







# Tara M. O'Hanlon Partner

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**“I am personally invested in getting to know my clients and their operations and believe that an in-depth understanding of their business and objectives is essential. My goal is to be a part of my client’s team. I partner with clients to help them make informed and strategic decisions over the course of their construction project or real estate acquisition—helping to see each project succeed.”**

Tara O’Hanlon counsels clients over the life of their construction or real estate acquisition projects, from drafting and negotiating comprehensive and practical contracts to finding creative solutions for early and efficient resolution of disputes. If litigation cannot be avoided, Tara has an extensive and successful track record trying and arbitrating cases and will see a matter through to a final resolution.

Tara represents all segments of the design and construction industry, including owners, general contractors, subcontractors, suppliers, and design professionals and helps them build hospitals, infrastructure and road projects, casinos, hotels, office buildings, condominiums, and other commercial and residential projects. She negotiates public and private design and construction contracts, including projects with alternative delivery methods, design-build, and integrated project delivery (IPD). Tara advises clients on how to avoid claims and disputes and, if needed, helps them navigate arbitrating or litigating payment, delay, defect, and warranty claims.

Tara represents municipal agencies and property owners in their eminent domain/condemnation acquisitions. Tara has successfully tried numerous multimillion-dollar cases, including obtaining successful verdicts in several of Washington’s largest eminent domain decisions. Tara is regularly asked to present and publishes on eminent domain law and her successful cases.

## Professional Activities

- Associated General Contractors of Washington, Government Affairs Council, member
- International Right of Way Association, Puget Sound Chapter, member
- American Subcontractors Association Attorney’s Council, member

## Education

J.D., Georgetown University Law Center, 2012

- Senior Article Editor, *The Georgetown Journal of Legal Ethics*
- Director, Barrister’s Council Trial Advocacy Division
- Chair, Equal Justice Foundation

B.A., Boston College, *magna cum laude*, political science, economics, minor in philosophy, 2009

## Bar Admissions

Washington, 2012

Oregon, 2021

## Court Admissions

U.S. District Court, Western District of Washington

U.S. District Court, Eastern District of Washington

U.S. Court of Appeals for the Ninth Circuit

- King County Bar Association, member
- Washington State Bar Association, member
  - Construction Law Section
- American Bar Association, member

### **Civic Activities**

- Seattle Preparatory School, alumni board, member
- Washington Athletic Club 20s/30s Committee, member
- Volunteer coach for Seattle Preparatory High School's Mock Trial team

### **Representative Experience**

#### **Trials & Arbitration**

- Obtained a unanimous jury verdict matching our client's valuation evidence exactly in a multi-week, 30-party, 100 percent virtual condemnation trial. The local transit authority client needed to acquire the right to amend restrictive covenants to allow it to construct and operate its light rail project and the total valuation dispute was more than \$5.5 million in just compensation.
- Successfully tried one of the first social-distanced pandemic jury trials in Washington over the condemnation of several permanent and temporary rights abutting the building frontage of one of the region's largest airlines to allow the local transit authority to construct and operate its light rail project. The parties were over hundreds of thousands of dollars apart and the jury returned a verdict in our client's favor.
- Successfully tried a condemnation bench trial over the taking of an auto dealership to allow the local transit authority to construct and operate its light rail project after having successfully defeated a motion for summary judgment to expand claimed damages by more than \$10 million and precluding an award of fees or costs to the owner.
- Arbitrated multimillion-dollar construction defect dispute on behalf of hospital system resulting in successful resolution of claims.
- Obtained a verdict exactly at our client's valuation in a condemnation bench trial where the parties' valuation was more than \$9 million apart and precluding an award of fees or costs to the owner.
- Represented owner client as insurance coverage counsel in trial over defective construction claims in parking garage project.
- Multi-month wage-and-hour/"joint employer" class-action bench trial resulting in a finding of no liability for client national retail chain.
- Represented national retail chain in jury trial against claims of sexual orientation discrimination, Equal Pay Act violations, and retaliation; plaintiff sought \$426,000, verdict returned for \$3,000.

#### **Contract Negotiations & Dispute Resolution**

- Preparation and successful negotiation of numerous complex master, template, and project-specific design and construction contracts on behalf of healthcare systems, general contractors, subcontractors, architects, and others.
- Obtained a favorable settlement and insurance recovery near policy limits representing owner in multimillion-dollar construction defect action for a ski resort duplex project.
- Preparation and negotiation of integrated project delivery (IPD) on behalf of healthcare client.
- Resolution of numerous condemnation matters on behalf of cities, transportation authorities, and owners short of trial.
- Favorable settlement resolution of multimillion-dollar condominium defect and warranty action representing general contractor in action involving more than 30 parties.

- Successful settlement following complex mediations of lien foreclosure and contract dispute over hotel and office tower project on behalf of subcontractor.
- Successful resolution of landlord/tenant dispute on behalf of industrial subcontractor client.
- Resolved construction defect dispute on behalf of local transit authority without the need for engaging in a formal claim process.
- Successful settlement resolution of party to residential real estate development dispute and litigation involving breach of construction contract, conversion, and Consumer Protection Act claims.

