

## Alan D. Schuchman

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### Introduction

For over 25 years, Alan has built his litigation practice around complex commercial/civil litigation, employment litigation and construction litigation. Alan advises and defends businesses on a wide range of issues including torts, personal injuries, employment disputes, construction litigation, regulatory issues and all contract matters. Working with international, national and local clients, Alan has established a strong record in both state and federal court and has achieved successful resolutions in arbitration and mediation. Alan's efficient dispute resolution style provides his clients with high value that fits within their business goals. Alan is regularly invited to speak on the latest trends and best practices in construction and employment law.

Alan's experience as in-house corporate counsel for a global engineering company gives him unique insight into a business owner's perspectives and allows him to better serve his clients. Every dispute provides a business with the opportunity to learn and improve, and Alan has always paired his litigation work with advice and counsel, helping clients establish better processes and policies. His in-house role also provided him with the experience and insight he has carried forward in representing the interests of design professionals through advice and counsel, risk and claim management, and dispute resolution and litigation when necessary. As an integral part of his practice, Alan creates trainings to help clients manage day-to-day risks, but also organizational changes.

Alan's employment litigation practice is informed by his experience working with both employers and employees. On behalf of his clients, he has successfully navigated wage and hour disputes, harassment, discrimination, injuries, unemployment, OSHA/WISHA, trade secret and noncompete disputes and more. His insights have helped clients be successful in litigation, but more importantly, avoid litigation and disputes by creating safe and fair work environments and good contract and project management capacity.

### Experience & Results

#### Construction Law and Design Professional Representation Examples

- **Liberty Mutual Fire Insurance Co., Inc., v. City of Seattle, et al.:** Represented engineer in defense of professional negligence claim. Successfully secured dismissal of lawsuit through dispositive motion.
- **Blackhawk Veterinary Hospital v. Baker Construction & Development, Inc., et al.:** Represented geotechnical engineer and special inspection firm in multi-party construction defect case asserting professional negligence and violation of the Consumer Protection Act. Plaintiff sought more than \$800,000 in damages and client was able to settle for only \$50,000.

- **Crystal Palace, LLC v. YK Siding, et al.:** Represented insurance broker in defense of lawsuit alleging, in part, negligence for obtaining insufficient insurance for developer/contractor. Successfully secured dismissal of case through dispositive motion.
- **Tacoma Rescue Mission v. Sound Transit, et al.:** Represented engineer in securing favorable resolution of multi-party alleged construction defect case.
- **Griffith v. Professional Service Industries, Inc., et al.:** Successfully represented geotechnical engineering company in defense of claims stemming from landslide impacting newly constructed luxury home in Oregon.
- Represented homeowners against developer/contractor for claims arising out of construction and design of new home and secured six-figure recovery.

## Employment Law Representation Examples

- Represented employer in settlement of class action lawsuit over SeaTac minimum wage ordinance.
- Represented employer in 120 plaintiff lawsuit involving wage and hour claims.
- Represented employer in resolution of EEOC Charge of Discrimination alleging wrongful termination in violation of ERISA and disability discrimination.
- Represented employer in defense of sexual harassment and retaliation lawsuit.
- Represented national auto dealership in federal court sexual harassment jury trial.
- Represented employers and employees in negotiation and litigation over noncompetition agreements.
- Represented major grocery chains in union grievance disputes.
- Represented employers in defense and resolution of EEOC Charges of Discrimination.
- Represented employers in enforcement of noncompete provision of employment agreements.
- Represented employer in defense and settlement of FLSA and state wage violation claims.
- Represented employer in matter involving theft and sabotage by departing employee.
- Represented employer in allegation of sexual harassment and assault through conducting investigation, appropriate employee training, and advice on resolution.
- Represented male employee in obtaining six figure settlement of sexual harassment case against employer.
- Represented three employees in obtaining successful settlement of lawsuit against employer for discrimination, violation of wage laws, and retaliation.
- Represented employee in obtaining financial settlement through counterclaims in response to demand from employer regarding noncompetition agreement.
- Represented employee in obtaining financial settlement from major fast food chain for claims of discrimination and retaliation.
- Represented employees in disputes over enforcement of noncompete agreements with employers.
- Represented employee in securing settlement from local retail chain for discrimination, retaliation and other claims arising from her employment.
- Represented employee in obtaining financial settlement of federal court racial discrimination, hostile work environment and retaliation case.

## Commercial Litigation Representation Examples

- Represented company in seeking temporary restraining order and injunction against competitor for employee raiding and aiding the breach of noncompetition clauses.
- Represented property owner in land use dispute over encroachments, purported fraud in purchase and sale agreement, and easement dispute.
- Represented companies in breach of contract disputes.
- Represented company in breach of lease dispute.
- Represented company in defense of personal injury claim arising from employee's car accident.

