

## THE FIRM

With ten full time attorneys, we are one of the largest firms in Central Washington. We have extensive expertise in insurance defense, employment law, and civil litigation, including medical negligence and professional liability defense. Our lawyers have many years of trial experience handling a great variety of cases. We are an innovative, but traditional law firm in which our clients' and their insurers' reputations are carefully guarded. Although we have represented hospitals, clinics, and healthcare providers in Oregon and Washington, we primarily serve this clientele in Central Washington.

We are well-known and respected by the Judges in Yakima, Chelan, Douglas, Franklin, Benton, Grant, Kittitas, Klickitat, Walla Walla Counties, and in the Federal District Courts of Washington. We have tried cases in all of these counties, and in the Federal District Courts of Washington. Our expertise and success in trial and with creative and successful motions for summary judgment is well-known.

Our firm is AV rated by the Martindale-Hubbell Law Directory and is listed in Martindale-Hubbell Bar Register of Preeminent Lawyers and in Best's Directory of Recommended Insurance Attorneys.

## OUR LAWYERS

### JEROME R. AIKEN

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Mr. Aiken is a shareholder with Meyer, Fluegge & Tenney and has been practicing in Yakima since 1984. He practices in the area of medical negligence defense, and has successfully represented hospitals and health care providers in Washington for decades. He also has extensive experience in commercial litigation. His practice also includes representing health professionals in investigations and administrative matters primarily involving allegations of professional negligence.

Mr. Aiken received his undergraduate degree from Washington State University Summa Cum Laude, and is a member of the scholastic honorary fraternities Phi Beta Kappa and Phi Kappa Phi. He graduated from the University of Oregon School of Law in 1984, and was honored by being selected as a member of the Order of the Coif. During law school, Mr. Aiken was presented with American Jurisprudence awards in Trust and Estates and Secured Land Transactions. Mr. Aiken has been involved in the United Way, and served as a board member of the American Red Cross.

## MARK D. WATSON

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Mr. Watson is a shareholder with Meyer, Fluegge & Tenney and currently practices insurance defense. He graduated from the University of Oregon School of Law in 1984. He was a member of the Phi Delta Phi legal fraternity and was an Associate Editor of the Oregon Law Review. He belongs to the Washington and Oregon Bar Associations, and has been in practice in Yakima since 1984. He is admitted to the Washington Federal courts.

He is a past officer of the Yakima County Bar Association and past trustee of the Washington Defense Trial Lawyers. He is also actively involved in his community, having participated in the United Way, the Board of Directors of the Central Washington Service Center for the Deaf and Hard of Hearing, Success by Six, and the St. Paul Education Foundation. He has been appointed as a Special Prosecutor on civil and criminal matters.

## JOHN A. MAXWELL, JR.

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Mr. Maxwell is a shareholder with Meyer, Fluegge & Tenney. His current practice focuses on domestic law. He graduated from the University of Washington in 1984 with an undergraduate degree in Economics. In 1987, he graduated Cum Laude from the University of Puget Sound School of Law. He is a member of the Washington State and American Bar Associations, and the Washington State and National Association of Criminal Defense Lawyers.

## PETER M. RITCHIE

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Mr. Ritchie is a shareholder with Meyer, Fluegge & Tenney, and currently the immediate past-President of the Washington Defense Trial Lawyers Association. His practice primarily involves insurance defense and civil litigation throughout Washington, including medical negligence defense. He practices in state and federal courts. In addition, he has appellate experience.

He is licensed in Washington, Oregon, and Virginia, and has been consistently recognized in the Washington SuperLawyers Magazine as a Rising Star from 2014-2018, and as a SuperLawyer 2019-2021.

Mr. Ritchie earned a Master's degree in Government and his Juris Doctor from Regent University in 2008. During law school, he served on the Regent Journal of Law & Public Policy, the Regent University Law Review, and worked as a law clerk for the American Center of Law & Justice.

