



Jeffrey A. Beaver

 Partner

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“I appreciate the opportunity to serve clients. I believe in being a wise steward of clients’ resources and time. As such, I am responsive to client inquiries and prefer to stay in front of important client issues. I enjoy being a problem solver and efficiently resolving matters in the best interest of the client; however, I do not fear taking a worthy matter to trial.”

Jeffrey Beaver has extensive experience as a trial lawyer and focuses his practice on condemnation, financial institutions, and commercial litigation. Jeffrey has represented clients in a variety of industries, including transportation, timberlands, financial services, and manufacturing. He has successfully tried numerous multimillion-dollar cases and has obtained favorable verdicts or settlements in some of our area’s largest eminent domain cases.

Jeffrey successfully defended a salmon processor in a four-month class action jury trial against antitrust allegations that the processor conspired with other processors and foreign importers to fix prices in the Bristol Bay salmon fishery. The class in that case sought damages in excess of \$1 billion.

He has represented Sound Transit since 2000 and continues to try cases for the firm’s real estate and banking clients. Following a recent bench trial, Jeffrey successfully defended a commercial bank against allegations of wrongful foreclosure. Jeffrey has also obtained successful verdicts for Sound Transit in the acquisition of real property for the extension of the East Link and North Link light rail projects. Earlier this year, Jeffrey and his team successfully convinced a jury to offset the value loss to property being condemned based on special benefits accruing to the subject property from the presence of the public project for which a portion of the property was taken.

Jeffrey has also been actively involved in the American Bar Association’s efforts to provide advocacy training and assistance to Sudanese lawyers representing victims of the Darfur conflict before the International Criminal Court. In 2018, Jeffrey spent two months of his sabbatical in the Republic of Tanzania where he worked with Lawyers Without Borders and other NGOs in country to fight human and wildlife trafficking in the region. Early in his career, Jeffrey was a member of the Hirabayashi coram nobis team.

Education

J.D., University of Oregon
School of Law, 1985

- Articles editor,
Oregon Law Review

B.A., Morehouse College,
1977

Bar Admissions

Washington, 1986
Oregon, 1985

Professional Activities

- United States Magistrate Judge Merit Selection Panel, member, 2016-present
- Elected to The Counselors of Real Estate
- Elected to The American Law Institute
- Washington State Minority and Justice Commission, commissioner appointed by the Washington State Supreme Court
- King County Bar Association
 - Judicial Conferencing Committee, 2012-present
 - Young Lawyers Division, past member and secretary
 - Board of Trustees, past member
- King County Bar Foundation
 - Board of Trustees, past member
 - President’s Council, past member of board of trustees
- Washington State Bar Association
 - Special Disciplinary Counsel, 2013-present
 - Adjunct Investigative Counsel Panel, 2010-2014
- Oregon Bar Association
- American Bar Association
 - Section of Litigation; Expert Witnesses Committee, cochair, 2009-2012
 - Task Force Expert Witness Code of Ethics, member, 2010-2011
 - Section of Litigation; Condemnation, Zoning, and Land Use Committee, cochair, 2007-2009
 - Section of Litigation; Darfur Project Working Group, member, 2008
- Federal Bar Association for the Western District of Washington, Appellate Practice, past cochair
- National Bar Association, Board of Governors, past board member
- Loren Miller Bar Association, treasurer and past president
- Washington State Board of Judicial Administration’s Court Security Committee, former member

Civic Activities

- Friends of the Children, board member
- Washington Leadership Institute, board member
- University of Oregon School of Law, Dean’s Advisory Council, member
- University of Oregon Foundation, board of trustees

Representative Experience

Condemnation Litigation

- Successfully represented Sound Transit in obtaining petitioner/condemnor verdicts in more than ten cases where the verdict was exactly the dollar amount asserted by the petitioner/condemnor.
- Successfully represented property owner in expansion of the University of Washington Tacoma Campus resulting in a \$1.9 million verdict.
- Successfully represented property owner in City’s acquisition of a family farm for the creation of a park in Grays Harbor after having been retained only 90 days before trial (\$1.5 million verdict).

