



Ronald J. Clark

Shareholder
Direct Dial: 503.499.4413
ron.clark@bullivant.com

Ron Clark brings a trial lawyer's expertise and experience to bear in cases involving insurance coverage litigation and bad faith, product liability and general tort actions. His representation focuses on the Western states including Oregon, Washington, Idaho, Utah and Alaska in state and federal courts.

Ron's trial experience includes more than 40 trial verdicts. Clients benefit from his background because he understands the opportunities and risks of taking cases before a jury and judge. Ron has defended some of the largest national insurance carriers in coverage litigation and bad faith matters across the Northwest and in other jurisdictions. A large portion of Ron's work involves defense of bad faith claim-handling allegations.

In product liability, Ron has defended manufacturers in heavy equipment and chemical industries. His work in product liability is complemented by defense of general tort actions that span several industries.

Professional associations and clients call on Ron to present programs on insurance coverage, trial practice and defense strategies. In addition to speaking and writing, Ron serves on relevant committees and boards of both insurance and professional legal associations. He also served on Bullivant's board of directors.

Representative Trials

Insurance Coverage and Bad Faith

- *Wild Waters, LLC, et al. v. Travelers Property Casualty Insurance Company* – Idaho (2014) (Coverage suit involving a vandalism claim and application of the Vacancy clause in the policy, as well as contentions of waiver and estoppel against the insurance company – defense verdict)
- *Prime Alliance Bank v. Travelers Property Casualty Company of America* – Utah (2013) (Coverage and bad faith claims following alleged theft of large commercial LED signs)
- *Port of Longview v. Arrowood Indemnity, et al.* – Washington (2013) (environmental contamination claim)
- *Dat Kim Partners v. Travelers*, Ada County District Court – Idaho (2012) (insurance coverage and bad faith suit following restaurant fire)
- *F.C. Bloxom Co. v. Fireman's Fund Ins. Co.*, United States District Court – Washington (2012) (insurance coverage and bad faith suit on ocean marine policy)



- *Ramparts, Inc. v. American Ins. Co.*, United States District Court – Nevada (2011) (first party property and bad faith case involving collapsed floor at casino)
- *Metawave Communications Corp. v. St. Paul Fire & Marine Ins. Co., et al*, California state court and Court of Appeals (\$18 million business interruption claim and bad faith allegations tried and won in California State Court and also on appeal)
- *Hartford Financial Services Corp. v. Cleveland Public Library*, Federal Court in Cleveland, Ohio and 6th Circuit Court of Appeals (\$10 million property coverage and bad faith claim tried and won in trial court and also on appeal)
- *Mancuso v. American Family Ins. Company*, Oregon federal district court (fire claim and related tort claims defeated at jury trial based on insured's misrepresentations)
- *Traders & General Ins. Co. v. Freeman*, Federal Court in Oregon and on appeal (Arson defense to coverage claim involving "innocent co-insured" won at trial, and also on appeal)
- *Koldkist-Beverage Ice., Inc., et al v. Liberty Northwest Ins. Co.*, Oregon state court (Fraud and bad faith claim won at trial)
- *Linda Lochard v. American Family Life Insurance Company* (2009) Defense verdict at trial in a life insurance case defended based on misrepresentations by the decedent in the application.

Product Liability Suits

- *Roorda v. Pierce Manufacturing, et al.* – Washington (2013), Product liability suit involving fire truck
- *Weeg v. Lewis Bros. Rental Co.*, Oregon state court case involving allegedly defective back hoe, won in state court
- *Fite-Frazer v. Portland Party Works, Inc.*, Oregon state court case involving allegedly defective product at convention, won in state court
- *Holbrook v. Gowan Company*, Oregon state court case involving allegedly defective herbicide, won in state court

Miscellaneous

- *Whittington v. American Family Insurance*, Malicious Prosecution case, won in Oregon state court
- *Haatia v. American Family Insurance*, Defamation case, won in Oregon state court
- *Odd Fellows Cemetery Assoc. v. Schenck Communications, Inc.*, Timber Trespass case, won in Oregon state court
- *McCarty v. Trend Setter Home Improvement*, Employers Liability case, won in Oregon state court
- *Loftus v. Westberg*, Wrongful Death case, \$400,000 plaintiff's



- verdict in Oregon state court
- Approximately 20 other jury trials in addition to those listed above

Representative Experience

- Secured unanimous jury verdict in Idaho vacancy clause case

Practice Areas

Insurance Law
Admiralty & Maritime
Product Liability

Industries

Insurance

Education

Northwestern School of Law, Lewis & Clark College - J.D., *cum laude*, 1987
Western Oregon State College - B.S., 1983

Bar Admissions

- Oregon, 1988
- Idaho, 2006
- Washington, 2011

Court Admissions

- U.S. District Court, District of Oregon
- U.S. District Court, District of Idaho
- U.S. District Court, Eastern District of Washington
- U.S. District Court, Western District of Washington