## JAMES C. CARMODY

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Mr. Carmody is a shareholder with Meyer, Fluegge & Tenney. He graduated from the University of Washington in 1975. His professional experience has focused on environmental and land use planning, zoning, municipal law, real estate and business planning, and state and local administrative law. He has served as general and special counsel to municipalities throughout Central Washington. He has been voted by his peers as a Washington SuperLawyer in Land Use and Zoning, and was named 2012-2014 Top-Rated Lawyer in Energy, Environmental, and Natural Resources.

He has participated in community organizations, edited/authored several business-related publications, and has recently had speaking engagements relating to land use, environmental use, and renewable energy. He received the Distinguished Service Award from the Yakima County Bar Association and the Gold Acorn Award from the Yakima School District for community service.

## JACOB A. LARA

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Mr. Lara is a shareholder at Meyer, Fluegge & Tenney. His current practice focuses on civil litigation and insurance defense. He earned his juris doctor from Gonzaga University in 2013. While attending Gonzaga, Mr. Lara interned with the Honorable Frank Kurtz at the United States Bankruptcy Court for the Eastern District of Washington. Mr. Lara also interned with the Federal Defenders of Eastern Washington and Idaho working on criminal matters in Federal District Court. Mr. Lara has handled a variety of legal matters including criminal defense cases, debtor/creditor matters, collection matters, contract cases, landlord-tenant matters, and other civil litigation. He has tried criminal jury trials and numerous civil trials in Yakima County District Court.

## GARY E. LOFLAND

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Mr. Lofland is *Of Counsel* at Meyer, Fluegge & Tenney. His practice emphasizes representation of private and municipal employers in labor and employment matters. He received his law degree at Ohio Northern University, Claude W. Pettit College of Law, in 1975. He is rated in the top 100 labor attorneys in America by the Labor Relations Institute, as well as being listed as a Washington SuperLawyer, listed in Best Lawyers of the United States, and also listed in Best Lawyers of Washington. Many of his cases have been published in various legal references, and he practices before numerous state and federal courts on a broad variety of labor and employment related matters.

**KINDRA C. CRAWFORD**

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Ms. Crawford is an associate at Meyer, Fluegge & Tenney. Her current practice focuses on civil litigation and insurance defense. She earned her juris doctor from Georgetown University Law Center in 2019. During her time in law school she interned at the Northwest Justice Project and the Washington State Attorney General's Office in the Agriculture and Health Division. Ms. Crawford spent her last semester of law school at the Center of Applied Legal Studies where she and her co-counsel successfully represented a refugee seeking asylum.

**ROBERT S. URLOCKER**

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Mr. Urlocker is an associate at Meyer, Fluegge & Tenney. He graduated from Gonzaga University School of Law in 2020 and is admitted to practice in Washington. Mr. Urlocker interned with the Unemployment Law Project, a non-profit that provides legal representation to individuals who have been denied unemployment benefits. Mr. Urlocker also worked as an extern at the Environmental Law Clinic where he provided legal services to non-profits that worked to protect rivers and streams of the Pacific Northwest.

## APPELLATE PRACTICE

The firm has successfully handled numerous appeals, both at the Court of Appeals and Supreme Court level, as well as in federal court.

### WASHINGTON SUPREME COURT

- **Frausto v. Yakima HMA, LLC**, 188 Wn.2d 227 (2017)
- **Henne v. City of Yakima**, 182 Wn.2d 447, 341, P.3d (2015), as corrected (Apr. 7, 2015)
- **Fast v. Kennewick General Hospital**, 188 Wn. App. 43 (2015)
- **Cornu-Labat v. Hospital Dist. No. 2 Grant County**, 177 Wn.2d 221 (2013)
- **Mohr v. Grantham**, 172 Wn.2d 844 (2011)
- **Western Farm Services, Inc. v. Olsen**, 151 Wn.2d 645 (2004)
- **Buchanan v. Simplot Feeders Ltd.**, 134 Wn.2d 673 (1998)
- **Food Services vs. Royal Heights**, 123 Wn.2d 779 (1994)
- **Cowiche Canyon Conservancy v. Bosley**, 118 Wn.2d 801, 828 P.2d 549 (1992)
- **State v. Smith**, 119 Wn.2d 675 (1992)
- **Beaman v. Yakima Valley Disposal**, 116 Wn. 2d. 697 (1991)
- **Goucher v. J.R. Simplot Co.**, 104 Wn.2d 662 (1985)
- **Ritter v. Board of Com'rs of Adams County Public Hospital Dist. No. 1**, 96 Wn.2d 503 (1981)
- **Herberg v. Swartz**, 89 Wn.2d 916 (1978)