Construction & Real Estate Litigation

- Successfully represented commercial/industrial landlord against pass-through claims for nuisance, breach of lease, and breach of quiet enjoyment arising out of the migration of excessive and dense dust particles from one leased premises to another.

- Represented owner on \$8 million claim arising out of reconstruction of a high school specifically responsible for defending electrical subcontractor's pass-through claim.
- Successfully represented public contractor to recover excess costs expended due to major utility conflicts not indicated on project plans and claim for extra work.

Employment Litigation

- Successfully represented employee in ADA and state law against discrimination action for unlawful discharge based on employer's subcontract with federal government which disqualified contracted employees with organic heart disease. A contractual provision is not a defense as statutes, rules, or regulations are.
- Represented employee against the state in ADA and state law against discrimination action for disparate treatment in the form of disciplinary action due to clinical depression.

Intellectual Property Litigation

- Represented defendant and cross-complainant biotechnology firm in patent infringement and Lanham Act case arising out of cattle feed lot industry and the use and efficacy of a lactobacillus acidophilus strain.

Business Litigation

- Successfully represented joint venture and joint venturer against partner in breach of timber sale contract, breach of fiduciary duty, and civil conspiracy claims.
- Successfully represented bank in enforcing forum selection clause in financing lease.

Business Litigation

- *Hirabayashi v. United States*. Successfully represented Japanese-American petitioner in action for writ of error coram nobis seeking vacation of convictions for violating wartime measures requiring Japanese-Americans to remain within their residences and to report to civilian control stations.
- *McIntosh v. Nafziger*. Successfully represented parents and children who had been racially harassed by admitted skinhead. Obtained anti-harassment order. Affirmed on appeal.

Publications

- "LGBTQ+ Victory: Considerations for Employers After Supreme Court Holds that Title VII Prohibits Discrimination on the Basis of Sexual Orientation and Gender Identity," Miller Nash Graham & Dunn, *News You Can Use* (June 2020)
- "Is Institutional Academic Freedom on the Decline?" *Campus Legal Advisor* (July 2019)
- "Responding to a Crisis: How Human Resources Can Make Things Better, Not Worse," Associated General Contractors, *Constructor Magazine*, coauthor (June 2019)
- "Equal Pay Victory for Employees: Employers May Not Use Prior Salary to Justify a Wage Differential Between Male and Female Employees," Miller Nash Graham & Dunn, *News You Can Use* (Apr. 2018)
- "Oregon Equalizer: While Paycheck Fairness Continues to Stall in Congress, Oregon Legislature Mandates Equity in Compensation," Miller Nash Graham & Dunn, *News You Can Use* (July 2017)
- "Isn't One Trial Enough? Jury Award Reversed and Remanded for Insufficient Evidence of Damages in Construction Contract Claim," Miller Nash Graham & Dunn, *News You Can Use* (Nov. 2016)
- "Everybody Out of the Pool: Ninth Circuit Determines That Only Customarily Tipped Employees May Participate in Tip-Pooling Arrangements Under Fair Labor Standards Act," Miller Nash Graham & Dunn, *News You Can Use* (Mar. 2016)
- "Effective Use of Legal Resources Plays Significant Role in Managing Risk," *Campus Legal Advisor* (Sept. 2015)
- "Corporate Designee Depositions Under ORCP 39 C(6): Be Prepared . . . Or Else," Oregon State Bar Corporate Counsel Section, *Corporate Counselor* (Nov. 2011)

