

▶ 4:40 - 5:40 p.m. - Washington Industry Trends and Case Law Review:

Panel Speakers:

- Betsy A. Gillaspy, Esq.; Salmi & Gillaspy PLLC
- Anthony L. Rafel, Esq.; Rafel Law Group PLLC
- Michael J. Scott, Esq.; Scott Hookland LLP
- John E. Zehnder, Jr., Esq.; Scheer & Zehnder LLP

Discussion Points:

- Independent duty doctrine update (*Donatelli v. DR Strong Consulting, et al.*);
- Consent judgments (*Bird v. Best Plumbing, et al.*);
- Condominium Act arbitration issues;
- Use of experts/expert issues;
- Indemnity update (*Jacobs Meadow*);
- Tenders and AI;
- Insurance Issues; Claims File discoverable (*Cedell v. Farmers*);
- Performance issues v. technical defects;
- WA/OR contrasts; Insurance conflicts of law; and
- Misc. Issues. (Eg. SOL/SOR; yellow brass claims viable?)

▶ 5:45 - 7:00 p.m. - Networking Cocktail Reception

2 MCLE Credit Hours
(WA and OR)

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