

Construction Defect, Litigation and Insurance Issues

On both sides of the river

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Overview

- The Wonderful World of CD Law
- Other Litigation
- Third-Party Insurance Practice

CD Law

- What is it?
- Types of claims:
 - Condominium
 - New construction
 - Conversions
 - Single family residential
 - Commercial
- Pre-filing requirements (ORS 701; RCW 64.50)
- Different from other types of litigation
- Practice tips

General Litigation

- Pre-filing requirements
- Rule 21 motions practice
- Discovery
 - Experts
- Civil, Uniform Trial, Local and Other Rules
- Trial

Third-Party Insurance Practice

- Tenders / Claims
- Tripartite relationship (OR) v *Tank* duty (WA)
- Bad faith
 - Teeth (WA) vs. Gums (OR)
 - Coverage by estoppel
- IFCA in Washington
- Additional insured (AI) issues
- Attorneys' fees & pre-tender costs (yes...no...maybe)
- Stipulated judgments / assignment of claims

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Q & A

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