



Martindale-Hubbell



A. Troy Hunter

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MEDIATOR/ARBITRATOR

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LEGAL WORK HISTORY

In his legal career, Mr. Hunter had the honor of working for three years with the preeminent plaintiffs' personal injury attorney, Tom Chambers, before Mr. Chambers joined the justices on the Washington State Supreme Court. He went on to work 14 years in insurance defense litigation as a partner at Floyd, Pflueger & Ringer. In 2014, Mr. Hunter opened his own firm: Issaquah Law Group, where he continues to litigate disputes on behalf of both plaintiffs and defendants. He as mediated, arbitrated and tried hundreds of cases to conclusion.

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

Mr. Hunter began his mediation career at University of Washington School of Law, where he worked to resolve litigated and community disputes through UW's Mediation Clinic. He went on to win a Moot Court International Award of Excellence for skills in Mediation and Negotiation. As a civil litigator, he has successfully negotiated the mutually satisfactory resolution of hundreds of cases on behalf of both plaintiffs and defendants. He lends his success to being creative, listening closely to what is being said, and being able to read people to get a sense what is not being said. He received his mediator certification from the internationally recognized program at the Straus School for Dispute Resolution at Pepperdine University, School of Law, in Malibu, CA.

CONSTRUCTION INDUSTRY EXPERIENCE

Rated AV Preeminent by his peers on Martindale Hubble, Mr. Hunter has been involved in construction litigation on behalf of many of the largest construction companies in Washington: Wilder Const., Sierra Const., Turner Const., Williams Bros. Const., HOS Bros. Const., PCL Const., Bayley Const. and RCI Construction Group. Claims involving cranes, scaffolding, electrocution, equipment accidents, excavations, fires, water damage, mold, roofing, plumbing and foundation defects are but a sample of the many mechanisms of loss experienced. Litigated disputes have included construction workplace injury and death, construction defect, construction contracts and subcontracts, and employment issues, including the borrowed servant doctrine.

Notable cases include:

- Representing Conway Construction Company in the largest wildfire damages lawsuit ever initiated in the state of Washington, alleged to have started as a result of construction work on the Taylor Bridge Project for WSDOT in Cle Elum, WA.
- Representing Purcel Painting and Coatings in the dozens of lawsuits that arose out of the catastrophic sandblasting containment failure on the Murray Morgan Bridge rehabilitation project in Tacoma, WA, which included claims for environmental remediation of the riverbed below.
- Representing Wilder Construction Co. on issues related to the Government Contractor Immunity Doctrine and application to a multicar accident due to Temporary Traffic Control Devices under the MUTCD. Claims dismissed on summary judgment and upheld on appeal.
- Litigating whether the Dept. of Labor & Industries was precluded by collateral estoppel from pursuing recovery of medical and wage benefits paid out to an injured worker in a third-party action against Sierra Const. Co. when L&I's Hearing Examiner had already exculpated Sierra of any wrongdoing under WISHA requirements.
- Representing Williams Bros. Const. in a case where a subcontractor's employee was injured by eco-blocks that collapsed and pinned him underneath them. Successfully argued that the employee alleged to have caused the collapse was working for another contractor at the time, triggering the application of the Loaned Servant Doctrine.
- Representing TTI Construction in a fatality accident of a heavy equipment operator during construction of the Third Runway Project at Sea-Tac that involved issues with the design and implementation of safety devices on a Komatsu backhoe outfitted with a high-velocity mower head.
- Numerous claims, on behalf of defendants and plaintiffs, alleging injuries sustained by workers as a result of hazardous conditions on the construction site. Allegations included failure to inspect and make safe the construction site; poor lighting; failure to warn of construction safety hazards; failure to train/supervise; violation of WAC, WISHA and OSHA; and the non-delegable duty of a general contractor to ensure overall site safety under Stute and its progeny.

Check Mr. Hunter's availability and schedule mediation of your construction dispute at Pacific ADR by phone: 206-624-3388, or email: casemanager@pacificadrconsulting.com

PRODUCT AND FIRE/EXPLOSION EXPERIENCE

Mr. Hunter has been involved in losses large and small involving faulty products that result in injury or devastating property damage from fires and explosions. With his investigations background, Mr. Hunter has participated in “boots on the ground” investigations of fire/explosion events of residential homes, commercial buildings, and open forests. He attends and participates in every aspect of the engineering and scientific expert analysis of evidence in order to contribute to and learn from the process of determining: cause and origin of a fire start, product failure analysis, mechanism of failure, materials failure points, electrical arcing and burn patterns, and accident reconstruction and reenactment of catastrophic events.

