

## Roy A. Umlauf

Shareholder

With over 36 years of experience, Roy's broad litigation defense practice includes catastrophic damages, construction claims, products and personal injury defense, premises liability, bad faith, legal malpractice, underinsured motorist claims, investigation and preservation of evidence advice.

Personal injury defense litigation (emphasizing catastrophic damages cases), including vehicle accidents, premises liability, construction site claims and product liability. Litigation and advice regarding CGL, and automobile insurance policies (emphasizing UIM claims). Professional liability defense of lawyers, pharmacists, and medical providers. Arbitrator (UIM/King County Superior Court) and Mediator.

### PRACTICE EMPHASIS & EXPERIENCE

- Accident Investigation
- Appeals
- Arbitration & Mediation
- Asbestos and Toxic Tort Defense
- Automobile Liability / Transportation
- Commercial Litigation
- Construction Litigation
- Employment Litigation
- Environmental Insurance Coverage
- General Liability Defense
- Medical Professionals
- Native American & Tribal Law
- Premises Liability
- Product Liability
- Professional Liability

### RECOGNITION

- Inducted as a Fellow of the American College of Trial Lawyers in March 2019. This honor is extended by invitation only to those experienced trial lawyers who have mastered the art of advocacy and whose professional careers have been marked by the highest standards of ethical conduct, professionalism, civility and collegiality.



### CONTACT

Main Phone: (206) 689-8500

Direct Phone: (206) 689-8551

[Roy@FoUm.law](mailto:Roy@FoUm.law)

### EDUCATION

J.D., University of Puget Sound, *summa cum laude*, 1985

- Boldt Scholarship
- Law Review

B.A., University of Washington, *cum laude*, 1982

- Phi Beta Kappa

Completed Mediating the Litigated Case with Straus Institute, Pepperdine Law School

### BAR / COURT ADMISSIONS

State of Washington

U.S. District Court, Western District of Washington

U.S. District Court, Eastern District of Washington

U.S. Court of Appeals, Ninth Circuit

U.S. Supreme Court

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- Listed in *The Best Lawyers in America 2014-2019*, in the categories of *Litigation – Construction*, *Personal Injury Litigation – Defendants*, *Product Liability Litigation – Defendants* and *Professional Malpractice Law – Defendants*
- Recognized as a “Super Lawyer” by *Super Lawyers* magazine for over 12 years
- October 2009 Target Corporation Barrister of the Quarter
- 2008 Outstanding Product Liability Counsel Award from Terex Corporation (international equipment manufacturer)
- Jack P. Scholfield Outstanding Achievement Award by the Washington Defense Trial Lawyers (WDTL), 2008
- WDTL President's Award, 2005
- DRI Exceptional Achievement/Service Award, 2005

## REPRESENTATIVE CASES

- **Defense Verdict/Dismissals for Crane Manufacturers:**  
Representation of crane manufacturers in two different multimillion dollar product liability matters in 2008 and 2009, received defense verdict after month-long jury trial in one and won summary judgment dismissal in the other.
- **Defense Verdict in Sulfuric Acid Burn Jury Trial:**  
Representation of haz-mat truck driver training company in personal injury jury trial, received a defense verdict after two-week long jury trial (Co-defendant was hit for \$1.1 million).
- **Defense Verdicts for Lawyers in Malpractice Suits:**  
Received defense verdicts for lawyers in malpractice suits involving breach of fiduciary duty, Consumer Protection Act, negligence, and fraud, including jury and judge trials.
- **Defense of Retailers in Premises and Products Cases:**  
Defense of multiple retailers and premises owners in various premises cases including false arrest, false imprisonment, liquor liability, wrongful death, and product cases resulting in defense verdicts or summary judgment dismissals.
- **Defense Verdict in Alleged Brain Injury Suit Against Contractor:**  
Representation of general contractor in alleged brain injury case resulting in defense verdict after three-week trial.
- **Vehicle Accident Trials:**  
Defended drivers/companies in high-exposure trials alleging brain injury resulting in verdicts substantially below last demands.
- **Defense of Sexual Harassment/Hostile Work Environment for Employer:**  
Representation of used-car dealership & manager relating to claims of sexual harassment, hostile work environment, sex discrimination and retaliation. Manager prevailed on all claims, company prevailed on hostile work environment, discrimination and sexual harassment after lengthy jury trial. Manager prevailed on defamation claim against former employee

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## PROFESSIONAL & CIVIC INVOLVEMENT

