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Business Litigation
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DUNCAN E. MANVILLE

EDUCATION

- J.D., *cum laude*, University of Chicago Law School
- A.B., Princeton University

AREAS OF PRACTICE

- Business Litigation
- Employment & Labor

REPRESENTATIVE MATTERS

- ***Sound Mind & Body, Inc. v. City of Seattle, et al.*** Defended operators of Fremont Sunday Market against lawsuit alleging that market was injuring adjacent business; obtained dismissal of all claims on summary judgment, and appellate order affirming dismissal.
- ***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.
- ***Bradburn v. North Central Regional Library District.*** Constitutional free speech challenge to library district's Internet filtering policy; argued case before Washington Supreme Court.
- ***Simmons v. State of Washington and Simmons v. Arnold-Williams, et al.*** Represented State of Washington and several individual defendants in state and federal lawsuits alleging race discrimination; obtained dismissal of all claims on summary judgment.
- ***Eagle Harbor Holdings LLC, et al. v. Ford Motor Company.*** Served as local counsel in defending against \$250M patent-infringement lawsuit relating to automobile collision-avoidance and infotainment systems; litigation ended in defense verdict.
- ***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.
- ***Public Utility District No. 1 of Snohomish County v. City of Everett.*** Defended City of Everett against claims for negligence, inverse condemnation, trespass and nuisance arising out of flooding that allegedly resulted from backup of combined sewer and stormwater system during severe thunderstorm; obtained settlement for fraction of damages claimed.
- ***Plausible Products, LLC v. Washington State Liquor and Cannabis Board.*** Represented cannabis retailer in appeal challenging WSLCB's issuance of administrative violation notices related to advertising signage; obtained order holding that statutes at issue unconstitutionally burdened commercial speech, and granting relief from agency action.
- ***GunUp, Inc. v. Media Lodge, Inc.*** Represented firearms media and marketing company in lawsuit against entity that had acquired client's subsidiary in exchange for cash and stock, and against certain officers of defendant entity; obtained summary judgment on liability under Washington State Securities Act and merger agreement, and \$2.5 million judgment after bench trial.

- **Coalview Centralia, LLC v. TransAlta Centralia Mining LLC.** Represented owner and operator of coal-fired power plant in \$16 million dispute with contractor hired to dredge and reprocess waste coal slurry; obtained favorable settlement.
- **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.
- **A and R Solar SPC v. American States Ins. Co.** Represented solar installer in bad-faith action against insurance carrier; obtained favorable settlement.
- **Kulinovsky v. City of Everett and Credible Commodities, LLC.** Represented cannabis retailer in competitor's LUPA appeal challenging City of Everett's approval of client's application to establish marijuana retail use; obtained dismissal of appeal.
- **Wallace/Scott Bellevue II, LLC v. City of Bellevue.** Defended City of Bellevue against lawsuit seeking declaratory judgment and injunction that would have allowed developer to encroach on City-owned sidewalk and utility easement; obtained dismissal of claims on summary judgment.

AWARDS AND HONORS

- Best Lawyers in America, 2018-2024
- Washington Super Lawyers, 2008-2023
- Washington Super Lawyers Top 100 List, 2015
- Washington Rising Stars, 2002-2008
- 4.9 AV Preeminent Rating from Martindale-Hubbell
- 10.0 Rating on Avvo.com

ARTICLES AND PRESENTATIONS

- Presenter, Landslide Litigation: Legal Theories and Strategies, Landslides in Washington CLE Conference, Law Seminars International, 2017
- Presenter, Landslides: The Science, Changing Regulations, Risk Assessment in Public Policy and Proof in Litigation, Law Seminars International, 2014
- Presenter, Libraries, Internet Filters, the First Amendment and the Law, Washington Library Association/Oregon Library Association Conference, 2013
- Presenter, Internet Filtering in Public Libraries: Bradburn, et al. v. North Central Regional Library District, Washington Library Association Conference, 2011
- Presenter, E-Discovery, Advanced E-Discovery Conference, 2009
- **Profile of Judge Richard A. Jones**, Federal Bar Association of the Western District of Washington News, Fall 2008
- Presenter, Issues Relating to Condominium Development and the Management of Homeowners' Associations, Legal Aspects of Condominium Development and Homeowners' Associations, 2007
- Presenter, Unequal Network Access, ACLU Biennial Conference, 2007
- Presenter, Recently-enacted Construction Legislation, Mealey's Pacific Northwest Construction Defect Conference, 2006
- Presenter, Issues Relating to the Establishment and Operation of Homeowners' Associations, Establishing and Operating Homeowners' Associations: Understanding the Legal Issues, 2006
- **Profile of Judge James P. Donohue**, Federal Bar Association of the Western District of Washington News, Fall 2006
- Co-Author with Kevin Swan, **Ninth Circuit Judicial Conference Focuses on Human Rights, Race and Diversity**, Federal Bar Association of the Western District of Washington News, Fall 2004
- **Federal Judiciary Faces Funding Crisis**, Federal Bar Association of the Western District of Washington News, Fall 2004
- **U.S. Supreme Court to Decide Landmark Free-Exercise Case**, Federal Bar Association of the Western District of Washington News, Fall 2003
- **Profile of Judge Ronald B. Leighton**, Federal Bar Association of the Western District of Washington News, Summer 2003
- **The Consummate Judge: Best Wishes to U.S. Magistrate Judge John L. Weinberg on His Retirement**, Federal Bar Association of the Western District of Washington News, Fall 2002
- **Profile of U.S. Attorney John McKay**, Federal Bar Association of the Western District of Washington News, Spring 2002
- **Seattle's New Federal Courthouse: Dignified, Accessible, Contemporary**, Federal Bar Association of the Western District of Washington News, Fall 2001
- **Innovative Federal Program Brings New Courthouse to Seattle**, Federal Bar Association of the Western District of Washington News, Spring 2001

PROFESSIONAL AND COMMUNITY ACTIVITIES

- Former member and Past President, Board of Directors, On the Boards
- Former Cooperating Attorney, American Civil Liberties Union of Washington
- Member, Federal Bar Association of the Western District of Washington
- Member, Washington State Bar Association

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