



CARNEY BADLEY SPELLMAN

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Committed to exceptional client service and professional excellence, the lawyers of Carney Badley Spellman, P.S. strive to provide the best legal counsel to our clients. The diverse backgrounds of our attorneys provide our clients with a team of experienced legal counselors, skilled at developing effective and efficient solutions for a wide variety of legal issues in a multitude of industries and settings. With a focus on the Pacific Northwest, we serve businesses of all types and sizes from closely-held companies to Fortune 500 corporations.

Peers and industry press recognize Carney Badley Spellman lawyers as among the “Best Lawyers in America,” “Super Lawyers” and “Top Attorneys” in a variety of lists and publications. Carney Badley Spellman is also recognized as one of “Puget Sound’s Best Places to Work.”

Insurance

Insurers doing business in Washington State are subject to the most stringent insurance regulations and claims handling in the United States. New regulations and increasing governmental protections for policyholder interests in Washington encourage a growing number to pursue costly litigation against insurers.

Serving the insurance industry has been the foundation of Carney Badley Spellman, and we continue to offer expert legal service in claims, insurance coverage disputes and regulatory advice. We counsel numerous carriers on operations, claims and insurance coverage disputes issues. We also provide attorney services such as defense counsel for insureds.

Insurance Attorneys

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Services

Insurance Coverage

With decades of experience within our Insurance Coverage and Litigation Practice Groups, Carney Badley attorneys deal with the most complex insurance coverage matters and disputes, actively representing insurance clients in state and federal courts in Washington, Oregon and Alaska. We strive to help our insurance clients succeed in this dynamic regulatory environment. Our insurance experience includes:



- insurance regulation
- bad-faith litigation
- environmental coverage litigation
- D & O and professional liability coverage litigation
- first-party coverage litigation
- ERISA litigation
- aviation insurance litigation
- coverage opinions
- claims handling and cost-sharing agreements
- primary, umbrella and excess coverage issues
- employment practices
- builder's risk and construction insurance law
- insurance fraud
- appellate litigation
- legislative interests
- reinsurance

Carney Badley Spellman attorneys have longstanding relationships with the largest domestic and London-market insurers, and have represented them in hundreds of first-party and third-party claims, and in litigation, including bad faith litigation. We provide opinion letters analyzing insurance claims and policies, develop strategic responses to covered liabilities and losses and arbitrate and litigate insurance coverage disputes.

Insurance Defense

Carney Badley Spellman's Insurance Practice Group attorneys have represented insurers and insureds in mediation, arbitration and in all federal and state courts. Our attorneys are committed to providing aggressive defense representation and have in-depth experience with many insurance defense matters. We also serve as arbitrators, mediators and judges pro tem.

Our attorneys have experience with the following types of claims:

- automobile
- construction
- products liability
- employment law
- defamation
- general negligence
- civil rights
- hazardous waste
- highway design
- bad faith
- homeowners
- premise liability
- professional liability
- property and casualty
- toxic tort



Insurance Regulation

Carney Badley Spellman is the leading insurance regulatory firm in the state of Washington. Our attorneys counsel clients dealing with the Washington State Office of the Insurance Commissioner, provide advice regarding compliance with the Washington State Insurance Code and insurance regulations and represent insurance companies and producers in negotiations, litigation and administrative hearings before the OIC.

Our insurance regulatory attorneys have over 60 years of combined experience in this practice area, including:

- mergers and acquisitions, Form A hearings, and business and tax advice
- organizing insurance companies including solicitation, incorporation, capitalization and certification to transact insurance in the state of Washington
- Gramm-Leach Bliley, Sarbanes-Oxley, COBRA and HIPAA compliance
- policy forms and rate approval
- representing health care service contractors and insurance companies in class action and other litigation regarding policyholder complaints, benefit disputes, coverage issues and premium rates
- representing insurers and producers in OIC market conduct and financial exams, auditing and enforcement actions

Subrogation

Carney Badley Spellman's Insurance Practice Group protects the financial interests of our clients by working to recover funds paid out for damages or loss in claims. Our attorneys have experience with large loss, complex and high-value subrogation claims, claims arising from crane collapses and product liability. In addition, we routinely handle claims involving:



- automobile property loss
- personal injury
- fire loss
- construction defect, loss or damage
- premises liability
- real estate
- business
- contributions from coinsurers
- other third party claims

