

## Jeffrey T. Kestle

Shareholder

Jeff's primary practice focuses on the defense of professional liability claims.

Jeff has defended clients in a broad range of other claims, including personal injury, product liability, toxic torts and premises liability. Before beginning his law practice, he served as a judicial extern to a federal appellate court judge in Buenos Aires, Argentina.

### PRACTICE EMPHASIS AND EXPERIENCE

- Appeals
- General Liability Defense
- Lawyers and Accountants
- Miscellaneous/Other Professionals (MPL)
- Premises Liability
- Product Liability
- Professional Liability

### RECOGNITION

- Recognized as a "Super Lawyer" from 2020 – 2022 by *Super Lawyers Magazine*.
- Recipient of Washington State Bar Association Professionalism in Practice Award.



### CONTACT

Main Phone: (206) 689-8500  
Direct Phone: (206) 267-2270  
JKestle@FoUm.law

### EDUCATION

J.D., University of Washington, 1999  
B.A., Pomona College, 1994

### BAR / COURT ADMISSIONS

State of Washington  
United States District Court, Eastern District of Washington  
United States District Court, Western District of Washington  
United States Court of Appeals, Ninth Circuit

### REPRESENTATIVE CASES

#### Legal Malpractice Cases

- Obtained a Washington Supreme Court ruling for our attorney client. The Supreme Court ruled that the attorney's court approved withdrawal from an underlying lawsuit precluded the former clients' legal malpractice and breach of fiduciary duty claims based on the withdrawal.
- Defense verdict. The plaintiff alleged our client was negligent in his handling of an underlying medical malpractice lawsuit against a neurologist and interventional radiologist. The plaintiff ended up paralyzed on one side of her body after the doctors treated her for a stroke. After an eight-day trial, the jury ruled that our client was not negligent.

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- Favorable jury verdict in admitted liability legal malpractice case. The plaintiff claimed he sustained a traumatic brain injury when he was hit by a USPS truck while riding his bike. The plaintiff asked for a verdict between \$1.5 and \$2 million. The jury awarded him \$16,000.
- Jury verdict in favor of attorney client in fee dispute with former clients and defense verdicts on counterclaims.
- Defense verdict in bankruptcy adversary trial against attorney who acted as deed of trust trustee.
- Summary judgment dismissal of fraudulent inducement, negligent misrepresentation, and legal malpractice claims of client against litigation attorneys based on res judicata effect of prior fee arbitration award and California statute of limitation. Dismissal affirmed on appeal.
- Summary judgment dismissal of legal malpractice and Consumer Protection Act claims brought by parents of son who misrepresented his identity to attorney based on lack of duty. Dismissal affirmed on appeal.
- Summary judgment dismissal of fraud, negligent misrepresentation, securities act violation claims against attorney for one party to business transaction based on statute of limitations. Dismissal affirmed on appeal.
- Summary judgment dismissal of conversion claim brought by husband against wife's divorce attorney based on "agent's immunity rule".
- Summary judgment dismissal of legal malpractice claim brought by criminal defense attorney's former client based on lack of proof of actual innocence.
- Summary judgment dismissal of legal malpractice claim brought by bankruptcy attorneys' former clients based on res judicata effect of bankruptcy court's order affirming attorneys' fee petition.

## Other Cases

- Representation of joint compound manufacturer in multimillion dollar asbestos exposure case, obtained a dismissal for client after filing motion for summary judgment.
- Representation of regional sporting goods retailer in case brought by customer beaten by other customers, obtained summary judgment dismissal.
- Representation of driver who backed into other driver in personal injury jury trial, obtained defense verdict.
- Representation of a national property management firm in case brought by a plaintiff seriously injured in a slip and fall, obtained summary judgment dismissal.

## PROFESSIONAL & CIVIC INVOLVEMENT

- Washington State Bar Association
  - Washington State Bar Association Committee on Professional Ethics, Member
- King County Bar Association
  - Volunteer at King County Bar Association Neighborhood Legal Clinic
- Washington Defense Trial Lawyers
- Association of Professional Responsibility Lawyers

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## ARTICLES & PRESENTATIONS

- Presenter: “A Year to Remember: Pandemics, Public Demonstrations, and Wildfires”, Washington State Bar Association CLE, December 2020
- Presenter: “Ethics During Global Pandemic,” Real Property Probate and Trust section of the Washington State Bar Association, June 2020
- Presenter: “Ethical Considerations During the Pandemic,” King County Bar Association, May 2020
- Presenter: “Pain and Suffering Damages in Personal Injury – Ethics,” NBI, December 2019
- Presenter: “Let’s Get Ethical!” Forsberg & Umlauf CLE, November 2019
- Presenter: 4th Annual Advanced Appellate Conference – Ethics Challenges,” Pincus Professional Education, October 2019
- Presenter: Personal Estate Planning for the 99% - Ethical Considerations,” King County Bar Association, April 2019
- Presenter: “Ethics and Risk Management” King County Bar Association CLE, December 2018
- Presenter: “Ethics Issues in Immigration Law,” AILA-WA Annual Half-Day Ethics CLE, December 2016
- Presenter: “Ethics/Risk Management” CLE, Seattle Law Firm, November 2016
- Presenter: “Legal Malpractice Ethical Considerations, Concerns and Trends,” New York and New Jersey, CLE, December 2015
- Presenter: “Ethical Dilemmas from Client Intake Through Conclusion,” Forsberg & Umlauf In-House CLE, December 2015
- Presenter: “Ethics, Insurance and Professional Liability,” Daniels-Head Insurance Agency/Forsberg & Umlauf CLE, November 2015
- Presenter: “Family Law Hot Topics 2015 – Ethics: Typical Malpractice Traps for the Family Law Attorney,” KCBA, October 2015
- Presenter: “Annual Tort Law Update – Ethics Update: Rules, Trends, and Best Practices,” WDTL, December 2014
- Presenter: “Illustrated Ethics: Studies to Avoid Legal Malpractice,” NBI, December 2013
- Presenter: “Personal Injury Cases: Calculating and Proving Damages,” National Business Institute (NBI), 2007
- Co-Author: “Nursing Home Litigation: What Elder Law Attorneys Need to Know,” for King County Bar Association CLE “Advanced Issues in Elder Law: Looking for Wisdom in All the Right Places,” 2006