



## Trial & Appellate Work

### Trial

Alternative dispute resolution is always a component of claim resolution, but to get the best results through negotiation or mediation, the other side has to know that when push comes to shove, we will win at trial. In this respect, everything about a case is about preparing for trial, even if we never get there. The litigators at Barker Martin understand this reality. That's why when trial is the best option, we have and will take a case to trial. Barker Martin's partners have successfully tried cases to verdict in both Washington and Oregon.

In fact, our extensive trial experience (three of the five partners being former criminal prosecuting attorneys) applies to our general counsel work as well. Our extensive courtroom experience puts us in the unique position of projecting how a dispute may play out in front of a judge or jury. This knowledge allows us to advise our clients so that they can avoid getting pulled into court in the first place, and to make sure that they can present the most reasonable defense if they do get sued.

Bigger than a solo practitioner, but smaller and more focused than a mega-firm, Barker Martin has the focus, resources and resolve to properly prepare and present your case at trial.

### Construction Defect & Warranty Claims

Defect and warranty claims often involve three complex but interrelated components – community association or other tort-based law, construction knowledge and insurance coverage. Extensive knowledge in any one of these areas gives one party an edge in negotiating successful resolution of a case. Because our practice has been focused over the years on these three components, Barker Martin's attorneys have gained more extensive knowledge than a general practitioner trial attorney ever could, giving us a substantial advantage over our competitors and adversaries. Having this knowledge also allows us to provide our clients with sufficient information about all aspects of their claim so that they can make informed decisions.

Because we are not just trial attorneys, we understand that a settlement or verdict is not the end of the process. For some clients, it is just the beginning. Barker Martin's commitment to our clients does not end with a successful resolution of the legal claims. We often assist our clients with post-settlement repair processes and continue to represent our defect clients as general counsel.

### General Litigation



Because the construction defect practice involves complex procedural litigation and substantial insurance issues, we also handle complex litigation matters such as insurance coverage declaratory judgment actions, insurance bad faith claims, multi-party breach of contract cases, commercial lease disputes, real estate litigation, indemnity and various other commercial litigation matters as a natural extension of our core practice.

Barker Martin's litigators are well qualified to handle complex civil disputes. Because of our depth of experience, we are also able to continue to provide excellent client service if a seemingly straightforward case splinters into an insurance coverage matter, multi-party claim or appeal. Our attorneys are qualified to handle all aspects of a legal claim, from evaluation and evaluation of alternative dispute resolution, filing, to litigation and trial, through post-judgment supplemental proceedings and execution on a judgment.

### Appeals

Many firms offer trial services, but when an appellate issue arises, they refer a client to another unfamiliar practice group or even another law firm. At Barker Martin, we have the experience and qualifications to pursue the case all the way through the appellate process, which means that the attorneys you already know and the ones that know you are the ones prosecuting the appeal. You won't have to shop for separate appellate attorneys. Several of our attorneys have argued before the Washington Courts of Appeals and Washington Supreme Court and have litigated in the Oregon and Florida Courts of Appeal.