



DAVID BRUCE  
Of Counsel

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Business Litigation  
Government Relations & Regulatory

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DAVID BRUCE

EDUCATION

- J.D., *magna cum laude*, Cornell Law School
  - Cornell International Law Journal, 1983-1985
- B.A., *summa cum laude*, American University

AREAS OF PRACTICE

- Business Litigation
- Government Relations & Regulatory

REPRESENTATIVE MATTERS

- ***U.S. v. Washington***. Represented Swinomish Indian Tribal Community in defense of another tribe's claims to fishing rights in substantial swaths of Swinomish usual and accustomed fishing grounds. Obtained judgment unequivocally in client's favor after multi-week bench trial in federal court.
- ***Arredondo et al. v. Delano Farms et al. and Paniagua et al. v. Delano Farms et al.*** Defended one of the industry's largest growers of table grapes against class actions alleging wage and hour claims; following a successful motion to decertify certain subclasses and briefing on the infeasibility of a resolution of class claims by trial, obtained favorable settlement.
- ***Estates of Diaz, et al. v. City and Borough of Sitka, et al.*** Defended City and Borough of Sitka against claims relating to fatal landslide and engineered favorable settlement after substantial discovery and other pretrial practice.
- ***Baerwaldt v. City of Seattle, et al.*** Defended challenge under Initiative-91 to agreement among the City of Seattle, King County and Chris Hansen's ArenaCo regarding public financing for a new NBA basketball arena in Seattle; prepared and argued motion to dismiss on behalf of all defendants and obtained dismissal of all claims on ripeness grounds.
- ***Lane v. Port of Seattle, et al.*** Defended King County in class action alleging that acquisition of rail corridor for use in trail system exceeded governmental authority; obtained dismissal of all claims on summary judgment.

- ***Sisley v. City of Seattle***. Defended City against Washington Public Records Act claims; succeeded on summary judgment; executed offer of judgment strategy to preclude recovery of certain attorneys' fees.
- ***1426 First Avenue LLC v. City of Seattle***. Defended challenge to City of Seattle ordinance temporarily extending Pike Place Market Historical District to encompass the historical entertainment venue The Showbox Theater property; obtained favorable settlement.
- ***Otrubova v. City of Seattle***. Defended City against tort and inverse condemnation claims alleging damages caused by stormwater outfall; obtained summary judgment on some claims and complete defense verdict at jury trial on remaining claims; argued all results on appeal, and prevailed in Court of Appeals.
- ***Himmelman v. City of Everett***. Defended City of Everett against homeowner claims for inverse condemnation and negligence arising from landslide; after protracted litigation, plaintiffs voluntarily dismissed all claims with prejudice.
- ***Allen, et al. v. State of Washington and Kittitas County***. Defended Kittitas County against claims brought by local landowners when their property was flooded during a storm; obtained favorable settlement for client before trial.
- ***Alki Condominium Association v. City of Seattle***. Defended City against multi-million dollar landslide damage claims; obtained complete defense verdict at jury trial.
- ***Gamble v. City of Seattle, et al.*** Defended City of Seattle against discrimination and failure-to-accommodate claims; obtained dismissal of some claims on summary judgment, and defense verdict on remaining claims after three-week jury trial.
- ***Rufin v. City of Seattle and Jorge Carrasco***. Obtained defense verdict for City and utility CEO after multi-week trial of employment claims.

## AWARDS AND HONORS

- Best Lawyers in America, 2014-2024
- Chambers USA Guide to Leading Lawyers, 2013, 2015-2023
- Washington Super Lawyers, 2004-2023
- Washington Super Lawyers Top 100 List, 2007, 2009, 2011, 2017
- Benchmark Litigation "Litigation Star" for Washington, 2012, 2013
- 5.0 AV Preeminent Rating from Martindale-Hubbell
- 10.0 Rating on Avvo.com

## ARTICLES AND PRESENTATION

- Presenter, *Communications and Action after a Natural Disaster*, League of California Cities Annual Conference, 2018
- Presenter, *Class Certification: The End or Just the Beginning*, 21st Annual Labor & Employment Law Conference, The Seminar Group, 2018
- Presenter, *After the Slide – Post-Disaster Government Communications and Actions*, Landslides in Washington CLE Conference, Law Seminars International, 2017
- Presenter, *When Disaster Strikes: What Will Your City Be Expected to Do and Defending Municipalities Against Disaster Related Claims*, International Municipal Lawyers Association Annual Conference, 2016
- Presenter, *Landslides: The Science, Changing Regulations, Risk Assessment in Public Policy and Proof in Litigation*, Law Seminars International, 2014
- Presenter, *Defense of Flooding Cases*, Washington Association of Prosecuting Attorneys, 2011
- Presenter, *Adhere to the Federal Rules of Civil Procedure*, NBI Continuing Legal Education, 2008

- *We Get the Government We Pay For*, Seattle Post-Intelligencer Op-Ed, 2002

## **PROFESSIONAL AND COMMUNITY ACTIVITIES**

- Washington State Association of Municipal Attorneys
- Federal Bar Association of the Western District of Washington
- Washington State Bar Association
- Rolling Bay Presbyterian Church Deacon
  - Deacon, 2008-Present

## **ADMISSIONS**

- Washington
- United States Court of Appeals, Ninth Circuit
- United States District Court, Western District of Washington
- United States District Court, Eastern District of Washington
- United States District Court, Southern District of Ohio