### STATE COURT OF APPEALS

- **Hebert v. Spring Creek**, (Div. III No. 372154) (2019) (pending)
- **Washington Department of Ecology v. Zillox**, (Div. III No. 369285) (2019) (pending)
- **Stadelman v. Voorhies**, 35165-3-III, 2018 WL 3359659 (Wash. Ct. App. July 10, 2018)
- **Summit Leasing, Inc. v. Chhatrala Edes**, 196 Wn. App. 1030 (2016)
- **Lennox v. Lourdes Health Network**, 195 Wn. App. 1003 (2016)
- **Burksfield v. Sali**, 194 Wn. App. 1052 (2016)
- **Bechard v. Dalrymple**, 189 Wn. App. 1044 (2015)
- **In re: the Adoption of Infant G.-C.**, 185 Wn. App. 1053 (2015)
- **Williams v. Underwire Services, LLC**, 2015 WL 789268 (unpublished)
- **Schreiner Farms, Inc. v. Am. Tower, Inc.**, 173 Wn. App. 154, 293 P.3d 407 (2013)
- **Anderson v. Central Washington Hospital, et al.**, (Division I, Court of Appeals, Cause No. 69170-8-I) Motion for Discretionary Review (2013)
- **Blum v. Our Lady of Lourdes Hospital at Pasco**, WL 4676036 (2013)
- **Dixon v. Yakima HMA, LLC**, WL 6407712 (2013)
- **Franklund v. Olson**, 168 Wn. App. 1046 (2012)
- **Wilson v. Sunnyside Community Hospital**, 162 Wn. App. 731 (2011)

