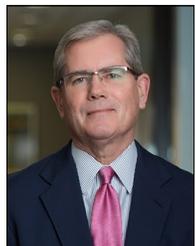


## Erik R. Lied



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### ATTORNEY PROFILE

Erik Lied joined Karr Tuttle Campbell as a shareholder, after practicing for nineteen years with Bogle & Gates, formerly one of the largest law firms and litigation practices in the Pacific Northwest. He is a member of Karr Tuttle Campbell's Litigation Department, where his practice includes a broad range of civil litigation with an emphasis on business and commercial litigation. He is a graduate of the University of Washington (B.S. with Honors, *magna cum laude*, Phi Beta Kappa) and UCLA School of Law.

Mr. Lied's practice includes a broad range of litigation in federal and state courts, as well as arbitrations and mediations. He has represented some of the largest national and international corporations, as well as foreign companies, regional and local companies, and many individuals. While at Bogle & Gates, Mr. Lied served on the steering committee of the Securities Litigation practice group and was the chair of the Product Liability & Personal Injury practice group. His cases have ranged from simple disputes, up to large class actions and other complex litigation. These cases have been in courts throughout Washington and also in other states, including Oregon, Idaho, Alaska, and California.

Mr. Lied has served as an arbitrator with the American Arbitration Association, the NASD (now FINRA), and King County Superior Court. He has authored articles and instructed seminars on a variety of litigation-related subjects. He is an active member of local, state, and federal bar associations.

Mr. Lied has been voted one of Washington State's "Super Lawyers" in Business Litigation every year since 2011.

### PROFESSIONAL ACTIVITIES

Washington, Oregon, and Idaho State Bar Associations  
House of Delegates, Oregon State Bar Association  
(2011-2017)  
Federal Bar Association for the Western District of  
Washington  
King County Bar Association  
American Bar Association  
Special Deputy Prosecuting Attorney, King County  
Prosecutor's Office, 1981-

### MAJOR AREAS OF PRACTICE

Complex civil litigation in federal and state courts, and in arbitrations, involving general commercial, securities, real estate, and other business litigation issues.

### EDUCATION

J.D., UCLA School of Law  
B.S., University of Washington, with Honors,  
*magna cum laude*, Phi Beta Kappa

### ADMITTED TO PRACTICE

Washington State Supreme Court  
Oregon State Supreme Court  
Idaho State Supreme Court  
U.S. District Court, for the Districts of Western and Eastern  
Washington, Oregon, Idaho, and Northern California  
United States Court of Appeals, Ninth Circuit  
United States Supreme Court

### MEDIATION AND ARBITRATION EXPERIENCE

Mediator and Arbitrator, Rule 39.1 Panel, U.S. District Court  
for the Western District of Washington  
Arbitrator, American Arbitration Association  
Arbitrator, King County Superior Court  
Arbitrator, National Association of Securities Dealers, Inc.  
(NASD; now FINRA)

### REPRESENTATIVE CASES

**LLC Member's Involuntary Redemption.** Represented an LLC member in a two-week arbitration after the majority LLC members invoked a punitive involuntary redemption of his membership interest and ousted him from the company. The arbitrator held that the other three LLC members wrongfully invoked the involuntary redemption provision in the LLC operating agreement by terminating his membership and employment in return for a formula-based payout of about \$2.5 million. He found for our client on claims of breach of the operating agreement, breach of the duty of good faith and fair dealing, breach of fiduciary duty, wrongful termination, and willful deprivation of wages. The arbitrator also awarded fees and costs of more than \$460,000, for a total award of more than \$10.5 million, all of which was quickly recovered.

**Bero v. Westerdal, et al.** Represented co-founder of an internet startup business in an action to recover his share of the proceeds of the sale of the company. Obtained a \$3 million cash settlement, plus his ownership interest in the acquiring company. In a second action to enforce the settlement agreement, obtained summary judgment for the client, recovery of substantial attorney fees, and appointment of a receiver to liquidate defendants' assets as required to satisfy judgment.

**Bedrossian, et al. v. Stipek.** Represented four airline pilots and their wives in a plaintiffs' securities case in King County Superior Court. After a three-week trial, obtained judgment on all claims, including damages for negligent infliction of emotional distress.

**CTGR v. Strategic Wealth Management, Inc.** Defended investment advisor in litigation and arbitration involving securities and related claims of \$57 million. After a four-week American Arbitration Association commercial arbitration, obtained dismissal of all claims and an award of approximately \$1.5 million of attorney fees and costs against plaintiff.

**Investor Claims Against Accounting Firm.** Represented ten couples in lawsuit against accountant and accounting firm relating to investment losses. Successful in obtaining substantial recovery.