- American Board of Trial Advocates, Member (2013 - Present)
  - Washington State Chapter Executive Board (2017 - Present, President 2021)
- American College of Trial Lawyers, Fellow
- Defense Research Institute
  - Washington State Representative (2001-2002)
  - Expert Witness Committee Chair (2003-2005)
  - Board of Directors, NW Regional Director (2002-2005)
  - Past Board Member, Utilization Committee (Chair 2010)
  - Medicare Secondary Payer Task Force (2009-2010)
- Federation Defense Corporate Counsel (FDCC), Member
- Foundation for Washington State Courts
  - President (2003-2007, 2011-2016)
  - Vice President (2017 - Present)
  - Trustee (2002 - Present)
- King County Bar Association, Member
- King County Legal Clinic, Past Volunteer (10 years)
- Seattle University Law School, Adjunct Professor
  - Personal Injury Litigation (Spring 2017, 2019)
- Washington Defense Trial Lawyers
  - Products Liability Committee (2008 - Present)
  - President's Award (2005)
  - President (2000-2001)
  - Trustee (1994-2002)
  - Officer (1997-2001)
  - Past CLE Chairman
  - Past Insurance Committee Chairman
- Washington State Bar Association, Member (1985 - Present)
- Approved CE/CLE provider for various states, including Florida, New York, New Jersey, Texas and Washington

## ARTICLES & PRESENTATIONS

- Panelist/ Speaker: "Recent Cases/Trends in Ethics Complaints, Malpractice Claims", Webinar CLE, November 3, 2021
- Speaker: "Defendant's Perspective: Comparative Fault & Other Considerations", SGAL Training Certification CLE, KCBA, June 11, 2021
- Moderator: "Litigating Civil Jury Trials in 2021: A guide from the bench on how to navigate your case in the age of COVID-19", ABOTA March 10, 2021

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- Panelist/Speaker: “Ethical Considerations with Contingent Fee Representation,” WSAJ, July 29, 2020
- Panelist/Speaker: “Remote Jury Selection in King County Superior Court,” Webinar, July 23 and 30, 2020
- Panel Member/Speaker: “Motor Vehicle Accident Discovery and Trial Issues (from the Defense Perspective),” King County Superior Court “Lunch and Learn” series, May 18, 2020
- Panel Member/Speaker: “Remote Video Deposition Tips and Tactics,” WSBA approved CLE with Buell Real Time Reporting, May 7, 2020
- Panel Member/Speaker: “Remote Video Negotiations/Mediations Via Zoom: Tactics and Strategies,” approved for continuing insurance education credit in Texas and WSBA, April, 2020
- Panel Member/Speaker: “Construction Site Accident Investigation,” February 28, 2020
- Panel Member/Speaker: “Mediation Presentation: From Defense Counsel Perspective for Claims Professionals,” November 20, 2019
- Speaker: “Voir Dire, Jury Selection,” American Board of Trial Advocates Masters in Trial Seminar, November 7, 2019
- Panel Member/Speaker: “Ethical Issues Involving Insurance,” “Ethical Considerations: What To Do When You Make a Mistake,” “Let’s Get Ethical: Risk Management Seminar,” November 7, 2019
- Speaker/Panelist: “Settlement Negotiations/Tips/Mediation,” Texas and Florida Department of Insurance Continuing Education Course, October 15 & 16, 2019
- Speaker: “Top Tips for Avoiding Legal Malpractice Claims and Ethical Complaints,” Seattle University Law School, September 10, 2019
- Panel Member: “Mock Motions in Limine and Hypothetical Litigation,” Judge/Lawyer Panel, King County Bar Association (KCBA), March 29, 2019
- Speaker: “Ethics and Risk Management,” KCBA CLE, December 6, 2018
- Speaker: “Defense Counsel’s Perspective/Tips/Issues,” KCBA Settlement Guardian ad Litem Training, KCBA CLE, June 2018
- Speaker: “Taking Expert Depositions,” WDTL Deposition Skills Seminars, July 2017 and March 2018
- Speaker: “Preparing Your Professional Witness for Testimony,” Defense Research Institute (DRI), New York, New York, December 8, 2016
- Speaker: “Ethical Dilemmas from Client Intake through Conclusion,” WSBA approved, November 16, 2016
- Speaker/Co-Chair: “Accident Investigation, Prevention, Safety and Evidence Preservation,” Risk Management Seminar, November 3, 2016
- Speaker: “Top Tips for Avoiding Legal Malpractice Claims and Ethical Complaints,” Seattle University Law School, CLE, January 29, 2016
- Speaker: “Defense Counsel’s Perspective Tips/Issues” ESAJ, December 16, 2015
- Chair/Speaker: “Legal Malpractice Ethical Considerations, Concerns and Trends” New York and New Jersey , CLE, December 2, 2015
- Chair/Speaker: “Ethics, Insurance and Professional Liability,” Daniels-Head Insurance Agency/ Forsberg & Umlauf CLE, November 12, 2015

