



JASON W. ANDERSON

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Jason W. Anderson handles disputes in appellate courts and assists trial counsel in positioning cases for appeal.

Jason has handled appeals in state and federal appellate courts for nearly two decades. He particularly understands the importance of excellent brief writing. Jason has earned a reputation as one of the top brief writers in Washington.

That dedication to his craft is why clients trust Jason with high-stakes appeals. He has represented multiple Fortune 500 companies and routinely assists clients in challenging large money judgments. Jason objectively assesses clients' chances of prevailing on appeal and keeps them informed at every stage of the process.

Although he now focuses exclusively on appeals and related matters, Jason draws on firsthand trial experience in doing so. He also has significant experience serving as embedded appellate counsel at trial, focusing on preserving error for appeal.

Jason's appellate victories include multiple precedent-setting decisions, including *Matter of Estate of Petelle*, 195 Wash.2d 661 (2020) (holding that a separation agreement that settles all marital property rights waives a spouse's statutory right to intestate succession), *Keodalah v. Allstate Insurance Company*, 194 Wash.2d 339 (2019) (disallowing insurance-bad-faith claims against claims adjusters), and *Adamson v. Port of Bellingham*, 907 F.3d 1122 (9th Cir. 2018) (holding that a ferry-passenger ramp is not analogous to a gangplank and thus is not a basis for admiralty jurisdiction over a negligence action).

Before joining Carney Badley Spellman, Jason served for two years as a law clerk to the Honorable David H. Armstrong of the Court of Appeals of the State of Washington, Division Two. Jason attended law school on a presidential scholarship and served as executive editor of *Seattle University Law Review*.

When away from his desk, Jason can usually be found outside either running, hiking, or paddle boarding with his dog, or working on a home-improvement project.

Education

JD, magna cum laude, Seattle University School of Law, 2000

BA, cum laude, Seattle University, Matteo Ricci College, 1997

Bar and Court Admissions

State of Washington

U.S. District Court, Western District of Washington

U.S. Court of Appeals, Ninth Circuit

U.S. Supreme Court

Professional Associations

Washington State Bar Association (WSBA)

Defense Research Institute (DRI), Appellate Advocacy Committee

King County Bar Association (KCBA), Appellate Section (first vice chair, 2020-21)

Washington Defense Trial Lawyers Association (WDTL)

Featured Appellate Cases

Matter of Estate of Petelle, 195 Wash.2d 661 (2020) (holding that a separation agreement that settles all marital property rights waives a spouse's statutory right to intestate succession).

Mohandessi v. Urban Venture, LLC, 13 Wash. App. 2d 681 (2020) (affirming a summary judgment that dismissed claims against a developer relating to a condominium declaration and awarding attorney's fees).

Coogan v. Borg-Warner Morse Tec, Inc., 12 Wash. App. 2d 1021, 2020 WL 824192 (2020) (unpublished) (reversing the judgment on an \$81.5 million jury verdict for wrongful death from mesothelioma).

Keodalah v. Allstate Insurance Co., 194 Wash.2d 339 (2019) (reversing the intermediate appellate court's decision and disallowing insurance-bad-faith claims against claims adjusters).

Farzad v. Dep't of Health–Med. Quality Assurance Comm'n, 10 Wash. App. 2d 1028, 2019 WL 4997963 (2019) (unpublished), *review dismissed*, 461 P.3d 1199 (2020) (affirming a summary judgment that dismissed defamation and related claims against managed-care company).

Tapken v. Spokane County, 9 Wash. App. 2d 1027, 2019 WL 24776445 (2019) (unpublished) (affirming the judgment on a \$12.5 million jury verdict against a municipality for personal injuries caused by dangerous road design).

Adamson v. Port of Bellingham, 907 F.3d 1122 (9th Cir. 2018) (holding that a ferry-passenger ramp is not analogous to a gangplank and thus is not a basis for admiralty jurisdiction over a negligence action).

George E. Failing Co. v. Cascade Drilling, Inc., 197 Wash. App. 1019, 2016 WL 7470094 (2016) (unpublished) (affirming a \$1.6 million sanction for bad-faith litigation).

Tapken v. Spokane County, 192 Wash. App. 1012, 2016 WL 181566 (2016) (unpublished) (reversing the dismissal of a personal-injury action during trial and remanding for trial).

Millican v. N.A. Degerstrom, Inc., 177 Wash. App. 881 (2013), *review denied*, 179 Wash.2d 1026 (2014) (reversing the judgment on a jury verdict for the defense in a wrongful-death lawsuit and remanding for a new trial).

Barabin v. AstenJohnson, 730 F.3d 457 (9th Cir. 2014) (en banc) (vacating the judgment on a \$10.2 million jury verdict and establishing the proper remedy for erroneous admission of expert testimony).

Aldridge v. Aldridge, 175 Wash. App. 1017, 2013 WL 2904289 (2013) (unpublished) (remanding for modification of child-support order).

Cummings v. Budget Tank Removal & Environmental Services, 163 Wash. App. 379 (2011) (affirming the judgment on \$1.6 million arbitration award for breach of contract and violation of the Consumer Protection Act; appellate fees awarded).

Young v. Regence BlueShield, 389 Fed. Appx. 692 (9th Cir. 2010) (affirming the dismissal of claims under an ERISA plan for failure join required parties).

In re Marriage of Rockwell, 156 Wash. App. 1046, 2010 WL 2670848 (2010) (unpublished) (vacating a division of marital property and remanding for new division).

Higgins v. Intex Recreation Corp., 123 Wash. App. 821 (2004) (affirming a \$7.5 million products-liability verdict).

Professional Involvement

Jason is the first vice chair of the Appellate Section of the King County Bar Association for 2020-21. He regularly organizes and moderates presentations to the section. In November 2019, Jason moderated a panel of practitioners on “The Role of Appellate Counsel at Trial.” In November 2018, Jason moderated a panel of practitioners on “Handling Clients on Appeal.”

Jason has participated in planning seminars for DRI’s Appellate Advocacy Committee since 2018. At the Committee’s 2019 seminar in Chicago, Jason moderated a panel of judges and an academic on “Judicial Ethics: Disqualification and Recusal.” Over 200 appellate judges and practitioners attended the presentation as a joint session of the Committee and the National Foundation for Judicial Excellence (NFJE).

Publications

- “Disqualification and Recusal of Federal Appellate Judges,” *For the Defense* (DRI), February 2019.
- “Expansion of Judicial Review of Arbitration Awards,” *Appellate Practice*, March 2017
- “Ten Points on Preservation of Error,” *For the Defense* (DRI), March 2016
- *Practice Compendium, Chapter 63: Insider’s Guide to the Washington State Appellate Courts* (ABA 2012)