- ***OB-1 v. Pinson and Vinson***, 161 Wn. App. 1044 (2011)
- ***Diaz v. Sunnyside Community Hospital***, (Division I, Court of Appeals, Cause No. 64894-2-I) Motion for Discretionary Review (2010)
- ***Geffe v. Providence Yakima Medical Center***, (Division III, Washington Court of Appeals Cause No. 283071-III), 2009, court granted Motion for Discretionary Review, case settled
- ***Hahn v. Chelan-Douglas Behavioral Health Clinic***, 153 Wn. App. 1004 (2009) (unpublished)
- ***Rounds v. Nellcor Puritan Bennett***, 147 Wn. App. 155 (2008), rev. denied, 165 Wn.2d 1047 (2009)
- ***Woody v. Stapp***, 146 Wn. App. 16 (2008)
- ***Mack v. Armstrong***, 147 Wn. App. 522 (2008)
- ***Lomax v. Yakima Valley Memorial Hospital***, (Division III Washington Court of Appeals Cause No. 25931-5-III), decided 2008, unpublished
- ***Weinheimer v. Weinheimer***, 146 Wn. App. 1018 (2008)
- ***Amiri v. Central Family Medicine et al.***, (Division III Washington Court of Appeals Cause No. 25329-5-III), decided 2007 unpublished
- ***Blevins v. Yakima Valley Memorial Hospital***, (Division III Washington Court of Appeals Cause No. 25059-8-III), decided 2006, unpublished, Court denied petition for discretionary review of order granting partial summary judgment in favor of our client
- ***Grant v. Boccia***, 133 Wn. App. 176, 137 P.2d 20 (2006)
- ***Evans & Sons, Inc. v. City of Yakima***, 136 Wn. App. 471 (2006)
- ***Murillo v. Lourdes Medical Center***, (Division III Washington Court of Appeals Cause No. 24107-6-III), decided 2005, unpublished, Court denied petition for discretionary review of order granting summary judgment in favor of our client
- ***Morrison v. Basin Asphalt***, 131 Wn. App. 158 (2005)
- ***Matson Fruit v. Brandt's Fruit Tree***, (Division III Washington Court of Appeals Cause No. 23922-5-III), 2005, case settled after submitting brief
- ***Lopez-Stayer ex rel. Stayer v. Pitts***, 122 Wn. App. 45 (2004)
- ***Colbert v. Pacific States Marine Fisheries Com'n***, 124 Wn. App. 821 (2004)
- ***Lakes v. VonDerMehden***, 117 Wn.App. 212 (2003)
- ***Aspen Grove, LLC v. Aer-Ex, Inc.***, 117 Wn. App. 1061 (2003) (unpublished)
- ***Lizotte v. Schumacher***, (Division III Washington Court of Appeals, 2003 Westlaw 827623) decided 2003, unpublished
- ***Arreygue v. Lutz***, 116 Wash.App. 938 (2003)
- ***City of Yakima v. Mollett***, 115 Wn. App. 604 (2003)
- ***Hauber v. Yakima County***, 147 Wn.2d 655, 56 P.3d 559 (2002)
- ***Iorio v. Everson***, 110 Wn. App. 1028 (2002) (unpublished)
- ***Herwander v. Herwander***, 110 Wn. App. 1085 (2002) (unpublished)
- ***Richter v. Rossmeisl***, (Division III Washington Court of Appeals Cause No. 20110-4-III) decided 2002, unpublished
- ***Western Farm Services, Inc. v. Olsen***, 114 Wn.App. 508 (2002)

- **Mayo v. Hiersche**, (Division III Washington Court of Appeals Cause No. 19735-2-III), decided 2002, unpublished, Court denied petition for discretionary review of order granting summary judgment in favor of our client
- **Everett v. Central Washington Hospital**, (Division II Washington Court of Appeals Cause No. 25985-1-II), decided 2002, shortly before oral argument, Plaintiff dismissed appeal of order granting summary judgment in favor of our client
- **Judy v. Hanford Environmental Health Foundation**, 106 Wn. App. 26 (2001)
- **Hsieh v. State of Washington Dept. of Ecology**, 104 Wn. App. 1002 (2001) (unpublished)
- **Allen v. Providence Health Systems-Washington**, (Division III Washington Court of Appeals Cause No. 19689-2-III), decided 2001, unpublished
- **Dolsen Companies v. Noel Canning Corp.**, 104 Wn. App. 1001 (2001) (unpublished)
- **Mann v. Household Finance Corp.**, 109 Wn. App. 387 (2001)
- **Shupe v. Perry**, (Division III Washington Court of Appeals Cause No. 18146-4-III), decided 2000, unpublished - Shupe II
- **Newby v. Kadlec**, (Division III Washington Court of Appeals Cause No. 18300-9-III), decided 2000, unpublished, Court's own motion on the merits
- **Coleman v. Perry**, (Washington Supreme Court Cause No. 66538-9, direct review to Supreme Court, case settled just prior to scheduled oral arguments 1999)
- **Coe v. Reinke**, (Division III Washington Court of Appeals No. 16688-1-III), decided 1999, unpublished
- **Wicklander v. Our Lady of Lourdes Health Center**, (Division III Washington Court of Appeals, Cause No. 17610-0-III), decided 1999, unpublished
- **Shupe v. Perry**, (Division III Washington Court of Appeals Cause No. 17015-2-III), decided 1999, unpublished - Shupe I
- **Nguyen v. Sacred Heart Medical Center**, 97 Wash.App. 728 (1999)
- **In re Farina**, 94 Wn. App. 441 (1999)
- **Waggoner v. Ace Hardware Corp.**, 134 Wn. 2d 748
- **Buchanan v. Simplot Feeders Ltd.**, 134 Wn.2d 673, 952 P.2d 673 (1998) (certified question)
- **Wilson v. Sunnyside Community Hospital**, (Division III Washington Court of Appeals No. 16648-1-III), decided 1998, unpublished
- **Holden v. Beavert**, (Division III Washington Court of Appeals Cause No. 15529-3-III) decided 1998, unpublished
- **IM EX Trading Company v. Raad**, 92 Wn. App. 529 (1998)
- **Whiteside v. Lukson**, 89 Wn. App. 109, 947 P.2d 1263 (1997)
- **Finke v. Liu**, (Division III Washington Court of Appeals, Cause No. 15579-0-III), decided 1997, unpublished
- **Perez v. Mid-Century Ins. Co.**, 85 Wn. App. 760, 934 P.2d 760 (1997)
- **In re Marriage of Vander Houwen**, 87 Wn. App. 1082 (1997) (unpublished)
- **Cluff v. CMX Corp**, 84 Wn. App. 634 (Div III, 1997)