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- Member of Trial Team Demonstration: “Masters in Trial Seminar,” ABOTA, November 12, 2015
- Speaker/Panel Member: Settlement Guardian ad Litem Training, KCBA CLE, “Defendant’s Perspective: Comparative Fault and Other Considerations,” “Structured Settlements,” October 23, 2015
- Speaker: “Top Tips for Avoiding Legal Malpractice Claims and Ethical Complaints,” Seattle University CLE, April 21, 2015
- Speaker: “Using Video to: Prepare, Evaluate & Win Cases,” PLRB Claims Conference, Anaheim, California, March 29-April 1, 2015
- Speaker: “Legal Malpractice & Insurance Considerations for Immigration Lawyers,” Immigration CLE, December 8, 2014
- Speaker/Panelist: “Evaluation, Preparation, and Transformation of the Difficult Lawyer’s Testimony and Delivery,” American Bar Association, Fall 2013 National Legal Malpractice Conference, September 20, 2013
- Speaker: “Legal Malpractice & Insurance Considerations,” WSJA Ethics Seminar, December 14, 2012
- Speaker: “Cross Examination of Accident Reconstructionist,” Washington ABOTA Masters in Cross Examination, November 1, 2012
- Speaker: “Show Me, Don’t Just Tell Me (Using Demonstrative Exhibits and Video),” Puget Sound Adjusters Association, October 19, 2012
- Speaker: “Legal Malpractice and Insurance Considerations for Immigration Lawyers,” AILA Washington Chapter, October 5, 2012
- Speaker: “Client Testimony Preparation Best Practices,” DRI Products Panel Counsel Meeting, April 10, 2012
- Speaker: “Using Video/Surveillance to Evaluate, Settle and Win Cases,” Puget Sound Adjusters Association, March 26, 2012
- Speaker: “Legal Malpractice and Insurance Considerations for Immigration Lawyers,” AILAWA CLE, December 5, 2011
- Speaker: “Lessons Learned Re: IME Video, Video Depositions at Trial,” Forsberg & Umlauf Associate Training CLE, November 8, 2011
- Speaker: “Document! Investigate! Got Surveillance? Save It Now!”, WSBA-endorsed CLE, ICE, November 3, 2011
- Speaker/Panelist: “Defense Counsel’s Perspective on Liability and Settlement,” “Structured Settlement Considerations,” King County Bar Association, Settlement Guardian Ad Litem Training, October 25, 2011
- Speaker, “Crisis Management/Accident Investigation/Preservation of Evidence,” Wells Fargo Insurance Services, October 3, 2011
- Speaker/Panelist, “Oral Argument: Trial Perspective,” Forsberg & Umlauf Associate Training CLE, September 13, 2011
- Speaker: “Estate Planning Pitfalls, Claims, Bar Complaints, Insurance from Defense Counsel’s Perspective,” WSBA CLE, July 20, 2011
- Speaker: “Crisis Management/Accident Investigation/Preservation of Evidence,” Corporate Safety Training, March 23, 2011

