



# Vanessa Triplett Kuchulis

 Associate

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**“The core of my practice centers around three key services: listening, responding, and advocating. These practices enable me to develop a streamlined and systematic approach to further my clients’ legal goals. Ultimately, my purpose is to craft thoughtful and innovative solutions that fit my clients’ unique needs.”**

Vanessa Triplett Kuchulis’ practice focuses on construction and real estate disputes, as well as drafting and negotiating commercial construction contracts. She represents public and private owners, general contractors, developers, and subcontractors in a wide range of projects focused on education, technology, manufacturing, healthcare, and hospitality. Vanessa routinely represents clients in construction disputes related to defect claims, as well as delay, lien, payment, disruption, and priority claims. Her construction litigation practice is enhanced by her deep experience with construction contracts and delivery methods. Vanessa regularly works with clients to design or adapt contracts (AIA, ConsensusDocs, etc.) that provide effective results for the client and the project.

Vanessa’s real estate matters have similarly benefited from her background in contract drafting and interpretation. To that end, Vanessa represents residential real estate services companies in disputes arising from residential property sales contracts and transactions that have gone wrong. On the commercial front, she advises and litigates commercial lease disputes and commercial evictions. In ensuing mediation and arbitration proceedings Vanessa employs strategies to effectively mitigate her clients’ risks and limit their legal exposure.

Vanessa’s practice also includes general litigation related to breach of contract, ADA defense, and products liability. In support of her litigation practice, she has found great success as a strategic writer. Her writing methodology relies on making succinct arguments supported by systematic research that maximizes her efficiency and potential for achieving favorable outcomes. Vanessa’s approach has resulted in winning legal arguments at both the state and federal levels, in motion practice and at trial.

## Education

J.D., University of Michigan Law School, 2015

- Executive Editor, *Michigan Journal of Race & Law*
- Student Attorney, Michigan General Clinic
- Domestic Relations Mediation Clinic

B.A., University of California, Santa Barbara, Asian American studies and English, *magna cum laude*, 2010

- Academic Achievement Award

## Bar Admissions

Oregon, 2015

## Court Admissions

U.S. District Court, District of Oregon, 2015

## Languages

French

## Professional Activities

- Oregon Asian Pacific American Bar Association
  - Board of Directors, 2021-present
  - Treasurer, 2022-present
  - Representative to Oregon Judicial Diversity Coalition (OJDC)
- Oregon State Bar
  - Construction Law Section, Executive Committee, 2022-present
  - Oregon New Lawyers Division (ONLD), Past Executive Board Member

## Civic Activities

- Asian Pacific American Network of Oregon (APANO)
  - Property Development Advisory Committee, Member
- The Red Gala
  - Board of Directors, 2022-present

## Representative Experience

### Construction Litigation

- Represented owner and developer of biogas facility in a complex construction matter involving parallel lawsuits in Oregon and Arizona. In 2020, she helped the client achieve favorable resolutions in both forums.
- Represented school districts handling construction defect and scheduling claims against contractors who perform defective or untimely work on projects that range from small scale buildings to multimillion-dollar commercial structures.
- Represented commercial lumber manufacturer in claim against general contractor for defective work and delay involving a post-fire remediation.

### ADA Defense

- Defended several restaurant chains against Americans with Disabilities Act claims filed by serial ADA litigants who target businesses throughout California, Oregon, and Washington.
- As part of her ADA work, she advises businesses on ways to reduce the likelihood of ADA claims, engage in remediation, and facilitate cost-effective dispute resolution.

### Construction

- Drafted and negotiated construction contracts for owners, architects, and contractors for the development of commercial and residential properties in Oregon and Washington.
- Her experience in construction defect litigation enables her to draft these contracts with an eye toward anticipating and preparing for potential disputes.

### Real Estate Brokerage Defense

- Represented real estate brokerage firms defending brokers in residential property transactions involving sales that have gone awry.
- Advises on pre-dispute strategies to mitigate risk and limit legal exposure.

### Insurance

- Represented dairy farm owners in federal insurance recovery case involving a denial of coverage for farm personal property and a dispute over ambiguous insurance policy terms. She was part of the trial team that won a full damages award for her clients from the jury.

### Pro Bono

- Second chaired a jury trial representing an evicted woman in support of her race and religious discrimination claims against a housing facility.
- Received a Certificate of Appreciation from the Oregon States District Court, District of Oregon, for her contribution to its pro bono program in 2018.

### Publications

- “Recent Developments in Oregon’s Renewable Energy Efforts,” Oregon State Bar, *Construction Law Newsletter* (Fall 2022)
- “‘Home Sweet Home’: The Impact of Urban Growth on Real Estate Property Disclosures in Oregon,” Miller Nash, *From the Ground Up* (Mar. 2022)
- “Getting Paid During the Pandemic and Beyond: Important Contract Provisions for Subcontractors and Suppliers,” National Association of Minority Contractors—Oregon, *NAMC-OR Newsletter* (Winter 2020)
- “Dealing With the Ups & Downs: The Importance of Price Escalation Clauses in Construction Contracts,” National Association of Minority Contractors—Oregon, *NAMC-OR Newsletter* (Summer 2019)
- “Chapter 5: Local Practice in the District of Oregon—2017,” *Practicing Law in Oregon*, Oregon State Bar, coauthor (Jan. 2017)

### Presentations

- “For the Public Good: Sharpening Your Skills Through Pro Bono Practice,” Multnomah Bar Association, CLE, panelist (Nov. 2019)
- “Rule 21 & Other Responsive Motions,” Multnomah Bar Association, CLE (Oct. 2019)
- “Getting Paid and Protecting Your Company During a Construction Project,” Miller Nash Graham & Dunn, Construction Roundtable Series (Oct. 2018)

### Recognition & Honors

- Selected for inclusion in Best Lawyers: Ones to Watch
  - Litigation—Construction, 2022-present
- Selected for inclusion as an Oregon Super Lawyer—Rising Star, 2020-present
- Oregon New Lawyers Division Member Service Award, 2018
- United States District Court, District of Oregon—Certificate of Appreciation for Contribution to Pro Bono Program, 2018

### Personal Activities

Vanessa is an enthusiastic oil painter in her free time. She also enjoys traveling and has spent several years living abroad in China and England.