Professional and Civic Involvement

- American College of Coverage and Extracontractual Counsel (Fellow, 2016-Present)
- Defense Research Institute (Member, 2018 Finance Committee; Member, Insurance Law Committee, Steering Committee; Co-Chair, Insurance Industry Institute, 2015; Former Member, Board of Directors)
- Federation of Defense & Corporate Counsel (Member; Chair, Insurance Coverage Section, 2013-2015)
- Multnomah Bar Association (Member)
- National Center for Missing & Exploited Children (Volunteer Attorney)
- Oregon Association of Defense Counsel (Member; Member,



- Coverage Practice Group; Member, Product Liability Practice Group)
- Oregon State Bar (Member, Litigation Section)
- U.S. Marine Corps Forces Reserve (Reservist, 1980-1984)
- Western Oregon University (Former Chair, Board of Directors, Alumni Association)

Awards and Honors

- Named the *Best Lawyers*[®] 2017 Portland-OR Insurance Law "Lawyer of the Year"
- Recipient of the Federation of Defense & Corporate Counsel's *Appleman Award* for his contributions as Chair of the Insurance Coverage Section (2015)
- AV[®] Preeminent[™], Peer Review Rated by Martindale-Hubbell
- Selected for inclusion in *Oregon Super Lawyers* (2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006 — Insurance Coverage)
- Selected for inclusion in *The Best Lawyers in America*[®] (2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009 — Commercial Litigation; Insurance Law; Litigation - Insurance; Product Liability Litigation - Defendants)
- Named as a "Local Litigation Star" by *Benchmark Litigation* (2018, 2017, 2016 & 2015 — Insurance; Product Liability)
- Recipient of Law Review Excellence Award from Northwestern School of Law, Lewis & Clark College (1986-1987)

Publications and Presentations

- Co-Speaker, "Trends in Bad Faith Litigation," Defense Research Institute (DRI) Insurance Bad Faith and Extra-Contractual Liability Seminar (2015)
- Co-Author, "A Case-Specific Inquiry: Whose Agent Are You Anyway?," Defense Research Institute (DRI), *For the Defense* (2014)
- Panelist, "Thank God it Wasn't My Case! Top Ten Craziest Insurance Coverage Decisions," Federation of Defense & Corporate Counsel (FDCC) Winter Meeting (2014)
- Co-Speaker, "Choosing a Jury," Oregon Association of Defense Counsel (OADC) Defense Practice Academy (2012 & 2010)
- Co-Speaker, "A Comparative Look at the Patient Protection and Affordable Care Act of 2010," Defense Research Institute (DRI) Life, Health, Disability and ERISA Claims Seminar (2012)
- Co-Speaker, "Concussions – Gaining Focus on Sports-Related Head Injuries," Federation of Defense &



- Corporate Counsel (FDCC) Annual Meeting (2012)
- Speaker, "Claim Investigation While Litigation Is Pending," Property & Liability Resource Bureau (PLRB) Claims Conference (2011)
- Speaker, "Insurance and Reinsurance: Health Care Reform – Where Do We Stand?" International Association of Defense Counsel (IADC) Annual Meeting (2011)
- Chapter Co-Author, "Insurance Law: The Basics (2011 Ed.)," Oregon State Bar Legal Publications (2011)
- Speaker, "Most Often Litigated Builders Risk and Other First Party Issues," The Seminar Group (2011)
- Speaker & Author, "Mean Streets and Icy Potholes: Pitfalls in Adjusting and Defending the Litigious First-Party Claim," Defense Research Institute (DRI) Insurance Coverage and Practice Symposium (2011)
- Speaker, "Punitive Damages & Good Faith Strategies for Property Claims," Property & Liability Resource Bureau (PLRB) Claims Conference (2009 & 2008)
- Speaker & Author, "Examinations Under Oath – Myths and Misconceptions," Defense Research Institute (DRI) Insurance Coverage and Claims Institute (2008)
- Co-Speaker & Author, "An Ounce of Prevention Is Worth a Pound of Cure—Pre-Litigation Measures to Guard against Bad Faith Claims," Defense Research Institute (DRI) Insurance Bad Faith Seminar (2007)
- Author, "Enforcing Exclusions and Limitations Before and Policy is Issued," Defense Research Institute (DRI), *Covered Events* (2006)
- Author & Co-Speaker, "Avoiding the Minefields—The Ethical Dilemmas Posed by the Attack on the Tripartite Relationship," Defense Research Institute (DRI) Auto Liability and Coverage Seminar (2005)
- Author, "September 11 and Business Interruption Insurance," Defense Research Institute (DRI), *For the Defense* (2002)
- Speaker, "Good Faith as a Matter of Law," Defense Research Institute (DRI) Seminar (1994)
- Co-Author, "Human Factors Testimony: Does the Jury Really Need It?" Defense Research Institute (DRI), *For the Defense* (1993)
- Co-Author, "Joint or Several Liability: Allowing the Jury to Consider the Fault of All Tortfeasors," Oregon Association of Defense Counsel (OADC) Newsletter (1993) Co-Author, "Good Faith as a Matter of Law: The Insurance Company's Right to Be Wrong," 27 *Tort & Insurance Law Journal*, 665 (1992)
- Associate Editor, *Environmental Law Review*, Northwestern School of Law, Lewis & Clark College (1986-1987)