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- Speaker: “Crisis Management/Accident Investigation/Preservation of Evidence,” Corporate Safety Training, February 4, 2011
- Speaker: “Additional Insurance Issues from Defense Counsel Perspective: Who Is Going to Pay?” WSBA-approved CLE, Risk Management Seminar, November 4, 2010
- Speaker: “Using Demonstrative Exhibits at Trial: Show Me, Don’t Just Tell Me,” WSPA, October 29, 2010
- Chair/Panelist: “Legal Malpractice/Risk Management Essentials,” CLE, Daniels-Head Insurance, Zurich, May 20, 2010
- Speaker: “Medicare Secondary Payer Act From the Defense Perspective,” DRI Webcast CLE, Chicago, May 18, 2010
- Speaker/Panelist: “Using Biomechanics & Medicine to Determine the Mechanics of Injury,” WDTL Damages CLE, May 7, 2010
- Speaker/Moderator: “Negotiation Strategies,” CLE, May 15, 2009
- Presenter: “Explaining Your Product/Accident with Demonstrative Evidence,” WDTL Product Liability Litigation CLE, December 5, 2008
- Organizer/Speaker: “Settlement Negotiations Training,” Deerfield, September 28, 2008
- Speaker: “Opening Statement, Effective Use of Themes and Demonstratives,” September 10, 2008
- Speaker: “Using Themes in Opening,” KCBA Trial Skills, December 7, 2007
- Moderator and Speaker: “Accident Investigation/Preservation of Evidence,” 2007 Risk Management Seminar, November 1, 2007
- Speaker/Moderator: “Settlement Negotiations/Arbitration,” October 18, 2007
- Moderator/Panel Member: “IMEs and Plaintiff Experts: Open Discussion and Tips for Defending and Cross Exam,” WDTL Annual Meeting, July 13, 2007
- Speaker: “Legal Malpractice & Insurance Considerations for Immigration Lawyers,” AILA Ethics and Immigration Law Seminar, October 2, 2006
- Moderator and Speaker: “How to Evaluate and Settle the Catastrophic Damage Case,” Washington Defense Trial Lawyers Annual Convention, July 14, 2006
- Moderator and Speaker: “Risk Management Issues Contractual Risk Transfer Provisions and Additional Insurance,” May 18, 2006
- Numerous seminars/training for clients/insurance carriers concerning various coverage and defense issues including: Evidence Presentation, Accident Investigation, Insurance Coverage, Legal Malpractice, Washington Law, Bad Faith, Settlement Negotiations, Environmental Coverage, Tender Issues, Underinsured Insurance Issues, Risk Management.
- Contributing Author: *Underinsured Motorist Law in Washington, Washington Professional Liability Issues and Law, Premises Liability Issues and Law in Washington, Insurance Coverage in Washington*, Forsberg & Umlauf Legal Reference Guides
- Contributing Author: WSBA Motor Vehicle Accident Litigation Deskbook Chapter, “Enforcement and Effective Settlements”
- Speaker: “Anatomy of a Motor Vehicle Accident Case: From Investigation to the Courthouse Steps, Damages from Defense Perspective,” WSBA, September 23, 2004

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- Speaker: “Case Investigations, Facts, Documents and Witnesses;” “Managing Data, Witnesses and Documents Without Technology;” “Trial Preparation, Witnesses and Exhibits,” Washington State Paralegal Association Spring Conference CLE, April 30-May 1, 2004
- Speaker: ”Taking Tank Seriously in Construction Defect and Other Complex Litigation,” WDTL Annual Ethics Seminar, December 12, 2003
- Speaker: “CR 35 Independent Medical Exams,” WDTL Annual Convention, July 25, 2003
- Panel Speaker: “Multiple Claims/Inadequate Limits: What Is An Insurer To Do?,” Northwest Insurance Coverage Association, October 17, 2002
- Speaker: ”Arbitrations,” WDTL Seminar, January 17, 2001
- Chair and Moderator: WDTL Annual Convention, July 21-22, 2000
- Speaker: “UIM Arbitration, Jury Trials, Intervention,” WDTL Annual Insurance Seminar, November 5, 1999
- Speaker: “Products Liability and Insurance,” Seattle University Business Law, Summer, 1998
- Speaker: ”Professional Liability and Ethics for Lawyers,” Seabury & Smith CLE (Spokane), February 27, 1998
- Chair and Moderator: ”Evaluation/Negotiations Seminar,” WDTL, March 7-8, 1977
- Speaker: WSTLA Guardian ad Litem Seminar, December 5, 1996
- Chair and Moderator: “Evaluation of Brain/Head Injuries,” WDTL, April 1996
- Chair and Speaker: Professional Liability CLE, presented by Spokane County Bar Association and Seabury & Smith, March 1996
- Chair and Moderator: “Evaluation and Negotiations” WDTL CLE, March 1996
- Speaker: “Environmental Insurance Litigation,” Seattle University Environmental Law, Spring 1995
- Speaker: “Recent Developments in Insurance Law,” Lorman Education Services CLE, March 1995
- Chair: Washington Defense Trial Lawyers Annual Insurance Seminar (Seattle and Spokane), November 1994
- Speaker: ”Recent Developments in Insurance Law,” Lorman CLE, March 1994
- Presenter: “How to Investigate Environmental Insurance Claims,” Regional Seminars (Denver, Chicago, Hartford, Philadelphia), November 1993
- Speaker: “Bad Faith and Legal Malpractice” Panel, PEMCO Casualty Claims Seminar, February 1993
- Speaker: “Is It An Accident?” Lorman, Insurance CLE, August 1992
- Speaker: “Uninsured Motorist Issues,” Seattle King County Bar Association CLE, December 1991
- Presenter: “UIM Today,” Defense Trial Lawyers Third Annual Insurance Law Seminar/CLE, November 1990
- Speaker: “Overview of Environmental Law,” University of Washington Extension Paralegal Program, Fall 1990
- Contributor: Washington Defense Trial Lawyer Annual Insurance Law Summary: 1992-1993, 1994, 1995, 1996, 1997-1998, 1999