**Whitney, et al. v. National Grape Cooperative Association, Inc.** Defended agricultural cooperative in a case filed in federal court in Eastern Washington against claims asserted by terminated grower/member. Obtained dismissal of all claims in the district court, and successfully argued the appeal before the Ninth Circuit, which affirmed the dismissal and awarded attorney fees and costs based on a frivolous appeal.

**Bad Faith Insurance Litigation.** Represented investment advisor client in claims against its insurer for wrongful denial of coverage, breach of its duty to defend, and bad faith. Prevailed on claims after three-week American Arbitration Association commercial arbitration before 3-person panel, and recovered full benefits of coverage and an award of \$1.2 million of attorney fees and costs against insurance company defendant.

**Olympic Pipe Line Company, Bellingham Pipeline Explosion.** Selected to serve as chief legal advisor to advise the board and coordinate and oversee full spectrum of legal services following catastrophic pipeline explosion involving deaths and substantial economic damages.

**Cell Therapeutics, Inc. v. The Lash Group, Inc.** Successfully argued Ninth Circuit appeal, resulting in reversal of federal district court dismissal of \$23 million damage claims by drug manufacturer against Medicare reimbursement consultant. Claims sought recovery of amounts paid to settle False Claims Act and other government claims, and recovery of other business damages caused by the consultant's actions. *Cell Therapeutics, Inc. v. The Lash Group, Inc.*, 586 F.3d 1204 (9th Cir. 2009).

**Synectic Ventures, et al. v. Berkman, et al.** Represented Fund III in Synectic securities litigation in Portland, Oregon, where conflicts of interest existed in multi-million dollar pooled funds and recovery. Assisted in the resolution of allocation and other interfund and intrafund issues between investors.

**Special Outside Counsel.** Retained by board of directors of publicly traded company to serve as special outside counsel to perform investigation and report back to the CEO and the Chair of the Audit Committee regarding allegations of wrongdoing by senior management.

**Claims Against Acquiring Company and For Legal Malpractice.** Represented couple in claims against a company that had acquired their business and for legal malpractice against attorney representing them in the transaction. Successfully negotiated substantial recovery.

**Confederation of International Real Estate v. Kelsey.** Represented defendants in San Juan County Superior Court trial involving partnership dispute and prevailed on all claims, including award of attorney fees and costs against plaintiff.

**The Bank of California v. Landscaping, Inc., et al.** Successfully represented the lender in a two-week collection and lender liability trial in Snohomish County Superior Court.

**Binde, et al. v. Stryker Boat, et al.** Defended Brunswick Corporation and Stryker Boat in federal court trial in Seattle, arising from the death of the driver and personal injuries of three passengers in an accident on Lake Washington involving a "cigarette" type of boat. Claims included breach of express and implied warranties, strict product liability, failure to warn, and punitive damages. Case settled during trial.

**Wrubel v. Golar Metals.** Defended Gibbs & Cox, Inc. in wrongful death case in King County Superior Court arising from explosion of equipment on a ship. Obtained dismissal of all claims on summary judgment, and award of Rule 11 sanctions against plaintiff's counsel.

**Petroleum Pipeline Litigation.** Defended a petroleum products pipeline company against 100+ claims of property damage and personal injury arising from a leak of petroleum products under a residential community.

**Industrial Leasing v. Meridian Leasing.** Represented Industrial Leasing in a commercial dispute filed in federal court in Seattle. After prevailing on cross-motions for summary judgment relating to key issues in dispute, recovered \$1,725,000 in settlement.

**Benton County PUD v. A.B. Chance Co.** Defended economic loss and RICO claims by utility against manufacturer and distributor of electrical equipment in federal court in Eastern Washington.

**Globe Machine Manufacturing Company, et al. v. Mobil Oil Corporation, et al.** Obtained summary judgment dismissal of \$4 million claims against Olympic Pipe Line Company in contamination case filed in Pierce County Superior Court.

**Old Cola Drinkers of America v. The Coca-Cola Company.** Successfully defended Coca-Cola in lawsuit filed in federal court in Seattle by consumer group following switch to the new Coca-Cola. Obtained dismissal of all claims.

**Exxon Valdez Litigation.** Represented Exxon in the state court case in Anchorage involving land damage claims by native corporations resulting from the Exxon Valdez incident.

**Washington Water Power Co. v. Graybar Electric.** Represented A.B. Chance Company and Graybar Electric Company in federal court in Eastern Washington regarding claims brought by a utility against the manufacturer and distributor of electrical equipment. Novel legal issues relating to recoverability of economic loss under the Washington Product Liability Act taken to Washington State Supreme Court. *WWP v. Graybar Electric Co.*, 112 Wn.2d 847, 774 P.2d 1199 (1989).

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