- ***Loosveldt v. Paine, Hamblen***, (Division I Washington Court of Appeals, Cause No. 38339-6-I), decided 1996, unpublished
- ***Bravo v. Doleson***, 71 Wn. App. 769 (Div III, 1993), 125 Wn. 2d. 745 (1995)
- ***Hue v. Farmboy Spray Co., Inc.***, 127 Wn.2d 67, 896 P.2d 682, Prod.Liab.Rep. (CCH) P 14,259 (1995)
- ***Munn v. Mutual of Enumclaw Ins. Co.***, 73 Wn. App. 321 (1994)
- ***Clayton v. Clayton, C.***, (Division III, Washington Court of Appeals Cause No. 13334-6), decided 1994, unpublished
- ***Tennyson v. Plum Creek Timber Co.***, 73 Wn. App. 550, 872 P.2d 524, *review denied* 124 Wn.2d 1029, 883 P.2d 327 (1994)
- ***Zirkle v. Perleberg***, (Division III Washington Court of Appeals, Cause No. 12232-8-III), decided 1994, unpublished
- ***City of Yakima v. Irwin***, 70 Wn. App. 1 (1993)
- ***Patten v. Ackerman***, 68 Wn. App. 831 (Div III, 1993)
- ***Robinson v. Pemco Insurance Company***, 71 Wn.App. 746, 862 P.2d 614 (1993)
- ***Vintage Valley, Inc. v. Quail Run Vintners***, (Division III of Washington Court of Appeals Cause No. 11200-4-III), decided 1993, unpublished, *review denied*, 121 Wn.2d 1024, 854 P.2d 1024 (1993)
- ***Hinman v. Yakima School District No. 7***, 69 Wash. App. 445 (1993)
- ***Bosley v. American Motorist Ins. Co.***, 66 Wn. App. 698 (1992)
- ***Irwin v. Irwin***, 64 Wn. App. 38, 822 P.2d 797, *review denied*, 119 Wn.2d 1009, 833 P.2d 387 (1992)
- ***Thomas v. Wilfac, Inc.***, 65 Wn. App. 255, 828 P.2d 597 (1992)
- ***Roe v. Quality Transportation***, 67 Wn. App. 604 (Div III, 1992)
- ***Hill v. Kennewick General Hospital***, (Division III Washington Court of Appeals Cause No. 11094-0-III), decided 1992, unpublished
- ***Dunham v. Lake Chelan Water Slides***, (Division III of Washington Court of Appeals, Cause No. 11160-1-III), decided 1992, unpublished
- ***Howard v. Apple Tree Turf Racing Associates, Inc.***, (Division III Washington Court of Appeals Cause No. 11161-0-III), 1991, case settled after submitting brief of Appellant/Defendant
- ***State v. Smith***, 61 Wn. App. 482 (1991)
- ***Johnson v. Coffman***, 58 Wn. App. 1005 (1990) (unpublished)
- ***Siekawitch v. Wash. Beef Producers***, 58 Wn. App. 454, 793 P.2d 994 (1990)
- ***Johnson v. Brado***, 56 Wash.App. 163 (1989)
- ***Fiscus Freight v. Universal Insurance***, 53 Wn. App. 777 (1989)
- ***Clark v. Selah School District***, 53 Wn. App. 832 (Div III, 1989)
- ***Adams v. Allen***, 56 Wn. App. 383, 783 P.2d 635 (1989) (prevailed in part)
- ***Federated Service Insurance v. R.E.W., Inc.***, 53 Wn. App. 730, 770 P.2d 654 (1989)
- ***Ditlefsen v. Wondrack***, (Division III Washington Court of Appeals Cause No. 95649-III), decided 1989, unpublished