Toxic Tort

Carney Badley Spellman attorneys are involved in toxic tort litigation and long-term exposure litigation that include claims arising out of release of chemicals and contaminants to drinking water, soil, groundwater and the air, chemical exposure, pharmaceutical and medical products, food products and toxic mold. The cases have included personal injury and economic damage as well as property damage. In particular, our attorneys have an excellent reputation defending thousands of lawsuits seeking damages for asbestos-related illnesses. We represent local and national manufacturers, distributors, contractors, subcontractors, premises owners and insurers facing the threat of pending or future litigation. We strive to develop effective and novel defense strategies that address, among other areas, the relationships between the alleged exposure and damages, applicable state of the art, industry knowledge of hazards, product warnings and applicable law and policy. Oftentimes, successful defense is critical to the viability of a company.

Other Firm Services

Business

Carney Badley Spellman has an extensive Business Group that focuses on closely-held middle-market businesses and emerging businesses. We are committed to providing our clients with practical, cost-effective advice designed to add value to their businesses. We can assist you in developing strategies to minimize your risk in this ever-changing economy and help you to align your corporate and business goals. We offer you advice and counseling regarding daily operations including corporate governance and compliance, commercial contracts, employment law, finance, mergers and acquisitions, tax and estate planning. We act as general counsel and advise management, directors and owners about the full range of legal and regulatory issues facing them in their industries. In addition, we offer management, financial and strategic planning advice to emerging companies. We regularly assist in pre-IPO planning, executive compensation and option plan issues.

Construction

Our Construction Practice Group represents all segments of the construction industry, including public and private owners, developers, general contractors, subcontractors, suppliers, design professionals, shipyards and insurance carriers. We work with our clients regarding land use development, property acquisition and permitting for development. We further work with our clients in drafting and negotiating construction contracts, subcontracts and purchase orders. We handle all types of disputes, including claims for additional compensation, defective construction, bid protests, errors and omissions claims, best value procurements, lien and bond claims and insurance coverage. We have experience with pile driving projects and heavy civil construction for infrastructure projects such as tunnels and bridges. In the event of a dispute, Carney Badley Spellman has significant experience successfully resolving the matters in mediation, arbitration and trial.

Government Affairs

Carney Badley Spellman's Lobbying Group has extensive experience in several industries, including construction, engineering and architectural services, insurance, banking, health care, telecommunications and technology and transportation. News articles in *The Olympian*, the *Seattle Weekly*, and the *Spokesman-Review* have described our lobbying practice as "top-tier" and "high-powered," and have recognized Carney Badley Spellman as the state's "mega-lobbying firm". Our clients receive first-class representation, advice and access to key decision makers on a variety of public policy issues. In addition to guiding each client through the legislative and regulatory process, we provide a range of other services as part of the management and development of a successful government affairs program. These services include public disclosure consulting, political action committee management, media relations, managing ballot measure campaigns and legal research and advice.

Litigation

Carney Badley Spellman has a broad Litigation Practice Group. The firm has a long-standing relationship with the insurance industry and has an established expertise in defense of tort claims and resolution of insurance coverage issues. Our attorneys have defended numerous class actions. Several of our attorneys focus their practice on construction law, real estate litigation, employment law, contract litigation, toxic tort and criminal law. In addition, the firm has a strong appellate practice group. Our attorneys provide research, briefing and oral argument of writ applications, post-trial motions and civil and criminal appeals in state and federal courts. The principal attorneys in our Appellate Advocacy Group have more than seventy-five years combined experience arguing appeals in the state and federal appeals courts. They have won groundbreaking victories in the Washington Supreme Court and the United States Court of Appeals for the Ninth Circuit. Victories for our clients have been earned in the Pacific Northwest, and from Alaska to Florida.

Real Estate

Carney Badley Spellman's Real Estate Practice Group can assist you with all facets of real estate development and ownership including sales and acquisitions, loan structuring, capital formation and planning, workouts, commercial leasing, property management, land use, construction and development issues and even litigation if necessary. In addition, we have experience with bankruptcy, receivership and distressed properties, condemnation and unlawful detainers. We represent purchasers, sellers, developers, owners, landlords, tenants and lenders. We always seek to provide pragmatic counsel and efficient service to assist you with your project. Carney Badley Spellman also has attorneys that are LEED certified professionals. Our attorneys practicing in the areas of real estate, construction and land use are able to assist our clients in achieving their green building goals.