Notable cases include:

- Representing Conway Construction Company in the largest wildfire damages lawsuit ever initiated in the state of Washington, alleged to have started as a result of arc welding and/or rebar cutting work on the Taylor Bridge Project for WSDOT.
- Representing manufacturer of control valves in investigation of natural gas explosion at the Pierce County Transit Yard that leveled the transit fueling station due to valves opening out of sequence which allowed a massive ball of natural gas to be expelled and ignited.
- Investigation into cause and origin of suspicious fire in a new housing project that was still under construction but contractor was in financial trouble. Fire was started by kerosene-fueled heater left on in a model home and burn patterns were suggestive of use of an accelerant.
- Representing national retailers in dozens of residential fires alleged to have been caused by defective appliances, including: clothes dryers, dishwashers, water heaters, refrigerators, stoves, toasters, space heaters and extension cords.
- Mr. Hunter has represented various parties in cases involving the design and manufacture of processing plant machinery, such as pulp paper processing and French fry processing, that due to failed safety devices resulted in injuries from serious disfigurement to death.
- Representing TTI Construction in a fatality accident of a heavy equipment operator during construction of the Third Runway Project at Sea-Tac that involved issues with the design and implementation of safety devices on a Komatsu backhoe outfitted with a high-velocity mower head.
- Numerous claims, on behalf of defendants and plaintiffs, for injuries/death caused by product defects, including household appliances, automobile parts and mechanics, ladders, motorcycle parts and mechanics, recreational equipment, and medical devices/artificial implants.

PERSONAL INJURY EXPERIENCE

Mr. Hunter has been involved in major personal injury and wrongful death litigation on behalf of both plaintiffs and defendants. Mr. Hunter has handled cases involving serious injury and death to fathers, mothers, brothers & sisters, and tragically, children of all ages. The mechanisms of injury have been as diverse as the clientele; everything from product liability to premises liability, construction accidents to motor vehicle accidents, medical malpractice to workplace safety.

Notable cases include:

- Product liability case involving the death of a teenager caused by head trauma due to a paintball gun compressed air canister's valve separating from its threads and becoming a projectile.
- Medical malpractice case against an area hospital and OBGYN for failure to adequately test for Group B strep in a pregnant mother, which led to one of a pair of twins being born septic with a Group B strep infection and dying 6 days later.
- Construction case involving a fatality accident of a heavy equipment operator during construction of the Third Runway Project at Sea-Tac that involved issues with the design and implementation of safety devices on a Komatsu backhoe outfitted with a high-velocity mower head.
- Motor vehicle versus bicyclist fatality involving roadway markings in an active construction zone.
- Case involving design and installation of safety features and mechanisms in pulp paper processing plant equipment which lead to an employee getting caught up in the gears and perishing.
- A warehouse retailer employee used a forklift to push a large roll of carpet off the backside of a high shelf, causing it to land on a customer, shattering three vertebrae requiring multiple surgeries and life-long care.
- Multiple lawsuits filed against orthopedic surgeon who designed an artificial hip implant for younger more active patients but which wore out much quicker than other products on the market, requiring revision surgery.
- Numerous less devastating claims of personal injury, on behalf of defendants and plaintiffs, alleging negligence and injury from slip/trip and fall accidents, motor vehicle accidents, product defects, dog bites, and construction work site injuries that aren't otherwise covered by the Dept. of Labor & Industries.

SEXUAL/ABUSE/MISCONDUCT/HARASSMENT

Mr. Hunter has been involved in highly sensitive cases involving claims of sexual abuse, misconduct and harassment. These cases require extra care and patience since they are highly emotionally charged and can be extremely volatile. The majority of the victims in these troubling cases are children, which brings greater emotional weight and complexity to the cases, often requiring the assistance of Guardians Ad Litem, psychologists and psychiatrists, involvement of extended family, and life care planners. Claims by adults arising in the employment context raises a host of workplace issues to be addressed including vicarious liability, insurance coverage, and negligent hiring/retention.

Notable cases include:

- Representing Kiwanis Club of America in over a dozen separate cases brought by adults alleging they suffered from sexual abuse when they were young boys residing at the OK Boys Ranch group home in Olympia, WA. Abuse was alleged against fellow residents as well as employees and counselors of the group home, and allegations against DSHS for failing to monitor and supervise the home.
- Investigation into abuse and suspected murder of an adopted 12-year-old boy for life insurance proceeds that the adopted parents took out on him.
- Employment sexual harassment claims brought by pharmacist assistant against pharmacist employer. Case was complicated by facts that the two began dating before the employment relationship began and the allegations were raised after the relationship was ended.
- Investigation of employee of retailer accused of sexual harassment and misconduct directed to customers whom the employee photographed without their permission and made sexual advances towards.
- Mr. Hunter has represented various school districts and other municipal entities from claims and allegations of sexual abuse and misconduct against employees, teachers, counselors, peers, clergy and superiors in the workplace.
- Investigation of special needs employee of large retailer who physically assaulted a customer in response to himself feeling harassed and verbally abused by a customer.
- Numerous claims, on behalf of defendants and plaintiffs, alleging injuries and death as a result of product defects, including BBG grills, pressure washers, automobile breaks, ladders, motorcycle wheels, folding knife packaging, paintball gun and compressed air canister, and medical devices such as an artificial hip implant.

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