

## FORSBERG & UMLAUF, P.S.

### RECENT SUCCESSES / HONORS

**February 16, 2012:** WDTL's 50<sup>th</sup> Anniversary Celebration at the Space Needle. **Forsberg & Umlauf** was represented by the following attorneys who are active in WDTL: **Melissa Roeder** is Secretary of the Board of Trustees and Asbestos/Toxic Torts Practice Section Committee Chair; **Maggie Bruya Kirschner** and **Grant Lingg** are Premises Liability Practice Section Committee Co-Chairs; and **Geoff Boodell** is Employment Practice Section Committee Chair.

**February 2012:** Of Counsel **William C. "Chris" Gibson** obtained a ruling from Division One of the Washington Court of Appeals affirming the trial court's grant of summary judgment dismissal of a neighbors' suit against his client asserting claims of malicious harassment, civil harassment, outrage and negligent infliction of emotional distress for the client's calls to a police department to complain about the behavior of one of the neighbors. The appeals court granted attorney's fees on appeal, upheld the dismissal of the claim against Mr. Gibson's client on the basis of the application of the Washington Anti-SLAPP statute (RCW 4.24.510), and remanded to the trial court for a determination of any statutory damages recoverable by the client.

**January 2012:** Associate **Amanda M. Searle** has been elected to the position of Secretary for the Tacoma-Pierce County Bar Association Young Lawyers Section for 2012. The TPCBA's Young Lawyers Section is comprised of members of the Association who are 36 years of age or younger or who have been lawyers for five years or less. This active, vital force within the Bar meets every month and is responsible for many of the Association's valuable programs and activities, including Law Day and many public service projects.

**November 2011:** **Sarah Stevens Visbeek** has recently joined the firm as an associate attorney. Ms. Visbeek is a 2011 graduate from Seattle University School of Law.

**October 2011:** At the annual Judges Reception held by the Washington Defense Trial Lawyers (WDTL) on October 13, 2011, Forsberg & Umlauf Associate **Maggie Bruya Kirschner** was named **Outstanding Associate of the Year for 2011**. The WDTL Outstanding Associate Award recognizes the accomplishments of litigation associate attorneys who have been practicing less than eight years and have attained a high degree of peer recognition and professional achievement.



**August 2011:** Of Counsel **Ann McCormick** defended an Indian Tribe in tribal court and prevailed on a motion to dismiss a complaint filed by four former tribal employees for wrongful termination. Ann successfully argued for dismissal on the grounds that her client had not waived sovereign immunity. The complaint was dismissed with prejudice.

**August 2011:** Shareholder **John Hayes** and Of Counsel **Matthew Adams** received a Summary Judgment Order dismissing claims against their insurer client arising out of an alleged bad faith refusal to defend its insured, who was seeking coverage for allegations that the insured improperly billed its clients for services. Messrs. Hayes and Adams persuaded a Federal Court that the allegations against the insured alleged a purely economic loss, and did not allege bodily injury, property damage, or personal/advertising injury.

**July 2011:** Of Counsel **Ann McCormick** defended a tribal manager at an administrative hearing involving allegations of wrongful termination. After hearing testimony from numerous witnesses over a three-day period, the panel of tribal directors denied the former employee's request for reinstatement and upheld the decision to terminate the employment of a director.

**July 2011:** Of Counsel **William C. "Chris" Gibson** obtained a voluntary dismissal of his client in a product liability subrogation case in Clark County Superior Court. The case involved a flexible, stainless steel water-supply line that allegedly failed. Mr. Gibson secured the dismissal of plaintiff's claims against his manufacturer client after he convinced plaintiff's counsel that his expert was wrong about the identity of the product manufacturer and that plaintiff had sued the wrong party.

**June 2011:** Forsberg & Umlauf is very proud to announce that the following attorneys are designated as **Super Lawyers 2011: Terry J. Cullen, Carl E. Forsberg, John P. Hayes, Patrick C. Sheldon** and **Roy A. Umlauf**. *Super Lawyers* magazine names attorneys in each state who received the highest point totals, as chosen by their peers and through independent research. *Super Lawyers* magazine is published in 50 states and reaches more than 13 million readers. Selected attorneys in Washington will appear in a special advertising section in the July 2011 issue of *Seattle Met* magazine.

**June 2011:** Forsberg & Umlauf is very proud to announce that Shareholder **Carl E. Forsberg** has been designated as one of the top 100 Washington State Lawyers 2011 in *Washington Law & Politics* magazine. Congratulations, Carl!

**June 2011:** Of Counsel **William C. "Chris" Gibson** defended a client in an admitted liability rear-end collision case, and took it to mandatory arbitration (MAR) on disputed damages issues. The King County MAR arbitrator issued a decision awarding plaintiff less than the claimed medical bills, and the case was settled for the amount of the award, without a request for a trial de novo.

**June 2011:** Forsberg & Umlauf is very proud to announce that the following attorneys are named as **Rising Stars 2011: Melissa K. Roeder, Maggie B. Kirschner** and **Kenneth M. Roessler**. *Rising Stars* names the state's up-and-coming attorneys. Selected attorneys in Washington will appear in a special advertising section in the July 2011 issues of *Seattle Met* magazine.

**May 2011:** Forsberg & Umlauf is very proud to be named as one of THE **BEST COMPANIES TO WORK FOR IN SEATTLE** as



featured in the May 2011 issue of *Seattle Met* magazine. The experts at the Best Companies Group conducted a 360-degree survey to decide the 20 top companies in Seattle that are working hard and playing hard. In a joint effort, Best Companies Group, Society of Human Resource Managers, Lake Washington HR Association, Q13 Fox News and *Seattle Metropolitan* magazine conducted a confidential employee survey, evaluated the data and ultimately determined that Forsberg & Umlauf, and the other companies listed, demonstrated workplace excellence. Thank you to all that participated. We are committed to provide a BEST COMPANY TO WORK FOR environment.

**March 2011:** Shareholder **John Hayes** and Of Counsel **Matthew Adams** received a Summary Judgment Order dismissing claims against their insurer client arising out of an alleged bad faith refusal to defend an individual claiming status as an additional insured under the insurance policy issued by the client. The alleged additional insured had consented to a \$1.7 million judgment with the claimant. Including the potential for I.F.C.A. damages, the potential bad faith claim against the client was \$5.1 million. Messrs. Hayes and Adams persuaded a Federal Court that based upon the alleged additional insured's testimony in the underlying case, he was not, in fact, an additional insured under the policy.