## Publications

- “What the Infrastructure Bill Means for Transportation, Construction, and Real Estate in the Northwest,” Miller Nash, *From the Ground Up*, coauthor (Nov. 2021)
- “Navigating the Complexities of Acquiring and Valuing Contaminated Properties,” International Right of Way Association, *Right of Way Magazine* (June 2020)
- “Governor Inslee Greenlights Re-Opening of Construction Projects That Meet Social Distancing and Other Required Safety Measures,” Miller Nash Graham & Dunn, *From the Ground Up* (Apr. 2020)
- “COVID-19: Delays and Force Majeure in Construction Contracts,” Miller Nash Graham & Dunn, *From the Ground Up* (Mar. 2020)
- “How to Minimize Risks for Successful BIM-Powered Projects,” American Subcontractors Association, *The Contractor’s Compass* (Apr. 2018)
- “Labor and Employment: 2013 Washington Legislative Update,” Miller Nash, *News You Can Use* (Sept. 2013)
- “BIM There, Done That: Creating Contracts That Capitalize on New Technology,” American Subcontractors Association, *The Contractor’s Compass* (Aug. 2013)
- “Employees’ Rights to Privacy: Washington and Oregon Laws Restrict Employers’ Access to Private Social Media Accounts,” Miller Nash, *Employment Law & Labor Relations Electronic Updates* (Aug. 2013)

## Presentations

- “Lessons Learned from Virtual Eminent Domain Trials,” Appraisal Institute Seattle Chapter, Annual Fall Real Estate Conference (Nov. 2021)
- “Evaluating Alternative Delivery Methods in 2021—What’s Working and Pitfalls to Avoid,” Miller Nash, Construction Webinar Series (Sept. 2021)
- “Valuation of Restrictive Covenants: A Case Study,” International Right of Way Association Puget Sound Chapter, monthly membership program (Sept. 2021)
- “Participating in the Condemnation Process,” HalfMoon Education Inc., Oregon Easements, Rights-of-Way and Eminent Domain (Aug. 2021)
- “Sleepless in Seattle? Then Consider the Value of Restrictive Covenants in Eminent Domain Cases!” Pendulum Land Podcast (May 2021)
- “Zoom Trial Advocacy—Avoiding Cat Filters,” American Bar Association, Business Torts & Unfair Competition Litigation Committee meeting (Mar. 2021)
- “What’s Ahead? Key Legislative and Employment Updates,” Miller Nash Graham & Dunn, Construction Webinar Series (Mar. 2021)
- “Adopting Practices that Reduce Liability for Defects and Failures,” HalfMoon Education, webinar (Mar. 2021)
- “Eminent Domain Jury Trials During the Pandemic,” Pendulum Land Podcast (Feb. 2021)
- “COVID-19 and Construction Impacts: Who Pays?” Northwest Wall & Ceiling Bureau, webinar (June 2020)
- “Navigating the Complexities of Acquiring and Valuing Contaminated Properties,” International Right of Way Association, Education Conference, webinar (June 2020)
- “Breakfast Roundtable: A 360° Discussion on Delegated Design,” Miller Nash Graham & Dunn (Oct. 2019)

- “Stories from the Trenches: What Appraisers Need to Know About Larger Parcels and the Unit Rule,” Appraisal Institute, Seattle Chapter Fall Conference (Sept. 2019)
- “Tales from the Trenches: What Condemnors Should Know About Private Covenants and Use Restrictions,” International Right of Way Association, International Education Conference (June 2019)
- “Avoiding Litigation: A Roundtable Discussion of Best Practices for Claims Management,” Miller Nash Graham & Dunn, Construction Roundtable (May 2018)
- “Local, State, Federal, and Labor Law Updates,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2017)
- “Eminent Domain Mock Trial,” International Right-of-Way Association (Sept. 2017)
- “Obtaining Electronic Evidence for Use in Litigation,” Oregon Women Lawyers (Jun. 2017)
- “Following the Breadcrumb Trail: Managing Social Media in the Workplace,” Miller Nash Graham & Dunn, Employment Law Seminar (Nov. 2016)
- “Another Dimension of Sight, Sound, and Mind: The Bermuda Triangle of Family Leave, Reasonable Accommodations, and Workers’ Compensation,” Miller Nash Graham & Dunn, Employment Law Seminar (Oct. 2015)
- “Case Law Cosmos: A State and Federal Employment Law Update,” Miller Nash, Employment Law Seminar (Oct. 2014)
- “Government Internet Resources: Federal, State, and Local,” National Business Institute, “Find it Free and Fast on the Net: Strategies for Legal Research on the Web” Seminar (Dec. 2013)
- “Case Law Concerto: A State and Federal Employment Law Update,” Miller Nash, Employment Law Seminar (Oct. 2013)

### Recognition & Honors

- Junior Mentor of the Year, Miller Nash Graham & Dunn LLP, 2020
- Selected for inclusion in Best Lawyers: Ones to Watch
  - Litigation–Construction, 2021-present
  - Commercial Litigation, 2022
  - Eminent Domain and Condemnation Law, 2022
- Selected for inclusion as a Washington Super Lawyer—Rising Star, 2014-present

### Personal Activities

Tara spends her free time throwing dinner parties and BBQs, eating her way through Seattle’s restaurants, attempting to garden, and spending as much time as possible in Cannon Beach, Oregon.