- *Cascade Trailer Court v. Beeson*, 50 Wn. App. 678, 749 P.2d 761, *review denied*, 110 Wn.2d 1030 (1988)
- *Marley Orchards v. Travelers Indemnity*, 50 Wn. App. 801, 750 P.2d 1294 (1988)
- *Smith v. Kennewick General Hospital*, (Division III Washington Court of Appeals Cause No. 8719-1-III), decided 1988, unpublished
- *Dolsen Leasing Company v. Copeland*, (Division III Washington Court of Appeals No. 8464-7-III), decided 1988, unpublished (prevailed in part)
- *Swiger v. Wiltco Manufacturing, Inc.*, (Division III Washington Court of Appeals Cause No. 81472-7-III), decided 1987, unpublished
- *Boutillier v. Libby, McNeil, and Libby*, 42 Wn. App. 699 (Div III, 1986)
- *Barnard v. Compugraphic Corp.*, 35 Wn. App. 414 (1983)
- *Henry v. Leonard Truck Lines, Inc.*, 24 Wn. App. 643 (1979)

## FEDERAL CASES

- *Advanced Life Systems, Inc. v. National Labor Board*, 898 F.3d 38 (D.C. Cir. 2018)
- *Hooks v. Kitsap Tenant Support Services, Inc.*, 816 F.3d 550 (2016)
- *NLRB v. Noel Canning Co.*, 134 S.Ct. 2250 (2014)
- *Noel Canning v. NLRB*, 705 F.3d 490 (DC Cir. 2013)
- *Marchand v. Detrolino*, 348 Fed. Appx. 320 (2009) (unpublished)
- *Mills v. Blackburn*, 274 F. App'x 563 (9th Cir. 2008) (unpublished)
- *Sanchez-Garcia v. United States*, 543 U.S. 1115 (2005)
- *U.S. v. Sanchez-Garcia*, 139 Fed. Appx. 911 (2005)
- *Western States Paving Co Inc. v. Washington Department of Transportation*, 407 F. 3d. 983 (2005)
- *Hayes v. Our Lady of Lourdes*, (9<sup>th</sup> Circuit Court of Appeals, No. 97-35062), decided 1997, unpublished
- *U.S. v. Harris*, 65 F.3d 177 (1995) (unpublished)
- *U.S. v. Negrete-Gonzales*, 966 F.2d 1277 (1992)
- *U.S. v. Torres*, 908 F.2d 1417 (1990)
- *Mountain West Holding Company v. Montana Department of Transportation*. Case 1:13-CV-00049 DLC *Davis v. Ellensburg*, 869 F.2d 1230 (9<sup>th</sup> Cir. 1989)
- *ALS v. NLRB*, 898 F.3d 38 (DC Cir, 1018)
- *Noel Canning v. NLRB*, 82 F 3d 1113 (DC Cir.)
- *Roeber v. Dowty Aerospace*, US Court of Appeals 9th Circuit 00-36011; (unpublished) 16 Wn. App. 127, 135
- *Mackay v. Pioneer National Bank*, 867 F 2d 520 (9th Cir.)
- *Baldwin v. Trailer Inns*, 266 F. 3d. 1104 (9th Cir.)