Presentations

- “Arguing Special Benefits and Upzoning,” The Seminar Group, Cutting-Edge Issues in Condemnation (Sept. 2020)
- “Making the Case for Compensation for Unusual Properties: Lessons on Jury Pitches,” American Law Institute, Eminent Domain and Land Valuation Litigation CLE (January 2019)
- “International Right of Way Association Chapter 4 Eminent Domain Mock Trial,” Miller Nash Graham & Dunn (Sept. 2017)
- “The Power of Networking,” Washington Leadership Institute—Session III, The Nuts and Bolts of Law Practice (Mar. 2017)
- “Mediation Preparation: Strengths, Weaknesses, Opportunities, and Threats,” Appraisal Institute, Tenth Annual Fall Conference (Oct. 2016)
- “Ethical Considerations Affecting Government Agencies and Their Lawyers,” The Seminar Group, Government CLE (2016)
- “The Power of Networking,” Washington Leadership Institute—Session II (2016)
- “Trial Testimony Preparation,” Appraisal Institute, Fall Real Estate Conference (2014)
- “The Appraiser as an Expert Witness: Preparation and Testimony,” Seattle Chapter of the Appraisal Institute (2014)
- “Alternative Dispute Resolution: Real Tools You Can Use,” Suing and Defending Government Seminar (2014)
- “Reviewing an Appraisal,” Appraisal Institute, Fall Real Estate Conference (2013)
- “Getting the Most Out of Your Experts: Do’s and Don’ts in the Use of Expert Witnesses,” ABA Section of Litigation, Annual Conference, moderator (2013)
- “The Nuts and Bolts of Law Practice/Leadership Challenges on Gender, Race, and Sexual Orientation,” Washington Leadership Institute—Session II (2013)
- “Condemnation Procedure from A to Z,” The Seminar Group, Third Annual Issues in Condemnation (2012)
- “Pretrial Motions in Limine: Don’t Get Caught With Your Pants Down,” Appraisal Institute, Fall Real Estate Conference (2012)
- “Recent Developments in Alternative Dispute Resolution,” International Right of Way Association, Annual Education Conference (2012)
- “The Persuasive Trial Attorney: What Works and What Doesn’t,” Washington State Bar Association (2011)
- “Expert Life After Changes to Rule 26: Should Experts be Required to Comply With ABA Ethical Standards For Experts,” ABA Annual Meeting Toronto (2011)
- “Using Negotiated Settlements to Determine Damages: Sophisticated Analysis or Mind Reading,” ABA Sections of Litigation and Criminal Justice, Annual CLE Conference Miami (2011)
- “The Power of Networking,” Washington Leadership Institute—Session III, The Nuts and Bolts of Law Practice (2011)
- “Environmental Regulations - Compensable Takings or Permissible Legislation?” American Bar Association Section of Litigation, Teleconference Series (2008)
- “The Ten Things Every Patent and Antitrust Practitioner Must Know After Recent Supreme Court Decisions,” American Bar Association Section of Litigation, Teleconference Series (2007)
- “What Happens When the Project Fails after the Property is Condemned?” The American Law Institute and the American Bar Association, Course: Eminent Domain and Land Valuation Litigation (2007)
- “Antitrust and Intellectual Property Trends in the Supreme Court,” American Bar Association Section of Litigation, Teleconference Series (2006)
- “An Eminent Domain Legislation Update,” Industrial Asset Management Council Forum (2006)
- “How to Try Your Case for the Condemnor,” The American Law Institute and the American Bar Association, Course: Eminent Domain and Land Valuation Litigation (2006)

Recognition & Honors

- Recognized by University of Oregon School of Law with the Frohnmyer Award for Public Service, 2019
- Selected for inclusion in *The Best Lawyers in America*® (Seattle, WA)
 - Eminent Domain and Condemnation Law, 2019-present
 - Litigation—Real Estate, 2019-present
 - Real Estate Law, 2020-present
- Recognized by the Loren Miller Bar Association with the Lifetime Achievement Award, 2018
- Elected as Fellow of the American College of Trial Lawyers
- Elected to The Counselors of Real Estate
- Elected to The American Law Institute
- Elected to the Fellows of the American Bar Foundation
- Selected for inclusion as a Washington Super Lawyer, 2002-present
- Rated AV® Preeminent™ by Martindale-Hubbell®
- John Warren Davis Award, NAACP Legal Defense and Educational Fund, Inc.
- Earl Warren Scholar, NAACP Legal Defense and Educational Fund, Inc.