## Education

- Northwestern University (B.S., 1982-1986; 1993)
- Indiana University School of Law (J.D., magna cum laude, 1998)
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  - Order of Barristers
  - Managing Editor, *Indiana Law Journal*

## Admissions

- Washington
- Oregon
- Colorado
- Alaska
- US District Court, Western District of Washington

## Honors & Recognition

- Listed in *The Best Lawyers in America*® in Commercial Litigation since 2024

## Professional & Community Involvement

- King County Bar Association
- American Council of Engineering Companies, Legal Counsel Forum

## Publications/Speaking Engagements

- Presenter, "HR Update," ACEC Washington Legal Council Forum Webinar (September 24, 2020)
- Panelist, "Breakout Session: Successful Collaboration With the Consulting Industry," ACEC Washington's Virtual Fall Conference (September 18, 2020)
- Moderator, "How to Protect Your Firm from COVID-Related Legal Claims," ACEC Washington Webinar (August 27, 2020)
- Co-Author, "Alaska Chapter: State by State Guide to Design and Construction Contracts and Claims," (2013-Present)
- Presenter, "Bi-annual HR Update," ACEC Legal Counsel Forum, (2015 – present/ongoing)
- Presenter, "The Dangers of E-Mail," (2010 – present)
- Co-Presenter, "Navigating the Landscape of FMLA," Blooming With the Boomers Conference for the Washington Home Care Association (May 2019)
- Legal Alert, "SB on HR, The Supremes Sing Yet Another Arbitration Love Song" (June 2018)
- Legal Alert, "SB on HR, 75 Years After Passage Legislature Strengthens Equal Pay Law" (June 2018)
- Legal Alert, "SB on HR, Legislatures are Making Salary History Inquiries a Thing of the Past" (June 2018)
- Co-Presenter, "Navigating Employee Leave Laws in Washington," 12th Annual Spring Conference for the Home Care Association of Washington (May 2018)
- Presenter, "Copyright Issues in Architecture," (2018)
- Legal Alert, "SB on HR, In Pre-Holiday Decision Washington Supreme Court Tells Employers 'You Better Watch Out. . .'," (December 2017)
- Legal Alert, "SB on HR, January 1st is Coming: Are you Prepared for State-Wide Mandatory Paid Sick & Safe Leave?" (December 2017)
- Legal Alert, "SB on HR, Paid Sick & Safe Leave Comparison Chart" (December 2017)
- Legal Alert, "SB on HR, Employee Awarded Unemployment Benefits Due In Part to Employer's Lack of Policies; Federal Budget Deal Includes Potential 80% Increase in OSHA Fine Amounts; Follow-Up Sick Leave Laws" (November 2015)
- Presenter, "Recognizing and Preventing Inappropriate and Unlawful Conduct in the Workplace"
- Presenter, "Subsurface Risk – Managing the Risk Through Contract Documents," Construction Management Association of America (2014)
- Author, "Consideration of Risks in Getting Short-Term Professional Services from Other Architects," AIA "Small Practice Practitioners Journal," (Fall 2014)
- Panel Member, "Work-Life Balance," AIA Women In Design Panel Discussion (2014)
- Panel Member, "Student Internships," AIA Practice & Ethics Panel Discussion (2014)
- Presenter, "Legal Everything-Your In-House Counsel for a Day," ACEC (2014)
- Presenter, "Trickle Down Employment Worries – How Recent Supreme Court Decisions and Federal Agency Actions Will Impact Your Company," ACEC Business Practice Breakfast Series 2013

- Legal Alert, "Follow-Up Sick Leave Laws and NLRB" (July 2013)
- Legal Alert, "Fight Over Sick Leave Laws Reaches Fevered Pitch" (June 2013)
- Legal Alert, "Party Battle Over NLRB Continues" (April 2013)
- Co-Presenter, "Legal Everything-Your In-House Counsel for a Day," AIA (2013)
- "Fight Over Sick Leave Laws Reaches Fevered Pitch" (2013)
- "Party Battle Over National Labor Relations Board Continues" (2013)
- Presenter, "How to Use Your iPad In Your Legal Practice," Grand Junction Bar Association
- Presenter, "Attorney-Client Privilege in a Global Corporation"
- Presenter, "Risk Smart, Training," Presentation addressing risks to global design, engineering and construction companies
- Presenter, "Top Ten Ways to Avoid or Mitigate Litigation," Training Presentation
- Presenter, "Change Order Management, Training," Presentation addressing contract terms in consulting, CM, construction contracts, with focus on remedy granting clauses
- Contributing Editor, "Developing Labor Law," 2005 Supplement, BNA (2005)
- Presenter, "Employment Records: Documentation of Discipline and Termination"
- Presenter, "Fair Labor Standards Act"
- Presenter, "Family Medical Leave Act, Effectively Managing Return to Work Issues"
- Presenter, "Human Resource Audits"
- Presenter, "Human Resource Fundamentals in Colorado, Wage and Hour Law"
- Presenter, "Misuse of Technology," ABA Technology Committee Meeting (2005)
- Presenter, "Prepare Your Workplace for New Liability Risks Posed by E-Mail and Internet"
- Presenter, "Protecting Your Company From Departing Employees"
- Presenter, "Time Off Issues in the Workplace"
- Presenter, "Update on Privacy and Emerging Issues in Electronic Workplace Litigation"
- Co-Author, "Non-Solicitation, The Practitioner's Guide to Colorado Employment Law," (2004)
- Co-Editor 2003-2005, Contributing Author 1998-2005, "Colorado Employment Law Letter"
- Author, "Note, The Holy and the Handicapped—An Examination of the Different Applications of the Reasonable Accommodation Clause in Title VII and the ADA," *Indiana Law Journal* (1998)